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Jacob Adam Giesbrecht

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Social Media and Freedom of Expression in Sport

PhD Thesis

Elaborated by:

Jacob Adam Giesbrecht, BSc, MA

Supervisor:

Doc. PhDr. Irena Parry Martínková, Ph.D.

Consultant:

Prof. Dr. Silvan James Parry

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I declare that I have prepared the final dissertation independently and that I have listed all information sources and literature used. Neither this thesis nor any substantial part of it has been submitted for another or the same academic degree.

Prague, 2024

Student's signature

A handwritten signature in black ink, appearing to be 'J. Lin', written in a cursive style.

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No other experience, except for rowing, has contributed to developing my character as much as writing this dissertation. It was fitting that in the field of sport philosophy, my Supervisor, Irena Martínková and Consultant, Jim Parry, were like coaches of the best kind, always pushing me to achieve my highest potential. Personal ambition in this endeavour could not have made any difference if I did not have my family's essential love and support, who kept me housed, fed, and healthy. And to my friends, new and old, for filling in the gaps and making the experience of writing a dissertation a holistic one grounded in culture and care, thank you for everything.

ABSTRACT

Title: Social Media and Freedom of Expression in Sport

Objectives: This thesis aims to analyse the legitimacy of the principle of political neutrality in sport as a limit to freedom of expression. Central to pursuing this aim is the need to explain how modern self-understandings bear on the significance of free political expression in the age of social media. Critical perspectives of modernity and social media suggest that there should be concern with the legitimacy of institutional governance and the moral frameworks and procedures that justify limiting liberties such as freedom of expression. I will thus examine the meaning and legitimacy of political neutrality, since this is central to attempts to protect sport's autonomy by limiting freedom of expression. Applying Charles Taylor's theory of moral realism and his wider political philosophy, I will analyse the possibility of sustaining sport's political autonomy in an age of social media. This analysis thus builds on a deeper understanding of human existence and modernity to better understand how social media is situated in, and contributes to the practices and problems of modern sport.

Methodology: This is a desk-based study, in which I utilise academic articles, philosophical texts, and information from newspaper articles and social media as a basis for critical analysis and discussion. The methodological approach I adopt is rooted in the philosophical works of Charles Taylor, who integrates analytic philosophy and phenomenology. Taylor's moral realism, that is, the primary theory I use to frame an understanding of sport neutrality, posits that moral goods are constitutive of social practices, and that the means to realise these goods can be multiple and debated rationally. This theory supports a broader theoretical framework of plural robust realism that influences Taylor's political and philosophical perspectives on pluralism in modern society, which I apply to the legitimacy of the autonomy of sport. This approach offers a new way of thinking about how sport and society are co-constituted and disclosed through new technologies like social media.

Results: My thesis concludes that there is a legitimate basis for defending the principle of political neutrality in sport, which can reasonably impose limits on freedom of expression. I argue for a reassessment of the meaning of the concept of "neutrality" and its relevance to the ideals of

Liberalism. However, in the modern age of social media, the way this technology is understood and used by individuals and governed by organisations has the potential to constitute what Taylor calls ‘malaises’ of modern ideals at the expense of the values of sport, which can compromise the perceived legitimacy of the principle of political neutrality. The characteristic malaises of modernity described by Taylor also impact sport, revealing how sport is deeply embedded and understood within modern moral frameworks. Thus, this thesis also demonstrates the relevance of Taylor’s work to the philosophy of sport.

Keywords: Social Media, Freedom of Expression, Charles Taylor, Moral Realism, Sport, Philosophy

ABSTRAKT

Název: Sociální média a svoboda projevu ve sportu

Cíle: Tato disertační práce si klade za cíl analyzovat legitimitu principu politické neutrality ve sportu jako omezení svobody projevu. Ústředním bodem pro dosažení tohoto cíle je vysvětlit, jak moderní pochopení sebe sama souvisí s významem svobodného politického projevu v době sociálních médií. Kritické pohledy na modernitu a sociální média naznačují, že bychom se měli zaměřit na legitimitu institucionálního řízení a morální rámce a postupy, které ospravedlňují omezování svobod, jako je svoboda projevu. V práci budu důkladně analyzovat smysl a legitimitu politické neutrality, protože toto téma je centrální pro pokusy chránit autonomii sportu omezením svobody projevu. S využitím teorie morálního realismu a s ní související širší politické filosofie Charlese Taylora budu analyzovat možnost udržení politické autonomie sportu ve věku sociálních médií. Tato analýza tak staví na hlubším porozumění lidské existenci a modernitě, aby lépe vysvětlila postavení a přispění sociálních médií a jejich problémů ve sportu.

Metodologie: Toto je teoretická studie, která využívá akademické články, filosofické texty a informace z novinových článků a sociálních médií jako podklad pro kritickou analýzu a diskusi. Metodologický přístup, který používám, má kořeny ve filosofických dílech Charlese Taylora, který navazuje na analytickou filosofii a fenomenologii. Taylorův morální realismus, tj. primární teorie, kterou vyžívám k vymezení sportovní neutrality, předpokládá, že morální dobra vytvářejí sociální praxe a že prostředky k realizaci těchto dober mohou být rozmanité a lze o nich racionálně diskutovat. Tato teorie je základem širšího teoretického rámce pluralitního robustního realismu, který ovlivňuje Taylorův politický a filosofický pohled na pluralismus v moderní společnosti a který aplikuji na legitimitu autonomie sportu. Tento přístup nabízí nový způsob uvažování o tom, jak se sport a společnost vzájemně konstituují a odhalují prostřednictvím nových technologií, jako jsou sociální média.

Výsledky: Moje disertační práce dochází k závěru, že existuje legitimní základ pro obhajobu principu politické neutrality ve sportu, který může přiměřeně ukládat meze projevu svobody. Argumentuji pro přehodnocení významu pojmu „neutrality“ a jeho významu pro ideál liberalismu. V moderní době sociálních médií však způsob, jakým je tato technologie chápána a používána

jednotlivci a řízena organizacemi, má potenciál vytvářet to, co Taylor nazývá „neduhy“ (*malaises*) moderních ideálů na úkor hodnot sportu, což může ohrozit vnímanou legitimitu principu politické neutrality. Charakteristické neduhy modernity popsané Taylorem také ovlivňují sport a odhalují, jak je sport hluboce zakořeněn a chápán v moderních morálních rámcích. Tato práce tedy také demonstruje relevanci Taylorova díla pro filosofii sportu.

Klíčová slova: sociální média, svoboda projevu, Charles Taylor, morální realismus, sport, filosofie

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INTRODUCTION

This thesis aims to analyse the legitimacy of the principle of political neutrality in sport as a limit to freedom of expression. Central to pursuing this aim is the need to explain how modern self-understandings bear on the significance of free political expression in the age of social media.

Understanding the impact of social media on sport is crucial in today's digital age. Social media provides new and creative opportunities for athletes to express their personalities, communicate with fans, accrue economic and social capital, or engage in political discourse. Social media has thus ushered in what some consider a golden age of free expression (see Chemerinsky & Chemerinsky, 2022). However, unfettered expression across global networks has also brought forth an era defined by its exploitation and the problematic spread of false and misleading information (see Davis, 2017; Kakutani, 2018; O'Connor & Weatherall; Stengel, 2019). While freedom of expression is a constitutive value in modern society, its limitation also defines the values and forms of liberal democracies. In the case of sport, organisations can limit freedom of expression by applying a principle of political neutrality to preserve their autonomy. However, the basis for sport to limit freedom of expression on a principle of political neutrality is highly contested, increasingly so in the age of social media when the boundaries of control are blurred in online domains.

Arising out of the proliferation and ubiquity of online communication networks, the potential for realising important values and goods can be seen to be contingent on establishing better ways of using and governing social media. In the philosophy of technology, there is an ongoing debate over the status of technology as something that dominates and controls individuals and society, or whether it should be seen as empowering and liberating. Such debates also follow similar critical appraisals of society and the legitimacy of modern (Western) ideals and forms of governance, with advocates supporting the promises of egalitarian liberal democracies and detractors eschewing its oppressive and hegemonic control. While the correlations between these views are complex, they are all generally supported and guided by fundamental outlooks on the nature of human existence, which imparts a sense of its potential.

As Hubert Dreyfus and Charles Taylor (2015, p. 382) see it, two powerful and opposing positions are being defended in contemporary society, which can loosely be described as modern scientism for one, which stands against various other types of subjectivism and relativism as the other. I take inspiration from Taylor (and Dreyfus) by attempting to defend a third option that distances itself from the latter and former by retrieving the term *realism*. The method being used is a crucial feature of this thesis, primarily because it provides new ways of thinking about human existence and the relation people have to their values and technology. It is not necessarily opposed to scientific methods or critical theories of society, but it does challenge their fundamental ontological assumptions and argues that there is a plurality of ways to disclose independent truths about the world (Dreyfus & Taylor, 2015, pp. 383-384).

Critical analyses of social media and its effects on society are growing, and the need for further theoretical development in the context of sport is becoming increasingly urgent (see Abeza & Sanderson, 2022; Abeza et al., 2021; Sanderson, 2013; 2016, 2018a, 2018b; 2022; Sanderson et al., 2020; Sanderson & Weathers, 2020). Despite the growing number of critical appraisals, the philosophical basis for understanding the impacts of social media on people's relationship with sport and freedom of expression remains largely unexplored. Studying the intersections of sport and social media, Abeza and Sanderson (2022, p. 286) acknowledge that there is still 'disciplinary pain' when applying rigorous theories to empirical research. In a recent survey of 80 sociology papers on social media and sport, Antunovic (2022, p. 20) also claimed that theoretical frameworks and methods required more development. Hence, it is crucial to understand *how* social media is involved in (re)shaping people's engagement with sport and views of political neutrality, beyond just documenting the changes empirically.

As my thesis examines several themes in the milieu of social media and freedom of expression in sport, I will divide the chapters into three parts. Part I lays out the foundations of the issues and theories that I intend to address to garner a clearer picture of what is at stake for sport with the introduction of social media as it implicates the principle of political neutrality. In Chapter 1, I briefly overview Taylor's political philosophy as it helps to describe modernity and why various significant theories of freedom of expression make sense in a modern moral order. Highlighting the importance of principled approaches to protecting and limiting freedom of expression, I explicate the strengths and weakness of the utilitarian harm principle, the defence

from an argument for democracy, the moral argument for self-realisation and weighting, and the defence of human rights. Proceeding to Chapter 2, I introduce what Taylor describes as the *malaises of modernity* to frame the sentiments and theories that can undermine procedural neutrality and other ideals fundamental to modern Liberalism. Such views implicate how procedurally neutral principles legitimately limit freedom of expression and support the demands for recognition in a modern pluralistic society, imparting different outlooks on models of legitimate governance. Similar perspectives apply to pessimistic outlooks of the role of technology in society, like social media. I argue that social media can be used in ways that cultivate malaises of individualism, instrumental reason, soft despotism and what I include as post-truth. Chapter 3 applies this Taylorian outlook of malaise to the issue of political neutrality in sport, which is highly contested. Thus, this chapter paves the way for generating a Taylorian response to the legitimacy of sport to limit freedom of expression.

Constituting my methodological approach, I provide an account of Taylor's philosophical outlook and its political applications in Part II. Chapter 4 introduces Taylor's *moral realism*, which serves as a guiding method for articulating the meaning and significance of procedural neutrality in Liberalism. Applied to Taylor's political outlook, moral realism provides a non-relativistic basis for making exceptions to conditionally limit rights like freedom of expression for the sake of the survival of a cultural practice and its constitutive values. On these grounds, in Chapter 5, I argue that the autonomy of sport is a legitimate aim under such a conception of Liberalism. I then defend my thesis that political neutrality in sport is a valid principle with which to limit freedom of expression conditionally.

Although I argue that political neutrality in sport is theoretically legitimate, Part III provides the crucial context for how and why social media is involved in preserving or undermining the principle of neutrality. In Chapter 6, I elaborate on Taylor's concept of *modern social imaginaries* to provide a basis for how modern ways of understanding the world are rooted in social practices. This develops an understanding of how social media has readily become situated into modern social practices and makes sense to be put towards particular uses. I attempt to show how such practical uses and understandings can also manifest malaises that undermine outlooks of the nature of social media in society. Chapter 7 then applies this framework for understanding social media and society in the context of sport. By applying a hermeneutic

approach to understanding how individuals and organisations use social media, I demonstrate how the way social media is used can contribute to malaises characteristic of modernity. As a result, how people understand what social media is good for reflects how people think of good more generally. The malaises of modernity can thus be disclosed and reinforced by social media use in sport. As social media has facilitated a profound change in the way sport practices and values are communicated by individuals and organisations, I further claim that there is an underlying need to articulate and retrieve the modern moral sources of sport to prevent malaises from manifesting. Therefore, the legitimacy of a principle of political neutrality is impacted by how social media is adopted in sport.

Before delving further, it is crucial to address the issue of what constitutes freedom of expression *in* sport. Indeed, the scope of the principles of political neutrality is not easily discernible from the rules of sport. Nor do the rules that dictate limits necessarily justify its scope, such as rule 50 of the Olympic Charter, which restricts forms of political expression to areas like the podium and playing field. The definition of sport I adopt in this thesis refers to Olympic-type sports that are institutionalised, rule-governed contests of human physical skill (Parry, 2019, p. 4). However, this definition falls short of establishing what falls within the purview of sport in terms of its control over athlete expression. Therefore, the ambiguity and implications of determining what is considered ‘in’ or ‘out’ of sport is a central issue that this thesis explores, particularly in the context of social media. It is precisely the boundaries between broader society and sport that, ultimately, I aim to show are problematically conceived from the start. Thus, the influences on the perceptions of sport and its political neutrality are not limited to the field of play or podium, but the defence of such principles also necessitates recognition of the broader moral orders that legitimize the autonomy of such institutions. Social media is, therefore, as deeply involved in this topic as any other public sphere that influences public sentiments and communal practices; even though such domains can be considered distinct, their intercommunication and independent governance are essential characteristics and concerns of modernity, as explored in this thesis.

METHODOLOGY

This thesis is a ‘desk-based’ study. ‘Desk-based’ means that I use academic articles, philosophical texts, and information from newspaper articles and social media to provide a basis for critical analysis and discussion. The analysis and discussion are considered ‘philosophical’ because I address questions and concerns that require reflection on the nature of our understanding of a particular inquiry and aim for greater clarity. In the spirit of the quote below, my thesis adopts a philosophical methodology informed by the works of Charles Taylor.

In philosophy typically we start off with a question, which we know to be badly formed at the outset. We hope that in struggling with it, we shall find that its terms are transformed, so that in the end we will answer a question which we couldn’t properly conceive at the beginning. (Taylor, 1976, p. 297)

Taylor is a philosopher whose identity as a Québécois (French) Canadian is often reflected in his philosophical works’ discerning way of dealing with complex moral, political, and social tensions. The *oeuvre* of Taylor’s body of philosophical work has centred on reflections on the problems of modernity, which take on a distinct Canadian multicultural perspective (Tully, 1994, p. xiv; Laforest, 1993, p. x). Taylor also describes himself as a ‘monomaniac’ in that his career has aimed to set out a philosophical anthropology, which explains the remarkable coherence of his thought over more than 60 years of writing (Bohmann & Montero, 2014, p. 9).

Taylor accepts that the present age is pluralistic in two ways: first, modern (Western) society is irrevocably in a state of multiplicity concerning values and cultures, where the challenge of these societies is to understand how fundamental differences can coexist; the second regards the idea that there are many ways of reflecting on society which brings with it an author’s own backgrounds and situatedness in society (Tully, 1994, p. xiv). Responding to multiculturalism and personal embeddedness is what distinguishes Taylor as both a political philosopher and one whose seeded phenomenological roots are transparently intertwined with his personal outlook.

Taylor engages in political philosophy because he questions the fundamental structures of modern social and moral frameworks. A somewhat narrowed or simplified perspective of political philosophy would see this field as dealing specifically with the state. “Political philosophy asks

how the state should act, what moral principles should govern the way it treats its citizens and what kind of social order it should seek to create” (Swift, 2019, p. 2). However, as Adam Swift (2019, p. 2) observes, if the feminist slogan ‘the personal is political’ is true, political philosophy deals with far more than just state governance. Given that the question of what the limits of state control ought to be and the role of modern understandings of the self are at issue, the narrow scope of political philosophy as dealing specifically with the state is prone to resist its narrow confines (Swift, 2019, p. 2). In approaching these political issues, Taylor has been described as bridging analytic and continental traditions, but most closely following what is generally considered a phenomenological methodology (Baker, 2000, p. 155; Noë, 2021, p. xiv).

Concerning the meaning of *phenomenology*, it is often compromised by misconceptions of what phenomenology is and the differences between its philosophic use and its use in qualitative research (Quay et al. 2020, p. 53). Phenomenology can be confused with ‘phenomenalism’ and neglects the philosophic method (or ontology) that distinguishes understanding the structures of consciousness (or *Being*) from mere sensory experience and data (Martínková & Parry, 2011, pp. 188-189). A part of the problem is that they both use the word ‘phenomenon’ but with different meanings: the phenomenological phenomena are of an ontological nature, while the social scientific phenomena, sometimes referred to as ‘semblances’, are of an empirical nature (Quay et al., 2020, p. 55). So, whilst phenomenology focuses on the human experience, it is a study of the *structure of human experience* (phenomenology), not the study of *individual human experiences* (empirical psychology). A phenomenological analysis, then, addresses the epistemological issue of subjective experiences by describing *how* the human experiences, and the outcome of this exercise is an ontological description of the human being and the world.

Unlike his adoption of phenomenology – often associated with the continental tradition – the sense that Taylor adopts analytic traditions is highly ambiguous. In one sense, Taylor uses analytic philosophy by adopting views from a tradition of thought generally understood to be in contrast to continental philosophy. However, the distinction between the two traditions comes into question with how Taylor (2016, pp. 14-17) sees philosophers from both traditions converging on counterarguments to epistemological outlooks entrenched in dualistic thinking. Another perhaps more appropriate sense in which Taylor bridges the analytic-continental gap is the clarity of his writing style and utilisation of his breadth of knowledge in phenomenology to help provide a kind

of analytic approach to understanding the structures of human experiences. Therefore, the sense in which Taylor is seen as mediating between a wide range of philosophical traditions and methods is perhaps what best captures what I consider in this thesis *Taylorian*.

Stemming from this wide-ranging philosophical background, Taylor is involved in a deep struggle against reductive materialism (as in, most strands of scientific empiricism) and postmodern thought, which are often embedded within subjectivist or dualistic frames of language. Although Taylor is not hostile to the sciences, he does pose undeniable challenges to anyone seeking to study human beings and ignore the role of consciousness, value, morality and society, to name a few (Noë, 2021, p. xii). It is precisely these considerations that Taylor brings into his political philosophy and outlook of modernity. The need to live up to the greater promises of modernity, for Taylor, is thus dependent upon the ability to retrieve, articulate, and reconcile the constitution of modernity in a way that does not lose sight of its grounding in history, society, and moral orders. From this basis, reasoned debate and progress in political and moral matters can be achieved.

Stemming from this Taylorian line of thought, I claim there is a need to understand social media and its relation to freedom of expression in sport. This is because similar issues are permeating the discussion of the political neutrality of sport and social media. By this, I mean that how these topics and their relations are approached—such as social media as technology, sport as a social practice, and freedom of expression as a moral ideal—heavily influences the way we think of their potential and value.

The overarching Taylorian theory I employ is *realism*, as it has been applied to morality in *Sources of the Self* and to pluralism in *Retrieving Realism*. Essential to this philosophy are two common and related arguments: firstly, it is necessary to articulate at least part of the background that makes up human experiences in such a way that the reliance on these structures is clear and undeniable, even while they often remain inconspicuous (Taylor, 2016, p. 14); secondly, that our embeddedness in social norms or ‘forms of life’ must be seen as co-constituting modes of understanding and engaging with the world (Taylor, 2016, p. 16). Together, these two lines of thought briefly describe the essential features that contribute to Taylor’s theory of realism. The term ‘realism’ is thus being retrieved (in *Retrieving Realism*) in the sense that Dreyfus and Taylor

provide a phenomenology that attempts to reposition what it means to say something is understood ‘in itself’ (Llanera, 2015, p. 7). The central claim made in this work asserts a ‘pluralistic’ account of realism. This account insists that truths about the world exist independently of us and can be understood, in a certain sense ‘in itself’, but the way of grasping such truths is multiple and does not privilege any one approach (Carman, 2018, p. 585). As it applies to ‘moral realism’, Taylor sees the human sense of moral good as constituted by social practices which have intrinsic value. Individuals living in modernity thus do not determine their own morality but are motivated by sufficiently robust moral sources that constitute the modern moral order.

This method attempts to overcome subjectivist views, the moral relativism that stems from them, and the problems with naïve universalism and epistemology in the sciences (Llanera, 2015, p. 5). This is not to say that all the objections and issues with this thesis’ topics are of such a nature. However, concerning the criticisms of political neutrality and the dominating nature of technology, this methodology is essential. I thus adopt and apply this methodological perspective to the issues identified with social media and freedom of expression in sport.

As a result, by articulating a particular way of thinking about the features embedded in the topic of social media and freedom of expression in sport, the issues themselves may be transformed. The meaning of ‘neutrality’ is discussed within the context of the project of modern Liberalism and how this situated understanding discloses how procedural and political neutrality is indeed not truly morally or politically neutral. As a result, principles that protect and limit human rights, such as freedom of expression, are not neutral as per their value, but this does not negate their importance in a modern multicultural society. Limits and exceptions to such principles must also be accepted and legitimised by good governance that displays integrity. Such issues of integrity, interest, and jurisdiction are some of the primary concerns over the control of social media. How such technology is then also viewed weighs heavily on how its potential for realising better or worse ways of living is conceived.

A concern with applying Taylor’s thought to areas and topics he never directly considers is that too much liberty may be taken in interpreting his work. Taylor has never written about sport, and even in the works observed in this dissertation, he hardly ever refers to sport in examples. Where Taylor does offer some limited discussion of technology in *The Malaise of Modernity*,

written in 1991, there was no discussion of social media. Since the advent of this technology, his writings have been subtle in their allusion to it. While I maintain Taylor's work is highly applicable even in the limited cases in which he addresses the topic of technology, care must be taken to differentiate my thoughts and applications from his.

PART I: ARTICULATION OF THE THEORETICAL BACKGROUND AND PROBLEMS

CHAPTER 1 – AN INTRODUCTION TO CHARLES TAYLOR’S POLITICAL PHILOSOPHY AND THE LOGIC OF THEORIES OF FREEDOM OF EXPRESSION

This chapter will attempt to do two things: first, it will introduce Charles Taylor’s political philosophy, describing some of the background features of a humanist, liberal democratic society heretofore referred to broadly as *modernity*; and second, it will provide a brief overview of several theories of freedom of expression that serve as bulwarks of modern society. Although many of these theories are distinct and often challenge one another, the overarching aim is to reflect how they all stem from a coherent moral framework that relies on principled perspectives to realise the value of freedom of expression. This will include a) describing John Stuart Mill’s utilitarian thinking about truth, suspicion of authority, and the harm principle, b) Alexander Meiklejohn’s focus on political speech as a democratic necessity, c) Martin Redish’s explanation of the importance of self-realisation and the balancing principle in favour of freedom of expression, and d) a broad description of the rights-based argument rooted in liberal thought related to what Taylor articulates in the first section of the chapter. I aim to show how each theory contributes a perspective on why the procedural neutrality of principles of freedom of expression is an important pillar of modernity. Despite the various and sometimes contradictory approaches, Taylor’s moral outlook of modern society provides a framework in which the mere attempt to affirm these principled arguments is supposed to make moral sense.

1.1 – Charles Taylor and Modernity

This section introduces Charles Taylor’s political philosophy and briefly reflects on his conception of modern society based on some of its characteristic moral values. The following will provide some brief context and theoretical background that expands on the modern moral order in which freedom of expression has come to be defended. By highlighting how modernity places a premium on liberal humanistic values, Taylor’s political philosophy helps clarify why the arguments for freedom of expression have the moral resonance they do.

Charles Taylor’s philosophical *oeuvre*, in its quest to articulate a philosophical anthropology that encapsulates the changes defining modernity, holds a significant role in

articulating the moral ontology of modern Liberalism. This contribution, as argued by scholars such as Williams (1990) and Mulhall (2004), is a key aspect of Taylor's work.¹ There are many ways of describing Liberalism, including, but not limited to: a rejection of natural hierarchy (Mounk, 2023, p. 240); securing the political conditions necessary for exercising freedom (Shklar, 1989, p. 21); or a view of equality as neutral on substantive matters of the good life and requiring procedural fairness (see Dworkin, 1978). Taylor's main preoccupation has been finding ways to describe how and why these various construals that are characteristic of modernity somehow make sense to most people in modern Western society. Said many times throughout his works, Taylor (see 1989a; 2007) thinks modernity is not the result of a *subtraction* of moral values from older religious orders but rather contains its own sufficiently powerful moral sources. He argues that articulating the sources of these humanist ideals makes it possible to come closer to the source of their moral power and be better related to it (Taylor, 1989a, p. 96; Taylor, 1991, p. 12).

At the heart of Taylor's philosophical concern is the transition of modern (Western) society from a broadly Judeo-Christian religious order to a secular one. This transition, which signifies the society's capability to exist without the requirement of belief in a single religious framework, is a central theme in Taylor's work. On the conditions of a secular society, Taylor (2007) has thus asked:

How did we move from a condition where, in Christendom, people lived naively within a theistic construal, to one in which we all shunt between two stances [of belief and non-belief], in which everyone's construal shows up as such; and in which moreover, unbelief has become for many the default option? (p. 14)

For Taylor, it is important not just to understand how we managed to disembed ourselves from religious orders but also how individuals can coexist in a society where no assumptions can be made about what others might believe and a "purely self-sufficient humanism came to be widely available" (Taylor, 2007, p. 18). The enlightenment was a crucial stage in this transition, 'disenchanted' the world by depriving the cosmos of its role in the embodiment of meaningful

¹ Williams (1990) regards Taylor's *Sources of the Self* to be an argument for the moral ontology of liberalism, but granted this was a perspective made in 1990, it may be underestimating Taylor's overall career.

moral and social order, to be replaced with a view of the world as mechanistic and human beings as rational agents (Taylor, 1989a, pp. 148-149).

Modernity is thus mainly contrasted by the shifts from traditional, externally imposed ways of living to a more individual and self-determined life characteristic of humanism and secularism. Prior to modernity, in Western culture, the moral order was fixed to the Judeo-Christian religious order. A moral order describes the normative practices of society that largely establish the authority of what constitutes moral good (Taylor, 2004, pp. 3-4). One way that pre-modern moral orders can be distinguished from modernity is how social hierarchies could be predicated on 'honour', which people could either be born with or gain through particular pursuits (Taylor, 1991, p. 46). An essential feature of these hierarchies is that they are exclusive and unequal. The modern moral order is distinct from those that preceded it because it fundamentally begins with the individual who does not exist within a pre-established hierarchical order (Taylor, 2007, p. 447). "Its members are not agents who are essentially embedded in a society which in turn reflects and connects with [the] cosmos, but rather disembedded individuals who come to associate together" (Taylor, 2007, p. 447). The result of this framework is that in this kind of moral order, society began to arrange itself in ways where individuals come together for mutual benefit to pursue their own life's purposes and defend each other's rights (Taylor, 2004, p. 4). Often, *dignity* is spoken of, which confers a sense of equality among people in the modern age, as opposed to honour (Taylor, 1991, p. 46).

These modern humanistic moral orders are founded on the belief in equal dignity, which lends itself to democratic political structures where a government holds power because of the consent given by the polity. The social orders are thus built upon the idea of consent to government, which includes elements such as taxation and elections that legitimise authority (Taylor, 2007, p. 160). This provides both the means to question the legitimacy of a ruling government and undermine rebellion as socially illegitimate (Taylor, 2007, p. 160). However, this does not mean protest and opposition are illegitimate; protest and demonstrations are necessarily a part of an ordered and stable democratic society, thus necessitating freedoms related to political dissent (Taylor, 2007, p. 174). What is illegitimate is the means with which to hold power and determine the rules of a governing state.

Substantiating these social arrangements is what Taylor (2004, p. 23) calls *modern social imaginaries*. These are the everyday pre-reflective ways that people understand their social existence, and they are manifested and reinforced in how society is structured. Social practices with unique significance and relations then constitute the moral order of a given period. Taylor's (2007) articulation of this order tries to make sense of the common assumptions and relations we make with others:

The modern idea of order animates a social imaginary which presents society as a 'horizontal' reality, to which each has direct access, created and sustained by common action in secular time, as we see in forms like the public sphere, the market economy, the sovereign people. (p. 392)

This means that because every person is immediately and wholly co-constituting the political body through its various everyday activities, it can be considered a 'direct-access' or 'horizontal' society (Taylor, 2007, p. 209). This horizontal society is substantiated in many ways, including new mediums of communication that affect society's culture, markets and politics at any given time (Taylor, 2007, p. 209). This contrasts with the 'vertical' society, where access to political authority is mediated through a hierarchy of people and transcendental laws in an unchanging and fixed order (Taylor, 2007, p. 209). For example, a vertical non-secular society had a hierarchy built from peasants up to Kings, and religious authority and access to the divine were also mediated through church institutions and holy men.

The modern horizontal society does not necessarily mean that everyone holds power equally; rather, every member of a society should have direct access to the egalitarian constitution of modern society, whether or not it is realised (Taylor, 2007, p. 209). For equal and mutual benefit to be fully realised, the ideal must constantly be shored up and maintained by a public that seeks to establish a society to support these ends, which entails establishing protections and limitations of individual freedoms. As a result, this modern order is rooted in an "ethic of freedom and mutual benefit" predicated *not* on a communal ethos but one of *individuality* (Taylor, 2007, p. 171). However, the ability for individuals to harness the freedom conferred by these structures of the modern moral order is only possible under the conditions that a larger political society defends what has been articulated as *rights*, and so this individualism is also ineliminably concerned with the community (Taylor, 2007, p. 170; Mulhall, 2004, p. 112). "The importance of freedom is

attested in the requirement that political society be founded on the consent of those bound by it” (Taylor, 2007, p. 170). This is where a significant amount of confusion and debate arises regarding the commitment of these societies to individualism or communitarianism. Taylor’s approach to resolving some of these disputes and elaborating on these frameworks will be presented throughout the coming chapters.

As a result of the need to protect individual freedoms, freedom of expression is often framed as a right even when it can be justified in ways that do not theoretically rely on the concept of rights because it is a distinction of the modern West that principles of respect – which all societies must have to some extent – are considered in terms of rights (Taylor, 1989a, p. 11). That is to say, as opposed to religious orders where individuals were embedded under laws and hierarchies, modernity bestows a sense of subjectivity where one should enact their rights (Taylor, 1989a, p. 11). This entails that one has a role in establishing one’s rights, which also entails these rights can be lost or waived, making it all the more important to construct ‘inalienable’ conditions and arguments to support immunity from oppressive rule (Taylor, 1989a, p. 11). Rational argument is, therefore, a significant feature of an enlightened society and its political structures.

However, merely claiming that people have equal rights offers little guidance for deciding what to do when confronted with competing interests and moral dilemmas. To this point, Thomas Scanlon (1972, p. 204) argues that it is the task of any philosophical defence of freedom of expression to respond to the issue of irrationality; that is to say, the issue of protecting free expression even when it seems difficult to do so. Defences of freedom of expression that deal with irrational limits can be considered *principled* when they offer rules of right conduct in a contentious situation. “Right rules do not replace the appeal to practical wisdom, but rather they provide a framework for thinking” (Curzer, 2015, p. 160). Having frameworks for thinking about the protections and limitations of free expression is essential for the neutral application of such principles, which is essential for a liberal society to treat its citizens equally (M. H. Kramer, 2022, p. 476). Otherwise, too much discretion to decide the limits of free expression can undermine trust and integrity in the system that protects this freedom. This is the framework for thinking philosophically about the difficulties in supporting freedom of expression within a modern moral order.

The principled view of freedom of expression aims to uphold humanist values such as rights, rationality, self-fulfilment, and self-governance, all of which capture important reasons for suspicion of government or social authority that may limit this essential bulwark of a liberal democratic society. However, the premise that freedom of expression needs firm foundations or else be seen as morally relativistic or subjective problematically privileges some forms of ethical reasoning over others based on how easy they are to defend (see Taylor, 1985b, pp. 241-242; Tuck, 1994, p. 163). In other words, modern approaches to defending freedom of expression depend largely on an epistemological need for common sources of moral agreement because of its loss of the religious authority on matters of moral law, hence why these rights tend to dissolve into relativism and triviality by attacks from sceptical postmodern thinkers. When the sources of modern liberal society are considered subjective or relativistic, as Stanley Fish (1994) argues, the defence of free expression serves only entities wielding the most power or influence. As discussed in the next chapter, the fundamental ideal of procedural neutrality has been contested, which threatens to undermine all of the following principled defences of freedom of expression.

Indeed, freedom of expression is not guaranteed in all societies because when a society does not value the pursuit or development of new knowledge, there are few issues with prohibiting speech (van Mill, 2023, para. 2). Religious and authoritarian societies struggle with fostering any culture of free expression primarily because they have pre-established truths and hierarchies (Kaul, 2022, pp. 468-470). This is not to say that these religious traditions disdain truth or knowledge – the religious authorities are often tasked with imparting wisdom and religious doctrine to their members. Instead, in these religious moral orders, cosmic and moral truth is often claimed to be held within the order designed by spiritual authorities, and because their authority is absolute, these beliefs and their professed truths are defended against further questioning. As modernity involved a disembedding from these religious orders, it opened the space for questioning authority but, at the same time, also the validity of its own foundations.

Taylor (1993, p. 60) questions the pessimistic perspective; without religious hierarchies stipulating the moral order of things, to stand outside of these orders means to have no moral limits and thus undermines itself, thus leaving a vacuum for only power to intervene. I claim that this pessimism Taylor confronts is applicable to similar critiques of freedom of expression. For Taylor, the tensions and moral dilemmas that we face as a consequence of modern moral orders are a

product of the liberal moral regimes we live in and are a feature, not necessarily a fault. How to ensure these values do not degrade into triviality because of dissatisfaction or misunderstanding of the moral basis for having principles of freedom of expression occupies a central concern of this thesis.

In summary, this section has aimed to provide a brief introduction to Taylor's political philosophy and how certain kinds of moral sentiments have become definitive of modern liberal society. These outlooks give rise to the perceived need for principles of freedom of expression that serve as a bulwark of liberal democracies. While the following will divulge the various and sometimes conflicting theories of freedom of expression, they can all be said to make sense within the framework of modernity articulated by Taylor.

1.2 – The Utilitarian Argument for Truth, Suspicion, and the Harm Principle

This section deals with a multifaceted approach to understanding freedom of expression rooted in John Stuart Mill's utilitarian ethics. Although it may be sufficient to account for just one aspect of this theoretical complex – the harm principle – it is important to see the full framework from which this ethical system derives its comprehensive argumentative strength. The harm principle is illuminated against the high value placed on truth, which contextualises the damage and injustice that can be done by suppressing truth. The argument for truth then instils the need to be suspicious of authority that attempts to suppress the truth, thus reflecting the importance of principles for neutral arbitration on politically vital matters that protect the minority. This section will begin by explicating the importance of freedom of expression for supporting the advancement of truth.

1.2.1 – The Argument for Truth

To promote a system of knowledge that succeeds in arriving at true conclusions, beliefs must be allowed to be contested. The first formulation of this argument stemmed from John Milton's pamphlet *Areopagitica*, where in this publication, he famously says to let truth and falsehood grapple, for "who ever knew Truth put to the worse, in a free and open encounter. Her confuting is the best and surest suppressing" (Milton, 2010, p. 226). The claim, in essence, is that an exchange of ideas is the best method for coming closer to the truth because it is assumed that

truth will prevail over falsehood. This sentiment is echoed in what is now known as the ‘counter-speech’ doctrine, where the phrase commonly attributed to US Associate Justice Louis Brandeis argues that the best remedy to bad speech is better speech. Although it may not be inevitable that true beliefs will be formed through debate, it is more likely to make available the opportunity to increase knowledge and awareness of our infallibility (Howarth, 2015, p. 64).

However, Milton’s assumption that people will desire truth and that it will always prevail over falsehood may entail censorship is excused because prohibiting false viewpoints serves this aim. Mill (1998, p. 140) challenges this assumption by arguing, “Men are not more zealous for truth than they are for error, and a sufficient application of legal or even of social penalties will generally succeed in stopping the propagation of either.” This assertion is relevant today as disinformation – the deliberate distribution of information that is false or deceptive – is not only desirable by many bad actors seeking to muddy the waters by undermining the credibility and trustworthiness of media and institutions but is also desired by people who would rather be exposed to information supporting their biases (Stengel, 2019, p. 290). Understanding these tendencies, Mill (1998, p. 150) considers that challenging one’s beliefs, even if the beliefs held are true, is vital for developing personal character and social conduct that has the potential to progress towards truth. Succinctly stated, Mill’s argument claims that truth is valuable for individuals *and* societies. Hence, because freedom of expression allows for the opportunity to come to true beliefs, freedom of expression is therefore valuable.

Defending freedom of expression based on the value of truth, Mill (1998, pp. 196-197) provides four essential grounds that justify his position: 1) we should never assume our infallibility, 2) it is only through a contest of diverse views that the possibility of recognising even partial truths in our beliefs can be extracted, and 3) unchallenged belief becomes dead dogma which is useless because 4) beliefs unsupported by contesting viewpoints deprives an individual (and society) of the development of character (and conduct) that is vital to realising the value of living in the truth. This means that even good ideas ought to be challenged and tested to maintain their integrity and benefit individuals and society through such a process. As a result, if the protection of freedom of expression rests on the idea that it fosters thought and discussion – and there is reason to believe this discourse will increase beneficial knowledge available to people –

the negative consequences of the expressive acts are outweighed by the positive contributions it will make to society (Haworth, 2015, p. 102).

However, when public debate does not facilitate the pursuit of knowledge, it is difficult for Mill's argument to defend against censorship. This is one of the main issues social media presents to society and will be dealt with in Chapter 6. This problem likely results from what Haworth (2015, p. 72) describes as a *non sequitur* argument where free expression does not necessarily contribute to the pursuit of knowledge. To this point, journalist and author Jonathan Rauch (2021) argues that without institutions held to strict standards in the service of progressing knowledge, an open society will not be guaranteed to discover truth. In cases where conspiracies such as holocaust denial by neo-Nazis claim to be in the interest of the pursuit of knowledge, this is clearly an abuse of the principle that also exposes a weakness in this line of defence; the assumption that such beliefs will not prevail neglects instances where atrocious and genocidal views were given platforms and ultimately believed.

Nevertheless, through the argument for truth, Mill sets a high bar that any principle restricting free expression must earnestly contend with. Before discussing the harm principle, it is necessary to further elaborate on the context of this principle by introducing Mill's 'negative' argument for why free expression should not be unnecessarily impugned.

1.2.2. – Suspicion of Authority

The defence of truth has been described as requiring a 'marketplace of ideas' in which people can contend with controversial ideas (Gordon, 1997, p. 235). This metaphor is commonly attributed to Mill despite connoting views that he may not have shared, and so may be more appropriately identified with US Supreme Court Justice Oliver Wendell Holmes Jr., who anachronistically attributes the metaphor to Mill (Gordon, 1997, p. 247). One of the reasons for this inadequate association is that while the phrase infers a 'free market' of ideas, Mill eschewed the power and influence of the majority to impose their will on others, which a capitalist marketplace otherwise tends to do (Gordon, 1997, p. 240). Another reason Mill would reject the metaphor is that the populist sentiment of the metaphor assumes the 'best' ideas – that the majority might decide are best – are true ideas, and, therefore, minimal government intervention is preferred

(Gordon, 1997, p. 243). This type of free-market liberalism contrasts with Mill's support for the government's non-neutrality in developing and educating its citizens (Gordon, 1997, pp. 243-244). However, Mill's suspicion of authority may mean he would have preferred government funding of private institutions such as journalists and universities to be involved in this area (Gordon, 1997, pp. 243-244). In other words, differentiating good or true information from bad or false information must entail some vetting process or authority on matters that average people can trust. This is exactly why the government or other forms of elite media control can be highly objectionable; whoever decides the boundaries of productive debate can shape public understanding. As a result, the negative argument against any form of authoritative censorship is a corollary to Mill's positive argument for truth.

It is extremely important to recognise the pessimistic roots of Mill's attitude towards what he sees as human nature and the innate corruption of power and influence (Messina, 2020, p. 6). This ultimately arose from his suspicion of government and the sobering realisation that a modern democratic government of the people, despite its best inclinations, always entails a rule of the majority (Mill, 1998, p. 81). Adjacent to the suspicion of government is the concern Mill (1998, p. 82) has over 'the tyranny of the majority'. The *majority* is the pejorative term for the force of public opinion – or those who succeed in representing their ideas as that of the majority – on individual beliefs that can just as much strangle the pursuit of knowledge as formal government (Dobbert, 2019, p. 27; Mill, 1998, p. 81). In Mill's (1998) own words:

Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandate at all in things with which it ought not to meddle, it practises a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself. Protection, therefore, against the tyranny of the magistrate is not enough: there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compel all characters to fashion themselves upon the model of its own. (pp. 82-83)

Mill's suspicion of the government and the majority could be interpreted as a principle in that it frames freedom as the status quo or as an inviolable right, for which justification must be provided to violate the *laissez-faire* standard (Messina, 2020, p. 7). This is captured by what Judith Shklar (1989) calls 'the Liberalism of fear', which is related to the 'checking function', whereby liberal politics are generally oriented towards protecting the polity and political critique from the encroaching powers of oppressive government (Redish, 1982, p. 612). Therefore, this argument for freedom of expression represents a bulwark of Liberalism because it sustains an argument in favour of liberty over and against despotic power.

However, suspicion of government is not properly a principle unless taken as an extreme absolutist position that denies any reason to restrict free expression. Nevertheless, as an argument that negatively critiques the dangerous outcomes of authoritarianism, it can be seen as a pillar of freedom of expression that heightens the standard by which a limiting principle must be seriously considered. With the values of truth and distrust of authority, the harm principle is now properly situated such that the utility of a limiting rule can be better accounted for.

1.2.3 – The Harm Principle

Mill admits there are grounds for which expression cannot be tolerated, known as the *harm principle*. This principle has been credited as the "basic principle of freedom of expression" (Scanlon, 1972, p. 214). The principle clearly states that "the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others" (Mill, 1998, p. 94). The harm principle responds to issues of 'irrationality' by identifying the negative consequences of an expressive act as justification for its restriction (Scanlon, 1972, p. 214). However, what constitutes harm and to what degree has been heavily disputed and is a serious limitation of Mill's otherwise transparent formulation (Turner, 2014, p. 300).

Narrow conceptions of the harm principle may be delimited to harms perceived as presenting a "clear and present danger", the quoted phrase being an important but controversial judicial application of the harm principle (Antieau, 1950, pp. 605-606). The meanings of 'present', 'clear, and 'danger' are all highly contestable but essentially attempt to demarcate instances where

rational or democratic deliberation would be insufficient to protect against serious harm (Antieau, 1950, p. 606). However, applying a clear and present danger test may be too vague to apply as a principle in many situations. It may be potentially too narrow to deal with harms that stem from forms of speech that are insulting or damaging to one's sense of personhood. As a result, some call to extend the scope of the harm principle to more clearly set the boundary of what kinds of speech should be prevented or punished (see Bell, 2020; Turner, 2014). As a result, the expansion of the harm principle tends to include considerations for offensive or emotionally damaging speech *qua* what is sometimes called today 'hate speech'.

An assumption often made about the harm principle is that it is uniquely applied to speech because it has a special status (see Gelber & Brison, 2019). Mill defends the need for liberty of thought and discussion in *On Liberty*, but nowhere does he employ the term 'free speech', of which his argument has been emblematic (Haworth, 2015, p. 72). Mill's (1998, p. 94) harm principle explicitly states that it applies to any justified government intervention and does not specifically protect expression. The idea that speech cannot cause harm to the same extent as other forms of conduct or action is a highly problematic presumption that Gelber and Brison (2019) show is a paradox affecting many theories of freedom of expression. They contend that the special status of speech is commonly associated more with 'thought' than with conduct (Gelber & Brison, 2019, p. 71). In essence, there is a paradox in the assumption that if speech is never truly harmful – or not as harmful as other actions because it is akin to mere thought – a harm principle would be useless as a limiting principle. However, if speech is dissimilar to thought in the sense that it can cause significant physical harm, it begs the question of whether speech should be treated uniquely and deserving more protection than other harmful conduct or actions (Gelber & Brison, 2019, pp. 68-69). Gelber and Brison (2019) thus encourage us to question the special status of speech, arguing that in the digital age, it is more important than ever to recognise that the harm that can come from online communication is not exceptional.

If hate speech is considered to harm someone's dignity, and this harm to one's dignity is considered sufficiently damaging, this kind of expression is incompatible with speech that should be tolerated by the harm principle (Waldron, 2012, p. 5). However, the premise that hate speech constitutes intolerable harm can be highly contentious because it may depend more on the recipient's circumstances and not necessarily on the content or intention behind the expression,

hateful or otherwise. For instance, Matthew H. Kramer (2022, p. 474) takes an approach to harm that argues that speech should only be limited based on factors that are ‘communication-independent’. This position focuses on maintaining neutrality in judicial decisions by ensuring the application of the harm principle only considers the communication-independent outcomes of one’s speech. In other words, what M. H. Kramer (2022) argues ought to constitute a limit for speech protection, which should be based on a calculus of the harmful outcomes, not based on the communicative act itself. For example, shouting ‘fire’ in a crowded theatre is not wrong because the communicative act is wrong, but because independent of the communication – the context and the outcome – the act may be wrongfully committed when there is no fire. Such a consequentialist view, however, struggles with the possibility that people can be harmed or offended when they ought not to, which may also be impossible to predict. Pre-empting or assessing harm’s reasonableness will inevitably entail some non-neutral deliberation.

Nevertheless, there are good reasons for attributing moral responsibility to a speaker who causes harm by espousing hateful rhetoric that results in an audience internalising degrading self-images such as that which come from racist insults or offensive language (Soutphommasane, 2006, p. 36). Moreover, there are also strong arguments to be made that it is minority populations that have to bear the brunt of hate speech and intolerance and are disproportionately disadvantaged by not limiting speech (Messina, 2020, p. 15). Basically, minority and oppressed groups tend to experience the worst consequences of virtually all political ordeals in society, and freedom of expression potentially serves as no exception. As has already been detailed, one of the main arguments for freedom of expression is its protection of minority voices, which may be essential to emancipating individuals and groups from harm. Minorities, as a result, may be harmed and benefit from free expression. Thus, the degree to which harm can be measured is the fundamental issue with the harm principle, as it is with virtually all utilitarian calculations.²

These problems with the utilitarian consideration of the harm principle are why Scanlon’s (1972) Millian argument for freedom of expression attempts to demarcate what constitutes legitimate justification for limiting expression, not the type of expression. In this approach, what

² A common response to determining what constitutes harm is offered by Joel Feinberg (1984, p. 36) who considers harm to others to be a wrongful setback of one’s legitimate interests.

constitutes legitimate restrictions on expression does not include harms that may result in false beliefs or harmful consequences (Scanlon, 1972, p. 213). The fundamental basis of Scanlon's (1972, p. 225) argument is that a government must view its citizens as equal, autonomous, rational agents, and it is towards the preservation of these values that freedom of expression be something a government can only legitimately abridge when harm confounds these moral aims.

In sum, the three arguments arising from Mill's original utilitarian thinking lay a foundation for why freedom of expression is desirable, what it should protect, and how to apply principled rules when it seems irrational to do so. Although these pillars of the characteristically utilitarian defence of freedom of expression have weaknesses, they are deeply entrenched and supported in legal, moral, and political theories. It is against these arguments that the following theories of free expression are held to as a standard.

1.3 – The Argument for Democracy

Another strong theory of freedom of expression considers its interdependence with the political needs of democracy. This principle determines the protection of what is considered 'political speech' is the *raison d'être* of freedom of expression. This democratic defence of free expression deals with the irrational limits by determining that all that is not political expression is not protected because it does not serve the fundamental political goal of democracy. To uphold such an argument, a perspective of what legitimates the power to limit individual freedoms and, by extension, the legitimacy of the democratic political system must be established.

Alexander Meiklejohn (1948, p. 6) argues that the difference between a free political system of self-government (democracy) and all other types is that power is not used to coerce obedience to the political system. This controversial proposal of the structure of a democratic constitution requires seeing individual agency as imperative to the political system instead of merely reducing 'the governed' to entities subject to dominating power relations (Meiklejohn, 1948, p. 7). In a democracy, the government's power is derived from the consent of the governed. It can then be said that the freedom experienced in these political regimes is not devoid of restrictions but, as opposed to coercive force, should be regarded as a kind of 'self-control' (Meiklejohn, 1948, p. 9). For those who would consider themselves rebels of a society constituted

by consent to government, Jean-Jaques Rousseau would suggest that society has a right to ‘force men to be free’ by behaving rationally in accordance with social needs (Berlin, 2003, p. 47). Such has been the impetus for many despotic regimes and serves as an immediate caution to approaching freedom of expression in this vein.

Nevertheless, Meiklejohn’s (1948, p. 14) contention is that all of a free society’s laws and principles descend from these democratic self-government ideals that entail consent to governance. What distinguishes despotic government from democracy is the *process* by which power is distributed and consented to in the polity. What is implied in these considerations, but not always lived up to, is some degree of political equality that democratic institutions require (Haworth, 2015, p. 143). The ability to limit freedom of expression must, therefore, consider the political relevance of speech that determines its protected status to respect citizens’ equality in the political process.

In a democratic society, discourse directly related to matters that the public needs to know about to make informed decisions relevant to the self-governance of their community cannot be restricted (Meiklejohn, 1948, p. 25). In essence, this argument serves as a strict principle from which to determine what categories of expression are to be protected and what are not. Under this theory, free expression “is not the guardian of unregulated talkativeness... What is essential is not that everyone shall speak, but that everything worth saying shall be said” (Meiklejohn, 1948, p. 25). Moreover, this more pragmatically entails for Meiklejohn (1948) that

[a]nyone who would thus irresponsibly interrupt the activities of a lecture, a hospital, a concert hall, a church, a machine shop, a classroom, *a football field*, or a home, does not thereby exhibit his freedom. Rather, he shows himself to be a boor, a public nuisance, who must be abated, by force if necessary. [italics added] (p. 24)

Democratic principles of free expression lend legitimacy to an authoritative body’s system and rule, making restrictions more binding and acceptable to the polity (Haworth, 2015, p. 124). The special focus on political speech takes on a particular view of democracy as one not merely about forcing opinions into the marketplace of ideas but for deliberation, which demarcates types of expression that warrant protection (Haworth, 2015, p. 145). Haworth (2015, p. 148) defines deliberation as “reasoned debate between reflective individuals in a relatively calm atmosphere.”

‘Deliberative democracy’ is thus a concept of democracy that identifies with freedom of expression by highlighting the value of expression and equality in the deliberative process.

A substantial issue that arises from this theory of freedom of expression is the question of what constitutes political expression and whether only political expression ought to be covered for the essential functioning of a democracy. Redish (1982, p. 597) brings attention to this issue by acknowledging how this defence neglects science, art and literature and that Meiklejohn, in response to such criticism, eventually included such forms of expression that had no ostensible impact on the political process. Moreover, if there are no limits to what constitutes political speech and, thus, what democratic society can prevail over, every aspect of life could hypothetically be subject to political deliberation and limitation (Redish, 1982, p. 607).

Despite these objections, a principled and powerful argument is being made. The basis of the democratic principle for freedom of expression is that political speech is always to be protected because it contributes to and substantiates equality in the democratic system. If the speech is harmful, it may still be protected if it is considered political, but otherwise, types of hate speech are likely to not contribute to the democratic process. As a result, political speech as protected speech serves as a clear and pragmatic principle to adjudicate irrational limits.

1.4 – Self-Realisation and Weighting

Mill (1998, p. 196) is generally associated with a utilitarian position on freedom of conscience and association, but he also appeals to self-development, as discussed in Ground 4. Depriving an individual of the opportunity to come to true beliefs instead of false ones denies an individual’s capacity to discover truth (Mill, 1998, p. 111). According to Vaclav Havel (2018, p. 37), who played a crucial role in Czechoslovakia’s overthrow of communism, rejecting ideological conformity and, by extension, having the courage to live following one’s own beliefs and values means “*to live within the truth.*” This is one such motivation for the theory that freedom of expression fundamentally supports individual self-realisation, which is most commonly associated with Martin Redish. The main point of the argument for self-realisation is that this is the ultimate value that is foundational to all arguments supporting free expression. However, as this section will show, when self-realisation applies as a principle, there is difficulty in distinguishing between

types of expression that deserve protection over others, which may also contribute to self-fulfilment. This results in a difficult procedural task to neutrally arbitrate between speech that contributes more to self-realisation than others without appealing to other principles.

To begin, ‘self-realisation’ is ambiguous and needs clarification. On the one hand, it may refer more to an individual’s potential character development, or it may refer to the control (or freedom) one has in making important life-affecting decisions (Redish, 1982, p. 593). Redish (1982, pp. 593-594) considers self-realisation to accommodate both; its ambiguity captures the sense of value in autonomy and liberty, human development, and self-fulfilment. However, its value is not derived merely from an expressive act itself; the importance of freedom of expression, on account of individual self-realisation, is not only in the act of expression but in its significance for being recognised by an audience. In this vein, Redish (1982, pp. 608-611) takes issue with Meiklejohn’s principle of political speech because individuals need more than just political information and democratic deliberation to live good lives and be recognised by a community. An appealing reason to suggest that freedom of expression is indeed morally based on self-realisation thus stems from the idea that the value of freedom of expression is universalisable and not restricted to democratic institutions (Redish, 1982, p. 602).

It is argued that for an individual to determine their own life freely, they require an open marketplace of ideas with which they can determine how best to live (Soutphommasane, 2006, p. 35). Losing this ability to hear other viewpoints and being denied the ability to weigh beliefs against others means that “[t]he individual loses, in effect, part of his person” (Soutphommasane, 2006, p. 35). In this case, individual self-realisation borrows heavily from the argument for truth, albeit with a greater focus on the positive needs of an individual who requires open discourse to realise their ‘true’ potential (Redish, 1982, p. 618).

Self-realisation arguments provide an idea about what kinds of expression should be eligible for protection by considering a much broader scope of protections for expression than democratic or truth-based defences. An immediate concern with posing this argument for the value of self-realisation is that it is unclear how any other values or rights – if self-realisation is considered the ultimate first principle, as Redish (1982, p. 594) does – can be balanced against this principle. One response is that it can be argued that the primacy of the value of self-realisation

does not mean that all forms of expression are of equal value and deserve equal protection to be reasonably balanced with other social concerns (Redish, 1982, p. 594). Redish (1982, p. 623) takes a very pragmatic approach by arguing that absolutist principles always fail in practice, and balancing is simply a necessary consequence. Although balancing can be critiqued both because it may be *ad hoc* and subject to legislative or popular arbitration, it is also a necessity in any society, and so self-realisation functions as a ‘thumb on the scale’ in deference to protecting free expression (Redish, 1982, p. 624). As a result, balancing in legal frameworks must defer to the judgment and goodwill of the judiciary for maintaining the principle, which is functionally suspect in terms of operating as a matter of principle (Alexander, 2013, p. 595). However, if viewed as a rule to assist in assessing the balance of free expression with other social needs, such as protection from harm, it may serve as a *weighting principle* or secondary consideration to contend with other principles. ‘Weighting’ is also related to similar concepts such as ‘balancing’, ‘necessity’, or ‘proportionality’ tests/principles (see Gunatilleke, 2021; Bychawska-Siniarska, 2017).

In such balancing acts, there appears to be a need for self-realisation on both sides of a communication exchange (Alexander, 2013, p. 601). The problem with merely encouraging ‘weighting’ and continuing to appeal to other principles is that the evaluation required of the balancing act may lack neutrality, undermining the fundamental aim of having a principle (Alexander, 2013, p. 601). In other words, requiring authority figures such as the judiciary to decide what expression is worthy of protection is a shaky basis for dealing neutrally with irrational limits. However, as I will argue in Chapter 4, no principles are truly neutral, but this does not mean they do not need to be supported by moral arguments that prove their legitimacy in a modern moral order. Indeed, the argument for weighting on behalf of self-realisation is an earnest attempt to accommodate the need for plurality, authenticity, and leniency in a liberal democracy. Nevertheless, as described above, self-realisation, as articulated by Redish, provides too little procedural justification for how this principle is to be realised.

In sum, most theories of freedom of expression accept that the weighting of various interests and values is constitutive of the application of any principle. Deference to freedom of expression can then be considered an adjunct principle due to its importance for the value of self-realisation. The essential thrust of the argument for self-realisation is that this ultimate value underpins all arguments for free expression and, when understood as such, reflects the lack of

distinction between types of expression and their potential to contribute to self-fulfilment. This means freedom of expression protections should extend to far more types of expression than just political speech or the opportunity to come to true beliefs.

1.5 – Freedom of Expression as a Right

Amongst many discussions about freedom of expression is the implicit understanding that this freedom is also a right, which Taylor helped to explain the rationale behind in the first section. To this end, freedom of expression may also encompass a broader set of rights, such as freedom of belief, the press, and association (Dobbert, 2019, p. 10). Indeed, rights-based arguments for freedom of expression are characteristically broad in their application and understanding. This section will attempt to present the rights-based argument in light of its broad approach and with an understanding of its centrality in liberal thought as articulated by Taylor above. Confronting this perspective, it will be seen that while freedom of expression is commonly cited as a right, rights do not easily function as philosophical principles and better serve as a rhetorical appeal to shared values than as a rule to apply to ‘irrational limits’.

Richard Tuck (1994, p. 164) identifies Hugo Grotius as the one who effectively invented the ‘natural rights’ tradition in response to Romantic pessimism regarding a universal criterion for dealing with increasingly global relations that brought together wildly different political and religious beliefs. The argument for what bound international relations to a natural common thread revolved around the idea that all people recognised the authority of law (Tuck, 1994, p. 165). As a result, this ‘fundamentalist’ idea of rights was an attempt to cross cultural boundaries that were otherwise unreconcilable (Tuck, 1994, p. 165). Two propositions concerning what constitutes necessary natural human rights included 1) the right to self-defence and 2) the right to be protected from wanton or unnecessary harm (Tuck, 1994, p. 164).

Although not all rights are based on the same philosophical foundations as natural rights, some, such as freedom of expression, can extend from such arguments. Towards the aims of self-defence and protection from harm, freedom of expression grants individuals the opportunity to communicate without the threat of resorting to violence or physical force (Dobbert, 2019, p. 23).

The principled function of the rights-based argument for free expression is that rights trump considerations for censorship. However, this approach to freedom of expression does not provide clear answers to balancing various conflicting rights. Offensiveness, economic efficiency, illegality (such as libel or defamation), and national security are all typical grounds for voiding free expression protections and bear various other rights-based considerations. The controversial ‘right not to be offended’, which has been attacked by the likes of Salman Rushdie (Jones, 2013) and Ronald Dworkin (2006), conflicts with free expression rights. Consequently, the limits to the right of free expression are at the mercy of the capacity for individual tolerance and political toleration of certain amounts of abuse (see Murphy, 1997).

A victim of a speech action protected as a right may be given an unreasonable burden to protect other’s rights. For example, Grotius and other humanist rights-based advocates applied natural rights to 17th-century colonisation projects in North America and were thus justified in dispossessing indigenous people of their lands because they were allegedly not being developed to preserve human life (see Stelder, 2022; Tuck, 1994, p. 167). In essence, industrial farming, land dispossession, policing and other forms of colonial rule were sanctioned because the colonists’ rights trumped those of the indigenous population’s lesser right to land claims and traditional forms of self-government (see Coulthard, 2014). To deny the coloniser’s rights to appropriate Indigenous land paradoxically positions Indigenous peoples as unreasonable and sub-human on account of their denial of natural human rights. When freedom of expression is considered a primary human right – supposedly cross-culturally understood for its importance in living with necessary human freedom and autonomy – there are effectively no limits to this right that victims can deny or else be seen as intolerant and unaligned with collective humanist aims.

In Hannah Arendt’s (2017, p. 390) view of human rights, the idea that rights spring from the nature of people can thus serve to alienate a person from the civil society that protects these rights, and rights should rather be interpreted as a right to belong to a community, which their humanity supposedly guarantees. In this case, the necessity for a right to freedom of expression is not necessarily to liberate personal needs but to have some basis to secure belonging to a society, which may then protect one’s interests by giving one’s actions a potentially meaningful impact. Being deprived of a human right is not just depriving a person of particular freedoms but destroying the capacity to have an effect on the world. “The fundamental deprivation of human rights is

manifested first and above all in the deprivation of a place in the world which makes opinions significant and actions effective” (Arendt, 2017, p. 388).

In this Arendtian formulation, freedom of expression as a right is much better conceived as having a protected, meaningful and effective role in a polity than it is as a principle to exercise trumps over competing interests. The loss of any political rights is effectively a loss of human rights because rights are guaranteed only by a community (Arendt, 2017, p. 392). “Only the loss of a polity itself expels [a person] from humanity” (Arendt, 2017, p. 389). As a result, tolerance may amount to an unethical expectation, and political toleration can cast the individual out of the polity if it denies an individual political recognition. This is why incarcerated criminals, despite being deprived of specific liberties, still maintain some human rights because the political system recognises them as bearing rights (Arendt, 2017, p. 393). In other words, “a man who is nothing more than a man has lost the very qualities which make it possible for other people to treat him as a fellow-man” (Arendt, 2017, p. 393). In a sense, it is a human right to be limited to political restrictions that establish one’s belonging to a polity that guarantees the protection of specific rights. Freedom of expression is protected or limited only when the individual is politically recognised, and only then does it become a right that can be defended or suppressed.

The trouble with this much more robust Arendtian understanding of human rights is that it makes little appeal to irrational limits for freedom of expression outside of any other argumentative framework. This is because trumping other rights or desires is relative to the given political scheme one has entered into. Without the apparent grounding in natural rights, freedom of expression is a right subject to the strength of one’s appeal to the political will and social contract defending this right. This is not necessarily a ruin of the rights-based approach to free expression, but it does little to articulate a nuanced rule of right conduct. Freedom of expression as a right tends to absolutism as a principle because when confronted with irrational limits, rights can only be preserved at the expense of other rights. Rights are a powerful yet blunt instrument to arbitrate protections for free expression. Nevertheless, a more Arendtian defence of rights appeals to the human creation of political institutions and moral principles – those of which Taylor considers are essential to modernity – making it a sustained and prolific approach to defending freedom of expression by articulating the legitimate conditions (within a modern moral order) that substantiate rights (Scanlon, 1972, p. 205).

Chapter 1 Summary

The strengths and weaknesses of several arguments attempting to construct principled approaches to freedom of expression have been briefly introduced in this chapter. Embedded within Mill's utilitarian framework defending principled approaches to truth and encouraging suspicion of authority, the harm principle is one of the strongest principles applicable to freedom of expression, even though it is not exclusively related to freedom of expression, nor is it always clear how to measure its limits. Political speech as a democratic principle that demarcates protected forms of expression situates this freedom firmly within democratic institutions and its political importance for an open society, but this approach also has difficulty in rigorously establishing its scope. Self-fulfilment and weighting principles encourage protecting free expression when in conflict with other social needs, but it is difficult to consider it as a proper principle due to its broad scope and appeal to non-neutral adjudication. Lastly, human rights represent a deeply entrenched moral perspective of the meaning of freedom of expression in modern society, but as a principle, it also confesses to being rather blunt as a rule with which to consider the irrational limits of free expression.

While all of these theories have problems, all have offered good reasons for defending and limiting freedom of expression that arguably resonates within a humanistic modern moral order. At the outset of this chapter, the introduction to Taylor's political thought provided an approach to appreciating the underlying shared moral sentiments behind these arguments that bind them together as valid lines of reasoning within the modern moral order. As it applies to sport and social media, it will be important to consider how and why new technologies and social situations affect and contribute to pessimistic views that undermine the moral justification of the neutrality of sports institutions and principles, which limit freedom of expression.

CHAPTER 2 – TAYLOR’S ‘MALAISE OF MODERNITY’ AND ITS CONSEQUENCES FOR VIEWS OF PROCEDURAL NEUTRALITY AND SOCIAL MEDIA

The previous chapter served as a crucial foundation for understanding freedom of expression. In that chapter, I introduced Charles Taylor’s concept of the modern moral order, which helped contextualise the political relevance and moral significance of freedom of expression in modernity. No single principle of freedom of expression can claim to have a ‘clinching’ argument to protect and limit free speech perfectly, but the plurality of these principles all contribute to, and make sense within, a broader moral framework.

To better understand why the principle of political neutrality in sport is threatened, I will now provide an overview of Taylor’s concerns regarding the way modernity is prone to degradation and ‘malaise’. The first part of this chapter will outline the ideal of authenticity and the critique of its slide into subjective moral relativism. This slide is primarily associated with the malaise of individualism. Stemming from this malaise, the forms of individualism and personal freedom arising from different interpretations of authenticity also propose models for society. The resulting politics that have stemmed from ideals of authenticity are two branches of Liberalism that deal with the need for political equality and individual rights: the politics of equal dignity and the politics of difference. The former’s procedural neutrality has been accused of preventing meaningful political recognition and necessary exceptions for the needs of distinct cultural practices. The latter politics of difference have supported the rejection and alternative to the politics of equal dignity. However, these politics are underpinned by incoherent postmodern theories which attempt to undermine any principled approach to protecting and limiting freedom of expression, highlighting the complex nature of these issues.

In the second part of the chapter, I will define social media and reflect on how its use is implicated by Taylor’s other malaises related to instrumental reason and soft despotism. These malaises reflect the significance of attitudes towards technology and its potential for degrading or realising the value of freedom of expression. My analysis suggests that a third malaise – post-truth – is also pertinent to social media, which can potentially degrade trust in social institutions. Understanding the role of social media in sport involves recognising how technology and human projects are co-involved and how malaises can undermine its potential for realising moral goods.

The exegesis of the theoretical issues arising from criticisms and misconceptions of modernity will pave the way for understanding 1) the critiques of sport neutrality and 2) how social media can facilitate malaises that ultimately contribute to undermining the legitimacy of any limiting principles of freedom of expression in sport. In the coming chapters, a perspective rooted in Taylor's moral realism will provide new grounds for defending sport neutrality and the crucial need to address social media's role in this context.

2.1 – The Malaise of Modernity

This section describes Taylor's interpretation of what he calls the *malaises of modernity*. In Taylor's (1991, p. 1) usage, a malaise indicates a general feeling of decline or loss that afflicts an otherwise healthy and progressive modern society. This loss is not only a felt sense of despair in terms of how to appropriately deal with moral dilemmas and how to live a good life, but also a loss of the means to leverage critiques of an individual's choices and disclose moral progress. Therefore, the malaises of modernity are significantly intertwined with moral relativism. Taylor thus challenges the view that modernity has 'subtracted' moral values from prior religious orders, as he sees modernity as constituted by its own sufficiently powerful moral sources. Such a view is essential if any modern governance is to be perceived as legitimately restricting personal freedoms. The imposition of power thus plays a significant role in the malaise of modernity, a notion that Taylor is critical of. The following will, therefore, outline the theoretical basis of the malaise of modernity, its implications for conceptions of Liberalism, and the repercussions for undermining the credibility of any governing body that seeks to impose principled limits to freedom of expression.

In *The Malaise of Modernity*,³ Taylor (1991, pp. 2-9) grapples with three malaises of modern society: individualism, instrumental reason, and a kind of political apathy called 'soft despotism' that leads to a loss of freedom through social fragmentation. Individualism, although it reflects a positive achievement of modernity, is associated with a 'disembedding' from a greater order of things, which in pre-modern ages once established one's place in and understanding of the world (Taylor, 1991, p. 4). People are now only left to focus on themselves in a flattened and

³ Also published under the title *The Ethics of Authenticity*.

narrowed world where people appear less connected to others (Taylor, 1991, p. 4). As for instrumental reason, Taylor (1991, pp. 5-6) is referring to the use of reason, where, although it is itself a moral ideal that may be employed towards individual or collective goals, people and nature tend to be instrumentalised as raw materials for particular projects, encouraging technological solutions to human problems that are not relevantly mechanical. As a result, instrumental reason tends to overlook the sources of its own value by using ‘objectivity’ to negate value, as if subduing one's sense of morality or emotions resists their irrational control. Lastly, the loss of freedom is chiefly a political concern. It captures a sense that institutions and industrial-technological society restrict choice and instrumentalise individuals, contributing to political despondency and regression into ‘soft despotism’ where fragmented groups feel less effective and in opposition to the larger society (Taylor, 1991, pp. 9-10).

Taylor (1991, p. 44) primarily focuses on the ideal of *authenticity* in *The Malaise of Modernity*, which is a central facet of modern individualism. Taylor (1991, p. 17) maintains this focus because addressing the misconstrued atomistic sense of individualism instead of recognising its deep social and moral relevance lends itself to seeing the problems in the other two malaises more clearly.

The ideal of authenticity stems from important philosophical thought about human existence that has centred on ‘being true’ to one’s sense of self. An ideal reflects a standard of achievement within a normative domain (Wrathall, 2015, p. 353). In the moral domain, an ideal represents higher or better ways of living in accordance with standards of what one ought to desire (Taylor, 1991, p. 16). An ideal of authenticity is then a higher or better way of living that, in modernity, “...involves (i) creation and construction as well as discovery, (ii) originality, and frequently (iii) opposition to the rules of society and even potentially to what we recognize as morality” (Taylor, 1991, p. 66).

The ideal of authenticity stems from views of human existence that are sourced from various philosophical outlooks, such as disengaged rationality and self-determining freedom (Taylor, 1991, p. 25). Self-determining freedom “is the idea that I am free when I decide for myself what concerns me, rather than being shaped by external influences” (Taylor, 1991, p. 27). This standard reaches beyond negative freedom in the sense that it requires one to positively assert

one's freedom by breaking from the hold of external impositions (Taylor, 1991, p. 27). The concept of 'negative freedom' is generally concerned with the absence of external forces preventing someone from accomplishing their goals, which would otherwise demand conformity. Self-determining freedom is thus more radical because it insists on asserting one's unique 'subjectivity', where each person has their original way of being. Self-determining freedom requires breaking away from external authorities, being self-governed by one's rational capacities, and substantiating personal dignity (Taylor, 1991, p. 19). To live a life according to one's individuality is to be truly authentic, and this requires a disengaged form of rationality; one is not just free of external forces but free as an individual who is distinct from others according to one's choosing. Thus, one is disengaged from social influences. Additionally, conformity is not just acquiescing to social restrictions or impositions but any form of life that has not been rationally sourced from within. Hence, authenticity entails taking up a highly disengaged view of the self from the rest of society and the world. Sourcing the common sense of what authenticity means from its historical context, Taylor (1991) says:

Being true to myself means being true to my own originality, which is something only I can articulate and discover. In articulating it, I am also defining myself. I am realizing a potentiality that is properly my own. This is the background understanding to the modern ideal of authenticity, and to the goals of self-fulfillment and self-realization in which the ideal is usually couched. This is the background that gives moral force to the culture of authenticity, including its most degraded, absurd, or trivialized forms. (p. 31)

Taylor (1991, p. 33) argues such a radical sense of atomised authenticity is fundamentally impossible, as our identities must always be formed in dialogue with society and others.⁴ "We become full human agents, capable of understanding ourselves, and hence of defining an identity, through our acquisition of rich human languages of expression" (Taylor, 1991, p. 33).⁵ Where language is inextricably developed by being a member of a society, one cannot begin to even formulate an idea of individual identity without being a part of a community. Therefore,

⁴ This will be detailed more in Chapter 4.

⁵ "Language" is used in this context not just to refer to words but the necessary social character of our existence that can also be expressed through things like art and gestures (Taylor, 1991, p. 33).

‘monological’ ideal of authenticity is something Taylor (1994a, p. 33) considers only relevant to the genesis of a sentiment that invokes powerful moral individualist ideals.

With these commonly held views of authenticity, there is a tendency to degrade into “trivialized and self-indulgent forms” (Taylor, 1991, p. 15). These forms demand that individuals pursue radical, self-creative freedom, but at the same time oppose Enlightenment ideals of objectivity and universalism, which are seen as false ideals masking the imposition of powerful and oppressive forces.⁶ Hence, the Enlightenment perspective pervading scientific rational thought and (post)modern views supporting the primacy of unique subjectivities generally result in *moral relativity*. Although scientific forms of reductive materialism are a major issue for Taylor, I will focus more on the relativism that arises out of more postmodern critiques of modernity because of its more explicit political challenges. Practically, and as will be demonstrated below, these subjective views are unsustainable and incoherent. Basically, true moral relativity in practice proposes anarchy and irreconcilable political breakdown. Therefore, it ultimately has no real political ethic. However, there are significant political challenges that arise out of the philosophical problem of insisting on universal truths and common values in a modern multicultural society. This is because individualism as a moral ideal offers ways of thinking about how one should live with others, which deeply impacts views of how a legitimate political institution should be organised (Taylor, 1991, p. 45).

2.2 – The Politics of Equal Dignity and The Politics of Difference

This section proceeds from Taylor’s diagnosis of the malaise of individualism to identifying the symptoms of its subjectivity as they manifest in the politics of Liberalism. Two main political responses can be identified that Taylor (1994) sees as being affected by problematic interpretations of modernity’s moral demands on the individual and their demand for political liberty: *the politics of equal dignity* and *the politics of difference*. Both forms of Liberalism differ in their assessment of the role of procedural neutrality based on how it provides for the demand for recognition. In essence, procedural neutrality is critiqued for failing to offer adequate

⁶ The rejection of ‘objectivity’ in favour of ‘subjectivity’ is something that Taylor intentionally exploits to evidence the dualistic roots of both of these views.

recognition and protections for distinct cultural practices because of its neutrality, but by denying it is incapable of offering recognition, it lends itself to the view that it is falsely neutral. This has serious implications for any principled defence of freedom of expression.

The way individual freedom is interpreted has profound consequences for society, as is the case for common notions of authenticity. “Authenticity is a facet of modern individualism, and it is a feature of all forms of individualism that they don’t just emphasise the freedom of the individual but also propose models of society” (Taylor, 1991, p. 44). Recalling the paradigm shift of the moral order described in Chapter 1, in the absence of a moral hierarchy and fixed place in religious society, individuals require political and personal recognition in different ways in modernity (Taylor, 1991, p. 47). Taylor (1991) states:

In those earlier societies, what we would now call a person’s identity was largely fixed by his or her social position. That is, the background that made sense of what the person recognized as important was to a great extent determined by his or her place in society and whatever role or activities attached to this. The coming of a democratic society doesn’t by itself do away with this, because people can still define themselves by their social roles. (p. 47)

Recognition was always conferred in older religious orders, but because people’s roles were embedded and predetermined, it never needed to be acknowledged with concepts of ‘identity’ or ‘recognition’ because it was not problematic (Taylor, 1991, p. 48). “What has come about with the modern age is not the need for recognition but the conditions in which the attempt to be recognized can fail” (Taylor, 1994a, p. 35). As a result, misrecognition or the denial of recognition can be profoundly damaging. Misrecognition on the intimate level can hurt, oppress, or even malform one’s self-identity when internalised; on the social plane, it can deny one a sense of equal dignity and political rights as a human being (Taylor, 1994a, p. 36). Recognition is, therefore, “a vital human need” (Taylor, 1994a, p. 26).

On the intimate level, recognition in personal relationships remains essential for forming self-identity (Taylor, 1991, p. 53). The importance of freedom of expression in this regard was reflected in Chapter 1 regarding self-realisation. On the political level, recognition requires the state to acknowledge one’s rights as an individual, where the application of principles of procedural justice allows it to remain neutral on matters of how people should freely determine

the good life for themselves (Taylor, 1991, p. 51). This is instrumental towards realising the ideals of authenticity (Taylor, 1991, p. 51). But as a result, the notion that any of the standard principles in a liberal democracy might apply differently in one cultural context than they do in another – that their application might have to take account of different collective goals – is considered unacceptable. When an individual's preferences are given special consideration or count more than that of others, even if these preferences are freely provided for by those in support of the individual claimant, the enrichment of goods and opportunities that person receives is incommensurate with a neutral egalitarian constitution (Dworkin, 1981, p. 202). In other words, recognition in modernity is generally meant to provide *equal* recognition because all people have equal dignity and rights.

This form of Liberalism calls for neutral systems regarding ideas of how people should live their lives to ensure everyone is treated equally. It is thus also considered the 'liberalism of neutrality' (Taylor, 1991, p. 17). However:

This is what underlies soft relativism as a moral principle: no one has a right to criticize another's values. This inclines those imbued with this culture towards conceptions of procedural justice: the limit on anyone's self-fulfilment must be the safeguarding of an equal chance at this fulfilment for others. (Taylor, 1991, p. 45)

As a result, the need for individual recognition and equality has created confusion and conflict between what can be called a 'politics of difference' and a 'politics of equality dignity' (Taylor, 1994a, p. 38). Taylor (1994a) has explained:

With the politics of equal dignity, what is established is meant to be universally the same, an identical basket of rights and immunities; with the politics of difference, what we are asked to recognize is the unique identity of this individual or group, their distinctness from everyone else. (p. 38)

In this formulation, equal recognition in politics emphasises equal dignity of all the members of a polity who should be owed equal rights and treatment under the law (Taylor, 1994a, p. 37). But to ignore individual differences is to potentially deny politically and personally necessary recognition and belonging that a religious moral order once automatically prescribed for individuals (Taylor, 1994a, p. 36). The politics of difference and the politics of equality converge on the need for fairness. However, the politics of difference, which powers identity politics, makes

demands for exceptional treatment, understandably when something like socioeconomic factors creates second-class citizens (Taylor, 1994a, p. 39). Implementing government policies giving individual citizens preferable treatment based on their identities also seems to contradict the principled approach to equal treatment, indicating a reversal or negation of the fundamental universality of a liberal society. This is the basis for the debate over affirmative action programs that attempt to give preferences to underprivileged groups in the name of equal treatment until such inequalities no longer exist.⁷ Although affirmative action is intended to ameliorate inequality, Taylor (1994a) recognises that the underlying demands for differential treatment can diverge significantly from its original goal of equality because

... it won't justify some of the measures now urged on the grounds of difference, the goal of which is not to bring us back to an eventual "difference-blind" social space but, on the contrary, to maintain and cherish distinctness, not just now but forever. After all, if we're concerned with identity, then what is more legitimate than one's aspiration that it never be lost? (p. 40)

The issue, then, is whether the proceduralist view of equal dignity is the only possible interpretation of Liberalism that aspires to apply neutral principles and uphold rights like freedom of expression (Taylor, 1994a, p. 52). This is a crucial question when the possibility of neutrality is questioned, and valid moral claims for the need to receive exceptional protections are made, as they are in sport, as detailed in the next chapter.

The most concerning objection to the politics of equal dignity is that it is non-neutral and imposes a homogenising (Western) Liberalism on distinct cultures and practices. Liberalism indeed stems from a particular Western moral order. Liberalism is then said to impose its hegemonic culture on those who should instead resist it for the sake of their freedom and authentic identity. "Consequently, the supposedly fair and difference-blind society is not only inhuman (because suppressing identities) but also, in a subtle and unconscious way, itself highly discriminatory" (Taylor, 1994a, p. 43). This exact critique has been taken up by Glen Sean Coulthard (2014) in the context of the colonialism of Indigenous peoples in Canada. Coulthard (2014) is concerned that:

⁷ "This argument seems cogent enough – wherever its factual basis is sound" (Taylor, 1994a, p. 40).

Indigenous society will tend to come to see the forms of structurally limited and constrained recognition conferred to them by their colonial ‘masters’ *as their own*: that is, the colonized will begin to *identify* with ‘white liberty and white justice.’ (p. 39)

Coulthard (2014, pp. 34-43) explicitly rejects Taylor’s thought on recognition because he thinks Taylor does not offer a solution to the homogenisation of capitalism and Western Liberalism. In Coulthard’s postmodern view, oppression does not occur through conventional military occupation or residential schools. Instead, oppression remains in the increasingly ‘invisible’ conditions of the coloniser's politics, economics, psychology, and culture (Coulthard, 2014, p. 48). The only solution is to somehow liberate oneself from ‘white’ politics where liberty is a constitutive aim, however paradoxical it may seem.

Therefore, the politics of difference takes Liberalism of equal dignity to be fundamentally difference-blind and incapable of providing meaningful political recognition while imposing this false neutrality on individuals. Where fair and equal treatment is seen as a colonial imposition of liberal values, neutral principles have no legitimacy. However, the need for the neutral application of principles in a politics of equal dignity cannot be abandoned if freedom of expression is to be protected and limited fairly and consistently.

Taylor articulates the profound elements of this dilemma in such a way that the need for pluralism that does not give way to relativism is essential. Modernity is dependent and fixated on codes and principles to support its moral order (Taylor, 2007, p. 704). Its codes are often generated from single-source principles of ethics such as Mill’s utilitarian defence of the harm principle, thus evidencing the critique of Western liberal thought in the very notion of the neutral State. However, exceptions to these principles are necessary, as demonstrated in Chapter 1. Absolutist defences of freedom of expression have no actual political ethic in the same way as moral relativism in the context of authenticity. In this sense, the ‘irrational limits’ of principles of freedom of expression may make too irrational and cruel demands that, indeed, make moral support irrational and ultimately dogmatic. The strictly codified rules that limit or protect something like freedom of expression can be dehumanising and alienating because they can be adhered to with callous self-righteousness and sanctimony (Taylor, 2007, p. 743).

The form of neutrality in the way the politics of equality is usually conceived is one that is critiqued as being blind to important differences and, to a more radical extent, possibly blind to the moral sources that make neutral principles desirable and legitimate in the first place. The crux of the matter is how to sustain legitimacy in procedural neutrality while allowing for the recognition of a plurality of ways of living the good life that may require exceptional treatment. To assert the legitimacy of neutral principles that also can and *must* be capable of allowing for the furtherance of cultural or social goals – as in the case of sport – the ethics of neutrality in the politics of equality must then be reconceived. If it is not possible to argue in reason about the need to make exceptions for these principles, Taylor (2007, p. 743) suggests it is because the universal moral basis for these codes is being neglected, which may sometimes require subverting them.

In the fourth chapter, Taylor's retrieval of a kind of Liberalism that is hospitable to protecting the survival of culture – and by extension, the survival of sport – while maintaining the necessary legitimacy of neutral principles will be explained. The following section will proceed to show how the politics of difference stems from postmodern views that are ultimately incoherent and not viable as a political alternative to the politics of equal dignity. These views emphasise the role of power that seeks to undermine the legitimacy of attempts to assert neutral principles.

2.2.1 – Power in the Politics of Difference

I will now focus on a general postmodern position associated with views representing the politics of difference. This position tends to reject the moral legitimacy of entities imposing limits and protections on freedom of expression and overemphasises the role of power. What follows is a brief account of Taylor's thoughts about the moral relativity of such views of power and ethics and how these views are incoherent. Taylor's argument ultimately falsifies the postmodern position, and while few who express postmodern ideas might explicitly take up this identity, it can be used to help identify similarly incoherent views specific to sport neutrality in the next chapter.

Limiting freedom of expression appears to be devoid of moral legitimacy if no limiting principles can be distinguished by any aim other than to use power to dominate others. This can be seen in arguments made by postmodernists such as Stanley Fish (1994) who have critiqued freedom of expression precisely on these grounds:

Free speech, in short, is not an independent value but a political prize, and if that prize has been captured by a politics opposed to yours, it can no longer be invoked in ways that further your purposes, for it is now an obstacle to those purposes. (pp. 299-300)

In this famous construal, freedom of expression only serves a meaningful political aim by demarcating acceptable and unacceptable forms of expression with presumed conceptions of the good determined by a particular community's objectives. This postmodern stance taken by Fish (1994) thus argues that those with power always control the scope of limitations and protections of freedom of expression. In the context of Western societies such as Canada, this means freedom of speech is controlled by colonisers – the context of Coulthard's Indigenous rejection of the politics of recognition – who have illegitimately seized power. Applying or renegotiating limits of freedom of expression becomes problematic because the entity most willing to forgo free speech commitments will be the entity whose interests are served.

Moreover, when there is a lack of consistency or transparency when applying principles to limit freedom of expression, it may justifiably breed fears about the weaknesses, instrumentality or relativity of principled reasoning about freedom of expression, entailing it has no 'natural content' other than that which those in power can leverage (Fish, 1994, p. 299). As a result, no distinction can be made between more or less legitimate powers to limit freedom of expression. This is symptomatic of the malaise of individualism, which reflects the fear of a homogenising Liberalism of equal dignity that masks its own cultural hegemony. But why might this entail that these views are not just more rational explanations of modern moral predicaments? Why are they so incoherent?

Postmodern theories that reject any legitimate moral aims of a community and its control are incoherent because they negate the moral grounds of their own critique. Modernity's aim of objectivity and universalism seems to insist on a view from nowhere typical of scientific Enlightenment thought. These views tend to neglect how human beings cannot help but make moral distinctions on moral matters, making their objectivity appear naïve and incomplete as an account of human experience. This represents the deficiency of the politics of equal dignity and its naïve universality. Indeed, Taylor (1985b, p. 59) argues against disengaged rationality in scientific positivist outlooks where 'facts' are supposed to be neutral. In this positivist sense,

values impose themselves upon facts, corrupting them, showing that neutrality is only possible if values do not steer individual actions and political choices (Taylor, 1985b, p. 60). These views can be seen to be influenced by a reductive mechanistic dualism; the objectivism of these standpoints implies a subjective stance of radical control and domination, which is the impetus for a technocratic approach – the human being is mechanistically construed and yet imposes its radical will to control and govern its own protocols. Taylor (1991) sees this issue as going to the heart of how people think of human consciousness and even its conflation with modern computers:

This explains why so many people find it quite unproblematic that we should conceive human thinking on the model of the digital computer. This self-image is enhanced by the sense of power that goes along with a disengaged instrumental grasp of things. (p. 103)

However, the apt postmodern critique of these views does not clearly offer its own moral positionality. This is because its rejection of objective truths and universal values is only replaced by subjectivity – meaning it does not reject a kind of dualistic thinking – and another kind of moral relativism; the only way to truly overcome society’s oppressive systems is to incite some kind of radical revolution that steps outside the bounds of any possible control whatsoever. This holds even if that means rejecting what we think of as morality itself, as stated above in the ideal of authenticity (iii). This brings into question the basis for its own moral critique; by articulating problems in society, which is an endeavour apparently aiming to reveal something to be true – an endeavour which contributes to human freedom and can be considered a moral good – postmodern views can negate unchecked power/oppression through a negation of its inarticulacy/inconspicuousness (Taylor, 1984, p. 173). However, if postmodernism rejects objective truth and universal values, like freedom, as legitimate moral aims – that rational individuals in modernity can acceptably agree upon as bases to use for social organisation and control – these revelations paradoxically undermine their own success; they are morally relative doctrines with no basis in universal truth. Moreover, if the use of reason to justify limitations of personal freedoms is a mask for the imposition of political power, then it is naïve to think a postmodern critique is not also driven by illegitimate power impulses (Guttman, 1994, p. 18).

The idea that neutrality only succeeds if it transcends the values that make it meaningful is incoherent on the same basis as the postmodern critique. This means neutrality should not aim to

negate the moral sources of its value in the first place. Taylor (1989a, p. 27) explicitly argues that it is impossible to be morally neutral on matters of moral good. What is, therefore, required is a re-articulation of the Liberalism of neutrality that does not undermine its moral aims. When fundamental values that arise out of a given framework are *undermined*, they challenge the moral framework (Taylor, 1985b, p. 72). Limiting principles of free expression may expose some overriding considerations to such rights, but these exceptions do not undermine the framework (Taylor, 1985b, p. 72). However, the idea that procedurally neutral principles are not *possibly* neutral is being used to *undermine* the framework by attacking the idea that neutrality has the quality of good (or neutrality) it supposes and not something more hegemonic and oppressive. In other words, it attempts to challenge the moral framework because the attempt to suspend judgment constitutes the moral aims of the politics of equal dignity and lends legitimacy to a sense of fair and equal treatment.

Stemming from the concern over the undermining of moral frameworks, I want to show that malaises that encourage such views that undermine the values/frameworks of a politics of equal dignity can be facilitated by social media. This is because malaises are prone to cultivating perspectives that neglect the moral sources and human agency involved in orienting technology to serve its highest possible good. Acknowledging that power is captured and used in new ways in the age of social media is still essential, however. This means preserving the important consideration for how new media regimes realistically create new social conditions, but necessarily within contexts that account for human agency and ideals.

2.3 – Social Media and Malaise

In this second part of Chapter 2, I will now describe how the malaises related to a sense of a loss of freedom (soft despotism) and instrumental reason implicate social media. In addition to these malaises, I will introduce a third malaise known as *post-truth*, which is highly relevant to social media and freedom of expression. Understanding the role of social media in society involves recognising how technology and human projects are co-involved and how malaises can compromise their use for higher political and moral purposes. This will introduce the thesis that social media can contribute to perspectives undermining the principle of sport neutrality based on how it is used in ways that might manifest malaise.

Before I begin, I will briefly comment on the complex concept of *social media*. The term *social media*, like that of the term *media*, can be used both in the plural sense in reference to particular platforms and in the singular in reference to “the phenomenon that has arisen because of them” (Baxter, 2013, para. 6). Because I will always speak of social media in reference to a technology that can only be fully understood based on the contexts of its use, I will use the plural and singular interchangeably based on what is most appropriate.

The distinction between *social network sites* and *social media* can also be a source of confusion as the latter term has become the dominant expression for what some, such as Ellison and Boyd (2013), have defined as social network sites (Ledbetter, 2021, p. 3). The distinction between social media and social network sites can be further conflated when one considers social network sites a ‘genre’ of social media or computer-mediated communication (Ellison & Boyd, 2013, p. 10). This confusion tends to be due to the function or purpose of these platforms for profile presentation versus media presentation, such as LinkedIn and Tumblr, respectively – both of which share many technical features that make them hard to discriminate. As a result, the technological change and conceptual disagreement over the aims that direct the object of these descriptions make defining social media a complex task.

Within this controversy, a popularly referenced definition comes from Ellison and Boyd (2013, pp. 8-9), who define *social network sites* as networked communication platforms in which users:

- 1) have *uniquely identifiable profiles* that consist of user-supplied content, content provided by other users, and/or system-level data
- 2) can *publicly articulate connections* that can be viewed and traversed by others
- 3) can consume, produce, and/or interact with *streams of user-generated content* provided by their connections on the site.

Because Ellison and Boyd (2013, p. 10) think of social network sites as a genre of social media or computer-mediated communication, a broader definition is required for that of social media. One such definition can be provided from within the social media and sport literature as

... online resources open to the public (e.g., blogs, social networks, content communities, and discussion sites) that people use primarily to share content (e.g., text, photos, audio files, and

videos) and engage in multi-way conversations on Internet applications (e.g., Facebook, Twitter, YouTube). (Abeza et al., 2021, p. 4)

This broader definition of social media is suitable for the needs of this dissertation, although the description provided by Ellison and Boyd (2013) is, in fact, a more specific description of the most common platforms commonly called *social media*.

However, an issue with broader descriptions of social media is that when considering the scope of governance that may affect something like freedom of expression, it is important not to group together all ‘online resources’. This is because different kinds of online resources are relevant for very different things, and too inexact a definition may encroach unnecessarily and inappropriately on individual and organisational freedoms (Persily, 2022, p. 578). Hence, different social media platforms should have different obligations and be subject to distinct laws, considering how something like freedom of expression may be impacted (Persily, 2022, p. 579). As a result, these definitions suffer from being both too broad and too narrow, depending on what is considered important about the description; describing the social background that contextualises the use of these platforms is just as important as their technical features. In Chapter 6, the modern social contexts in which social media have become integrated and practically understood will be more fully developed, reflecting the co-constitution of the unique technical features with its social adoption. In the seventh chapter, its situatedness in the context of sport will be disclosed.

2.3.1 – Instrumental Reason, Soft Despotism and the Post-Truth Malaises Afflicting the Use of Social Media

In what follows below, I will draw on the malaise of instrumental reason and soft despotism, often associated with technocratic and postmodern outlooks, to reflect on how these views shape perspectives about the potential of social media as an instrument to realise the values of freedom of expression. In addition, I will introduce the post-truth phenomenon, which reflects a malaise that can undermine trust in institutions, which social media may exacerbate.

Returning to the malaises described in the first section, Taylor (1991, p. 94) thinks the prominence of instrumental reason in society lends itself to a view that people become detached from themselves, others, and the natural world. Solving problems in modernity requires technical

solutions if, in a flattened and narrowed world, human problems are all mechanical issues. As it pertains to freedom of expression, one might think that social media technology solves the issue of having barriers to free speech, if only the technocratic and government censorship regimes did not interfere.

On the other hand, unfettered speech on social media creates the potential need to provide an ‘architecture of control’ to censor speech, which can devolve into distorting political realities and controlling public perceptions (see Lessig, 2006; Lakier, 2022; Diresta, 2022; Starbird, 2022).⁸ Thus, a consequence of the freedom of speech conferred by social media is that it also has the same potential for despotic control. As a result, a sense of the loss of freedom is attached to the sense that something like online censorship is against one’s personal interests. Thus, fragmentation occurs out of a loss of common purpose (Taylor, 1991, p. 112). I want to argue along a Taylorian line of thought that these views are too strong, and misconstruing the issue conceals more viable paths to better using these technologies. This is because Taylor (1991) thinks that

... we can’t see the development of technological society just in the light of an imperative of domination. Richer moral sources have fed it... Retrieving them might allow us to recover some balance, one in which technology would occupy another place in our lives than as an insistent, unreflected imperative. (p. 96)

Social media can be used for tremendous good, but it can also be a hindrance to good. Social media has ushered in what some consider a golden age of free expression by affording mass communication with relatively minor accessibility barriers (Chemerinsky & Chemerinsky, 2022). However, unfettered expression across global networks has also brought forth an era defined by its exploitation and the problematic spread of false and misleading information (see Davis, 2017; Kakutani, 2019). As a result, there is a renewed demand to return to more limited speech environments and even the need to suspend ‘vulgar’ direct democratic processes (see O’Connor & Weatherall, 2019).

⁸ These perspectives will be developed more in Chapter 6.

A penetrating quote from Jonathan Rauch (2021) aptly identifies the overarching problem of ubiquitous and unfettered expression across social media platforms:

The techno-utopians of the information revolution assumed that knowledge would spontaneously emerge from unmediated interactions across a sprawling peer-to-peer network, with predictably disappointing results. Without the places where professionals like experts, editors and peer reviewers organize conversations and compare propositions and assess competence and provide accountability – everywhere from scientific journals to Wikipedia pages – there is no marketplace of ideas; there are only cults warring and splintering and individuals running around making noise. (p. 510)

These concerns are echoed by numerous recent publications in books such as *Post Truth* (Davis, 2017), *The Death of Truth* (Kakutani, 2018), and *The Misinformation Age: How False Beliefs Spread* (O'Connor & Weatherall, 2019). The unifying concern of these authors is the reliability of information spread through social media and the ways society is being shaped around it. The general concern with what has been called the ‘post-truth’ era⁹ is not that truthfulness is besieged by untruths – it always has been so – but rather that the aspiration for cultivating truth is falling prey to a sense of irrelevancy and despondency.

Harsin (2018, p. 1) describes post-truth as “a breakdown of social trust, which encompasses what was formerly the major institutional truth-teller or publicist—the news media.” Post-truth is thus characterised as a historical and cultural term that is not just the product of new technologies but deeply embedded into the structures and cultures of liberal democracy (Harsin, 2018, p. 20). “It is not ‘after’ truth but after a historical period where interlocking elite institutions were discoverers, producers, and gatekeepers of truth, accepted by social trust (the church, science, governments, the school, etc.)” (Harsin, 2018, p. 1).

Taylor’s explanation of modern society’s disembedding from vertical church hierarchies described in Chapter 1 somewhat corroborates this perspective, but post-truth could be said to be too extreme as a description of how far modernity is being removed from its moral order. This is because the institutions Harsin (2018, p. 1) thinks are being neglected are, in a Taylorian frame,

⁹ *Post-truth* was the Oxford Dictionary’s word of the year in 2016.

succumbing to a degradation or malaise of truth, not a structural transformation of the moral or social order. Post-truth, as it is commonly understood, is in conflict with a Taylorian view of modern society if we are to accept that modernity has not been fundamentally undermined. However, this does not mean that the post-truth sentiment is invalid. In fact, it is precisely this modern pessimism that seems perfectly in line with the malaise of modernity and the general feeling of loss and decline. Post-truth shall thus be a term preserved to refer to a genuine academic and social concern that, in agreement with Harsin (2018, p. 20), is a phenomenon deeply embedded in a modern outlook regarding the relativism of truth and its value.

Notably, this is not to infer that ‘truth’ is the only relevant concern related to social media or the primary goal of freedom of expression; rather, post-truth is used to capture an observed phenomenon regarding how the innovation of social media is followed by concerns that threaten to undermine its own value. If it is to be held that social media is characteristically part of the modern public sphere, one of the most significant concerns is that this technology is involved in cultivating a sentiment about the erosion of the foundations for democratic self-governance and productive civil discourse. This, I argue, is an essential contributing factor to the rejection of the principle of neutrality in sport.

2.3.2 – Empowering Human Agency in the Use of Social Media

In this section, I want to introduce the need to overcome the perception of domination created by social media architectures, as I did above regarding postmodernism. Taylor acknowledges the influence of technology and power in our lives, but advocates for a deeper understanding of the role of human agency to break free from the perceived ‘iron cage’ of technology. This means addressing the nature of power as it is typically framed by postmodernism and instead asserting the autonomy and freedom of individuals, albeit, not in a naïve technocratic way (Taylor, 1991, p. 101).

Concerns over power and control are not in themselves signs of an unreasonable or inappropriate incoherent postmodern theory. Self-discipline and governing bodies are required in all stable societies, which encourages an appreciation for how power functions and how it can corrupt (Taylor, 1984, p. 164). Power can both be a means for domination and for producing

collective action with reasonable moral aims, and the two may not always be clearly differentiated (Taylor, 1989b, p. 279).

In an effort to confront these concerns, Taylor (1984, p. 165) insists that the use of power cannot be understood in isolation from considerations for human agency and the moral basis of their aims. This is in reference to how the modern notions of self-disciplined governance necessary for collective political action are directed towards eliminating forms of despotic control. Losing a grasp of the moral sources and agencies underpinning these movements threatens their very aims and opens them up to degradation and incoherence. It is in this context that Taylor (1984, p. 173) provides an alternative answer to postmodern thinkers who consider power the sole mover of society.

An amoral, autonomous working of power is what some postmodernists consider to be how society functions and serves as an explanation of all human history. While denying that such autonomous power is the sole mover of modern society, Taylor (1984, p. 166) concedes that relations of power can exist without a subject or an individual/group aim. The subject-dependent view of power can be gleaned from Bertrand Russell's (2004, p. 23) definition of power as "the production of intended effects", where power exerted by a subject dominates its intended object. Unintentional effects produced by an individual could be described merely as an *influence*, but some postmodernists have gone so far as to say there is an independent *strategic* logic to the workings of power (Taylor, 1984, p. 168). Taylor (1984, p. 168) agrees with some postmodern views that there is more to power than just its intentional domination of others, but he disagrees with the notion that it has its own *strategic* logic.

Taylor (1984, p. 168) conceded that there can indeed exist power relations where "strategies without projects" or "purposefulness without purpose" reflect a logic to historical events without an individual designer, such as the capitalist economy. Capitalism has the capacity to limit freedoms based on its own market logic, which is not always acceptable and requires checks and balances, but it does not have an *intentional* kind of power that aspires to dominate. Taylor (1984) dismisses such views while maintaining the role of power in society is important:

But all this does not mean that there is no such thing as explaining the rise and fall of these contexts in history. On the contrary, this is one of the major tasks of historiography. And that is the issue we

were talking about in connection with Foucault's system of modern technologies of control. How does it arise? Of course you do not explain it by some big bad man/class designing it (who ever suggested anything so absurd?), but you do need to explain it nevertheless, that is, relate this systematicity to the purposeful human action in which it arose and in which it has come to shape. (p. 171)

This is the impetus for hermeneutic explanations that Taylor (1989a; 2007; 2016; 2024) provides in many works. Social media's influences on society can and must be explained or accountable to the way people understand their social existence to some degree, and it is absurd to think they can be captured by pointing to several social media CEOs pulling all of its strings. Taylor (2016, p. 218) tries to make sense of the world by using a hermeneutic approach, going back and forth between the larger social and moral contexts of modernity and the individual predicaments that human agents deal with.

Thus, Taylor (1989b, p. 278) rejects postmodern thinking about the systematic role of power in human life, but he strongly considers the role it plays in political life and citizen self-rule. To this end, Taylor argues that power cannot be understood in the absence of an idea of freedom or liberation, which explains the resistance to limiting freedoms but also sometimes its necessity (Patton, 1989, p. 261). It could be added that the value of truth is also a consideration for power in the age of social media. Thus, to understand technology adequately, Taylor converges with Lawrence Lessig (2006, p. 37) who thinks cyberspace cannot be understood purely in terms of an 'architecture of control'.

As per Lessig (2006, p. 32): "There is certainly a way that cyberspace *is*. But how cyberspace *is* is not how cyberspace has to be. There is no single way that the Net has to be; no single architecture that defines the nature of the Net."

As per Taylor (1991, pp. 106-107): "We have to relate technology as well to this very ideal of disengaged reason, but now as an ideal, rather than as a distorted picture of the human essence... nothing says we *have* to live our technology this way."

Instrumental or disengaged reason, which can at once be a distinct malaise of modernity, can thus also manifest an important ideal depending on how it serves moral aims. Taylor (1984, p.

169) argues that an adequate explanation of the role of power in society cannot be given independently of considerations for the relationship between people and their purposeful actions, which always have higher and lower moral aims. “Power can be understood only within a context; and this is the obverse of the point that the contexts only in turn can be understood in relation to the kind of power that constitutes them (Foucault’s thesis)” (Taylor, 1984, p. 171). To this end, Taylor (1984, p. 172) doubts if it is possible to conceive of these contexts of power in the absence of the moral aims of freedom and truth in the modern age. This is because the very enterprise of questioning power seems to only make sense against the frustration with despotic power in the background. As it pertains to post-truth, whereas the postmodern view might see this malaise as the product of exposing the imposition of power that dictates the (moral) relativity of truth, a Taylorian view would not be able to see the issue of post-truth in the absence of a universal value for truth. Individuals use social media not because they aspire to say or hear something false, but because they believe it has the capacity to disseminate truth and contain other value. Post-truth is a malaise because society feels it has lost the means to discern truth, which it still holds as a significant and universal value.

Understanding the moral agency contextualising the use of power is crucial for legitimising institutions that wield power to limit and protect freedoms; the consent given between individuals to a governing authority is integral to the legitimacy of their common action, which is clearly of a different kind to that of dominating despotic power over its subjects (Taylor, 1989b, p. 278). I want to further this argument by showing that the power to limit freedom of expression for the sake of sport’s autonomy has its own legitimate basis that is not equivalent to a despotic power seeking to dominate its subjects. However, this should not entail neglecting how power functions and what impacts media can have on facilitating malaises that undermine these aims. Understanding social media in sport involves recognising how technology is co-involved in human projects. I argue that if sport is to deal with malaises that undermine its legitimacy to assert a neutrality principle to limit freedom of expression, it must address the technologies that can facilitate these malaises.

Chapter 2 Summary

This chapter used significant theoretical arguments to begin contextualising the issue of sport neutrality in the age of social media. This involved articulating Taylor's philosophical thought about the malaise of modernity and the related political concerns of equal dignity and individual differences. This exposition showed how these political and philosophical issues promote pessimistic views over limits for freedom of expression that undermine legitimate uses of power. Hence, this chapter reflected the need for a better account of Liberalism's neutrality. This was followed by a brief explanation of social media and the malaise of instrumental reason, soft despotism and post-truth. The result establishes the need for a moral realism that can legitimise the limiting principle of the political neutrality of sport.

CHAPTER 3 – POLITICAL NEUTRALITY IN SPORT AS A LIMIT FOR FREEDOM OF EXPRESSION

Leading up to this chapter, Chapter 1 began by using the philosophy of Charles Taylor to describe how principles that limit and protect freedom of expression are necessities in modernity and how their legitimacy is derived from their situatedness within a modern moral order. In Chapter 2, I provided the theoretical background that explicated Taylor's thought about the malaise of modernity and the associated problems with political models of Liberalism. This implicated how procedurally neutral principles were not viewed as legitimately limiting freedom of expression and supporting the demands for recognition in a modern pluralistic society. Chapter 2 also demonstrated how the malaises of modernity confer pessimistic outlooks of the role of social media in society.

This chapter focuses on the contentious issue of political neutrality in sport – a principle that limits freedom of expression to protect sport's autonomy. Despite its existential importance, the possibility of achieving this neutrality is a subject of serious controversy. The possibility of being neutral, as seen in Chapter 2, is an issue that extends beyond political neutrality in sport, challenging the legitimacy of all procedurally neutral principles that limit freedom of expression. The association of pessimistic views of sport's political neutrality with that of the malaises constituting moral relativism discussed in Chapter 2 paves the way for a Taylorian response to these complex disputes.

3.1 – The Need for Sport Neutrality

This section details the concept of sport neutrality as a limiting principle for freedom of expression. It will reflect the existential need for this principle to protect sport's autonomy, which reflects the profound problem that attacks on this principle have for sport's existence. The following explains the theory behind how and why this principle limits freedom of expression in sport and why protecting this right is not an essential function of sport.

The principle of political neutrality in sport is subtly different from the concept of procedural neutrality. Sport neutrality acts as a principle that merits limiting political forms of expression in sport. Procedural neutrality regards the processes by which such principles are fairly

and consistently applied. The terms of ‘neutrality’ converge on the idea that there is an attempt to suspend moral (pertaining to the latter) or political (pertaining to the former) presuppositions for the sake of some higher aim. As well, political neutrality in sport involves maintaining procedural neutrality to establish a principled approach to restricting freedom of expression. This means that I will generally consider the relevance of the term ‘neutrality’ as applicable to both concepts in roughly equal and interdependent ways.

Political neutrality in sport is a principle that sport organisations can adopt to limit freedom of expression in sport to protect their values and autonomy (Di Marco, 2021, p. 633). Although this principle generally establishes an approach to limiting freedom of expression, it also determines what expression is not limited by negation, albeit more as a concession of rights than as a proper protection of rights. The principle of political neutrality is generally legitimised under the legal authority of a contractual relationship between the sport governing body and the athlete, wherein broad limitations on free expression can be imposed (Di Marco, 2021, p. 629). The doctrine of political neutrality is instrumental in maintaining the ‘right to integrity’, which, under international law, is supposed to deny a belligerent actor legitimacy when interfering with a neutral entity (Di Marco, 2022, para. 3). In other words, political neutrality ensures that sports will neither be interfered by, nor interfere with, other sovereign states. Hence, this is the fundamental agreement that attempts to guarantee sport’s autonomy.

The legal term *lex sportiva* captures the transnational independence of sport from national political bodies and is thus capable of establishing its own rules and governance (Duval, 2021, p. 494). By using its autonomy from the state, sport governing bodies establish the rules of the sport, its organisation, and the regulations of behaviours outside of sport, such as doping controls and ethics violations, necessary for maintaining its values and integrity (Duval, 2021, p. 499, p. 501). Due to these institutions’ internationality and diversity in their sporting practices and regulations, the judicial systems governing sport are highly pluralistic (Duval, 2021, p. 502). By ‘pluralistic’, it means that different sport organising bodies, such as the National Hockey League (NHL) and the National Basketball Association (NBA), will have different rules and policies governing their sport, resulting in the fact that rules that apply in one organisation may not apply to another. Although sport organisations may deal with violations and disputes differently, appeals of decisions by these organisations can be sent to a higher sport-specific judicial review from the

Court of Arbitration for Sport (CAS), which is essential in the operation of *lex sportiva* (Duval, 2021, p. 505). Lindholm (2019) explains:

In order to make a credible claim for the existence of an autonomous legal order there must be institutions with powers necessary to transform it into reality... Rules do not by themselves a system make; it is when rules are organized in a consistent and coherent manner that a system starts to take shape. Consistency and predictability are of central importance for the legitimacy of the order as a whole. (pp. 13-14)

Indeed, if institutions do not have systems behind them which prevent the arbitrary application of principles, no matter how formally the rules may be written down, they can only be said to be based on good intentions. Since 1984, sports have appealed to the CAS to arbitrate disputes between sport organisations and the appellant clubs or individuals, although *de facto* exceptional arbitration for sport was common long before the CAS was ratified in 1983 (Lindholm, 2019, p. 3). As the CAS was a product of the International Olympic Committee (IOC), the structure of *lex sportiva* follows the Olympic Charter, exercising “a powerful centripetal force” over other sports federations that submit to the Olympic Movement’s values and principles (Duval, 2021, p. 495). Within the Olympic Charter are the rules and values defining the Olympic Movement and principles of Olympism, which guide the constitutions of international sports organisations that contribute to a unified system legitimising their authority and autonomy (Lindholm, 2019, p. 6). So, while not all sports will have the same policies and rules and thus make up a pluralistic system, they all operate within a system with higher rules and principles of Olympism that are in accordance with more basic principles of justice that are necessary to legitimise their authority.

The CAS effectively functions as what has been called a sport-specific “supreme court of world sport” that has developed its own form of jurisprudence (Duval, 2021, p. 503). This has accordingly been considered a “judge made sports law” (Lindholm, 2019, pp. 5-9). As a result, the laws that govern international sports are not ones that result from a democratic process, and this is often a point of contention with regard to its legitimacy (Modi, 2023, p. 371). Such non-democratic institutions are incredibly unique, and the need to support rights such as freedom of expression is not theoretically an obligation that *lex sportiva* entails for such private laws with international governance (Di Marco, 2021, p. 625). Indeed, this system accords with Hannah Arendt’s

perspective adopted in the first chapter on how human rights are philosophically problematic because they only exist if a political entity is willing to protect them. In agreement with this perspective, Di Marco (2021, p. 625) postulates:

As known, the nature of international human rights obligations is vertical, between the State (as obligation holder) and the individual (as beneficiary), whereas the direct horizontal effect, according to which non-State actors should be under direct and explicit obligations to respect human rights, is largely limited.

The CAS has explicitly confirmed this autonomy with precedents where rights were not protected (Di Marco, 2021, p. 625; Duval, 2022, p. 133). This autonomy could be argued to be justified on the grounds that rights are to be protected in vertical relations between the State and the rights holder, not between horizontal relationships like that of sport and clubs or athletes who voluntarily enter into these organised activities (Duval, 2022, p. 133). Moreover, the idea of popular sovereignty – that people should be self-ruled and that a legitimate government only gains its authority from popular consent to being ruled – is definitive of everyday social practices that substantiate modernity’s moral order (Taylor, 2007, p. 197). The idea that the authority of a sovereign State can be in conflict with a free market or sport organisation is a feature of modernity, not a fault. As a result, there is inevitably a potential for conflict between the authority of a State that is supposed to guarantee the protection of its citizens’ rights and that of a private organisation that asks its members to waive those rights freely if they want to participate.

In opposition to the CAS, Modi (2023, p. 327) argues that the European Court of Human Rights (ECHR) applies to the CAS, where the State of Switzerland is obligated to protect human rights if rulings of the CAS contravene them. In a recent ruling by the European Court of Human Rights (ECtHR) in the case of *Mutu and Pechstein v. Switzerland*, Duval (2022, p. 135) judges that the affirmation that the ECHR obligates the Swiss State to intervene in protecting human rights will have an indirect effect on rulings of the CAS. To this extent, it can be said that in practice, *lex sportiva* is enmeshed with national and EU human rights laws instead of standing outside of them (Duval, 2021, p. 511; 2022, p. 148). This is not necessarily a refutation of the theoretical separation of these entities, as the fact that they are interrelated and have implications for the other does not mean they lack distinct identities, obligations, and needs.

For example, in the case of *George Yerolimpos v. World Karate Association (WKA)*, Yerolimpos criticised the WKA president and publicly damaged the president's and the association's image through a series of widely distributed emails (Di Marco, 2021, p. 627). The CAS ruling on this case recognised Yerolimpos' right to freedom of expression but maintained two exceptional conditions: 1) one's expression must not be illegal, and 2) it must demonstrate 'self-restraint', entailing that the effects on public opinion were taken into consideration by the CAS (Di Marco, 2021, p. 628). By not using the appropriate avenues or procedures to lodge his complaint with WKA authorities and the organisation, Yerolimpos did not demonstrate restraint but rather "clearly embarked upon a power struggle", thus demonstrating how the effect on the sport organisations' image was taken into consideration in the appropriateness and protection of Yerolimpos' freedom of expression (Court of Arbitration of Sport, 2014, p. 23; Di Marco, 2021, p. 629). This result supposedly furthers the notion that freedom of expression in sport is akin to a contractual relation between an employer and an employee, thus framing free expression as a concession more than a protected right (Di Marco, 2022). Nevertheless, the CAS ruled in line with the ECHR, reflecting that the doctrine of *lex sportiva* is acceptable but perhaps only to some limited degree.

Although it contends with principles that protect freedom of expression, sport neutrality plays a fundamentally important role in preserving sport's autonomy and, by extension, the limitation of athlete's freedom of expression. Therefore, the ability to defend this principle is essential to defending sport's existence and values. The primary reason for this is that an institution is required to govern and maintain sport's constitutive values and rules. When an institution's autonomy is usurped by political powers, the integrity of a coherent system of rules and values begins to erode and a fragmented system of different and potentially incompatible practices results. The reason the CAS oversees *pluralism* in sport governance and not mere *relativism* is because sport is institutionalised and committed to a coherent system of common values and aims. Problematically, the consistency of a unified sport organisation's application of its principles is sometimes inconsistent, and this procedural issue has bolstered views that sport neutrality is itself illegitimate.

3.2 – Relativism and Inconsistency

This section discusses the broad criticisms regarding the legitimacy of sport neutrality. These critiques will be described in light of the evidence-based concerns over the actions of sports governing bodies that, in turn, appear to support the moral relativism of such a principle. It is argued that genuine inconsistencies in the application of the principle of sport neutrality can serve to support views of moral relativism. Disbelief in the legitimacy of the principle of sport neutrality can further lend itself to inconsistent applications of the principle and malaise. This is the basis upon which this thesis claims that social media can contribute to cultivating perspectives that undermine the legitimacy of this principle, which this section sets up for the coming chapters.

Some have argued that sport is not and cannot be politically neutral (see Naess, 2018; Modi, 2023; Chanda et al., 2021; Dart, 2022). Indeed, some of this thought stems from relativistic moral thinking about freedom of expression, as Modi (2023, p. 370) considers the different protections for freedom of expression across different jurisdictions to reflect how this right is ‘culturally relativised’. “Cultural relativism as a theory asserts that ‘persons, depending on their cultural attachments, ought to do different things and have different rights, difference perceptions of right and wrong’” (Modi, 2023, p. 370). In this case, it could be argued that *relativism* is being confused with *plurality*. Nevertheless, when Modi (2023, p. 376) argues that the “political neutrality of sports mandated by the IOC is rippled with hypocrisy”, it is used to support the premise that sport neutrality is fundamentally impossible.

In support of these views, the application of the principle of sport neutrality has been mostly criticised for being inconsistent, which is essential if the principle is to be appropriately and fairly applied to limit the athlete’s freedom of expression (Di Marco, 2021, p. 633). This conflates procedural neutrality with the principle of political neutrality, but the failure of the latter is seen as justification for the impossibility of the former, as they are intertwined. On the back of procedural inconsistency remains a sense that political neutrality in sport is a morally relative doctrine, and its legitimacy is indefensible because any neutrality on political matters is a political act. To this point, Di Marco (2021, p. 634) argues that the indiscriminate application of the principle is contravened most in instances where sport organisations adopt policies against hate speech or promote inclusion. Indeed, there are many ostensible examples where sport has been deeply

involved in political protest and debate, and the governing bodies' actions could be said to have been complicit in sanctioning either the political message or the athletes' behaviours.

For instance, consider how, by allowing support of something like LGBTQ+ pride, the integrity of the political neutrality principle is compromised. Such was the case of NHL player Ivan Provorov of the Philadelphia Flyers, who decided not to wear the LGBTQ+ rainbow-themed sweaters for pre-game warmup in January of 2023, citing religious disagreements (see Gans, 2023). Even if LGBTQ+ inclusivity accords with values shared by most sports organisations and the Olympic Movement, it remains associated with contentious political ideology. In Russia, where Provorov is from, support for what is called 'LGBTQ propaganda' is illegal and could have serious repercussions for some players when they return home if they were seen supporting this messaging (see Associated Press, 2022). While the NHL did not reprimand or punish Provorov, refusing to wear the rainbow sweater was proof that the sweater was a form of political expression because it denied athletes the ability to remain politically neutral due to the fundamentally politicised sports environment; wearing the sweater or not was, in either case, a political act, where, absent the Pride symbolism, this would not have been the case.

The international nature of sport governing bodies requires universal approaches to governance to maximise inclusion and accommodations for a multicultural and diverse world. This means that sport is positioned as a vehicle for promoting universal values more general than that which may be represented by individual nations or other international authorities (Di Marco, 2022, para. 2). How these universalist and inclusive values are to be interpreted is not clear when it comes to political ideologies making similar claims. This will be dealt with later in Chapter 5.

In the context of the Olympics, freedom of expression is limited in certain areas as a result of Rule 50, which has been gradually relaxed in recent years, as the Paris 2024 Olympics allows for political forms of protest and expression in mixed areas such as at press conferences or through social media (see Muñana, 2024). Rule 50.2 (commonly referred to simply as rule 50) of the Olympic charter asserts that "no kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas", which is driven by the fact that "it is a fundamental principle that sport is neutral and must be separate from political, religious or any other type of interference" (IOC Athletes' Commission, 2020, para. 9). This is the doctrine adopted

by most other sports organisations due to the need to comply with the IOC's Olympic Charter (Modi, 2023, p. 369).

However, support for human rights by the IOC has increased over the years, and the Paris 2024 and Los Angeles 2028 Olympic games have been the first time the IOC has enforced a commitment to human rights in the host-city contract (Modi, 2023, p. 374). At these Olympics, athletes are still prohibited from engaging in political forms of expression in all but five Olympic spaces: the opening and closing ceremonies, medal ceremonies, the Olympic Village and during the competition (Muñana, 2024, para. 2). To this extent, Modi (2023, p. 369) argues that these areas where athletes are prevented from speaking may have the most significant impact, which he sees as a sign of disparaging the importance of free speech rights. The reason these spaces are desirable to occupy with political protest is the same reason sport wants to keep them politically neutral: they are spaces and moments where the highest ideals of sport are expressed and, as a result, the most impactful to disrupt.

While these may indeed be significant spaces to disrupt with expressions of political protest, Di Marco (2021, pp. 638-639) points out in reference to the conduct of the IOC that by allowing politics into sports venues, either through mixed zones or social media, the ability for sport to foster the potential for those who may otherwise have been enemies to become friends could be compromised by undermining the political neutrality principle of sport. More concerning, by opening itself to protecting human rights, the IOC and other sports organisations need to contend with what this means for protecting freedom of expression. Furthermore, Di Marco (2021) also considers

... it could be argued that some sporting authorities have *de jure* accepted to be drawn into political issues concerning the protection of human rights, embracing the 'human rights ideology' and implementing their regulations on the athletes' freedom of expression in relation to the type of information and opinions divulged. (p. 634)

As a result, the neutrality of sport is in tension with the need to support human rights because human rights are broadly and differentially described, protected, and subject to politically ideological views. For instance, as freedom of expression is often considered a human right, in cases where sport protects or enforces this right in defiance of the laws of a sovereign State, it

asserts its non-neutrality, undermining its political autonomy. Many nations around the world that protect freedom of expression rights do so with different limiting clauses, putting sport into the position of deciding which limits it should follow or subvert. In other words, protecting human rights can be an existential threat to the autonomy of sport in jurisdictions that protect human rights differently. Fully committing to protecting freedom of expression is, therefore, a potential threat to sport autonomy even if the content of the political speech is aligned with sport values. Di Marco (2021) identifies another key concern arising from this issue:

It could be argued, for instance, that the very tolerant interpretation of the anti-racism protests following the death of George Floyd represents the first historical breach of the Olympic ‘golden rule’ of neutrality of sport; and that this breach was facilitated by the wave of indignation amongst the International and European public for the brutality of the American police against the black community... At this initial stage, the recognition of athletes’ freedom of expression tends to be more of a ‘concession’ rather than a ‘right’, which is given by the sporting authorities whenever the general political conditions make it appropriate to ‘shock or disturb the State or any sector of the population’. (pp. 639-640)

To contextualise Di Marco’s point, consider how, during the 2021 season, many members of the Women’s National Basketball Association (WNBA) openly expressed support for political candidate Raphael Warnock (Democrat), who was in a US senate race against incumbent Kelly Loeffler (Republican) (see Gregory, 2021). The reason for this support was essentially the result of comments made by Loeffler on social media that were critical of the Black Lives Matter (BLM) movement, which surged in popular support after the death of George Floyd, gradually leading Loeffler to a more direct confrontation with the WNBA players themselves, who were condemning her statements and position as WNBA Atlanta Dream co-owner (see Gregory, 2021). The explicit candidacy, both on the basketball court and on social media, offered by the women of the WNBA for Warnock – and the WNBA’s implicit sanction of this activism and other social justice causes – has been identified as being a significant contributing factor to the election results and Warnock’s win in the Georgia runoff election of 2021 (see Gregory, 2021; Delevoye, 2020). Sport was thus leveraged for political purposes, and the power and influence of athletes in contributing to political outcomes made sport a target of disgruntled politicians. The notion that sport can be a ‘platform’ for political ideals has even become an increasingly popular way of describing sporting venues.

To this point, consider how the Major League Baseball (MLB) organisation pulled its All-Star game from Atlanta due to the state's implementation of perceived restrictive voting laws. In this case, the MLB commissioner Robert Manfred stated: “[w]e proudly used our platform to encourage baseball fans and communities throughout our country to perform their civic duty and actively participate in the voting process... Fair access to voting continues to have our game's unwavering support” (Li et al., 2021, para. 8). Ironically, the hosting team, the Atlanta Braves, stated in response to their loss of hosting rights that “[t]he Braves organization will continue to stress the importance of equal voting opportunities and we had hoped our city could use this event as a platform to enhance the discussion” (Li et al., 2021, para. 11). In each case, sport was explicitly considered a ‘platform’ for political discussion and used to promote a particular political agenda in opposition to a government's laws, notably using Internet-related language (‘platform’). Sport organisations and athletes have both been subject to political attacks as a result of these stances, as US Senator Marco Rubio responded on Twitter by saying: “[w]hy are we still listening to these woke corporate hypocrites on taxes regulations & anti-trust?” (Li et al., 2021, para. 19). Similar instances of political backlash have been levied at individual players.

For instance, Colin Kaepernick has not played gridiron football since he famously kneeled during the US national anthem while playing in the National Football League (NFL) in 2016 (see Moretti, 2023). Kaepernick's political activism was initially met with severe scrutiny due to the ostensibly apolitical stance of the NFL, which has otherwise been characterised as culturally conservative and very pro-military, clashing with Kaepernick's left-wing views of racism and policing (Asada et al., 2021; Belson, 2017). As a result, politicians such as President Donald Trump even utilised the turmoil in the NFL to frame Kaepernick's protest as an attack on American values by equating football with national culture and identity (see Frederick et al., 2021; Graham, 2017). Having been momentarily expelled and then blacklisted from the NFL, Kaepernick has had teams refuse to sign him for reasons relating to his polarising political actions, competitive performance, and the fear of reprisal from President Trump on social media (Moretti, 2023, p. 77; Dubin, 2017).

Modi (2023, p. 377) claims that “there is a need to deviate from Rule 50 as silencing athletes and prohibiting them to take a political or racial stance to maintain the political neutrality principle would possibly mean serving the interest of those who commit injustices”. Thus, he insists that the increasingly political nature of sport, which supposedly reflects the relativity and

‘duplicity’ of sport neutrality, proves sport cannot and must not be political neutral (Modi, 2023, p. 377). In other words, Modi is making the argument that it is impossible for sport to be politically neutral because any suppression of free speech is a political act that benefits all other politics that might be opposed to one’s own.

The evidence that political neutrality in sport is not being realised in current sport practices is not unfounded and ought to demonstrate support for returning to a politically neutral environment. However, the principle of neutrality in sport has instead been considered to be a myth, and thus sport institutions are called upon to allow politics into sport (see Grix & James, 2024; Naess, 2018, p. 215). Some, such as Matz (see 2024), have even gone so far as to argue that political protest should be a part of US professional sport. Therefore, these views evidently rehearse the idea that universal and equal applications of a neutral principle are not valid in the first place and should be abandoned as they are imposing illegitimate control on individuals who should be allowed to express their individual politics (i.e. postmodernism in the politics of difference). This was also captured in Chapter 2 with Stanley Fish’s (1994) insistence that any suppression of free speech is serving the interests of an authority that exercises its power to promote its moral and political views at the expense of others.

These views are unfair and misguided because the critique that sport *cannot* be politically neutral is to assume that political neutrality in sport means transcending politics altogether. This is the argument against the procedurally neutral politics of equal dignity, which is accused of imposing a Western hegemonic outlook. Indeed, sport has an instrumental political aim by employing a principle of neutrality, and neutrality itself can be considered good within a certain moral framework, which will be argued in Chapter 4. However, the idea that this is merely the result of an imposition of power brings into question the basis of the postmodern critique and what it intends as an alternative.

The rejection of the principle of political neutrality in sport is used to promote the politicisation of sport. This then either assumes sport should be a political pulpit for *any* political ideology, or it should support a *particular* political ideology and limit others. If the former, the stance is absolutist and willing to forgo the autonomy of sport. As is the case with absolutist views of freedom of expression, these absolutist views do not actually have a political ethic. If the latter,

the (postmodern) critique is self-undermining and denies there are universal aims behind such a principle. In other words, the critique maintains a stance of moral relativity because the non-neutrality which was initially considered to be the basis for denying sport the authority to limit free expression is now being used to justify limiting speech towards one's own aims. I argue that demonstrating inconsistencies in the application of a principle of political neutrality is *not* a sufficient basis for rejecting the legitimacy of political neutrality in sport altogether. Accepting that there are legitimate moral and political aims underlying a principle of political neutrality should mean that rejecting such a principle must contend with the actual *reasons* for having it.

Indeed, a principle of political neutrality cannot justify itself as having a legitimate moral aim without rooting itself in a moral framework that makes neutrality meaningful and autonomy necessary and understandable in a political context. It is also true that athletes have moral reasons to use sport to express their political views, as the ideal of authenticity reflects. The idea that sport should not be allowed to limit individual rights is understandably provoked by the evidence of an inconsistent application of the neutrality principle and that sport organisations are not democratic institutions from whence consent to governance is supposed to derive its legitimate authority. As a result, there is a valid need to defend the legitimacy of limiting freedom of expression against other conflicting yet legitimate interests. What is necessary is having a common understanding of the values being contested and a path to discuss in reason the limits and protections for freedom of expression. This is parallel to the problematic need for sustaining legitimacy in procedural neutrality while allowing for the recognition of a plurality of ways of living the good life that may require exceptional treatment, as discussed in Chapter 2. Neutrality, in both cases, needs to be reconceived.

As a result, I argue that the inability to see sport neutrality as a legitimate aim is mired by an inarticulacy of the meaning of neutrality and that the malaises of modern political and moral outlooks are degrading support for sport to maintain its autonomy. To associate sport with an illegitimate despotic regime trying to oppress athletes for the sake of a drive for power is to misunderstand what sport is trying to accomplish with this principle and ignore its need for autonomy.

Moreover, the idea that social media offers a technological solution to political participation by allowing for greater access to the public sphere passes over the underlying and unresolved question of the legitimacy of limiting free expression. In other words, understandable motivations, such as an ideal of authenticity, to express one's political views are insufficient to explain why sport needs to be more political in the age of social media. For this reason, I think that the issue of sport neutrality is not just about individuals' aims to have their politics heard but is fundamentally about the legitimacy of the principle itself. This view incorporates Taylor's idea that we must think of our use of technology within the context of human motivations, and how malaises over modern ideals can undermine these aspirations to achieve higher moral goods. The final analysis of these claims will be discussed in the seventh chapter.

Chapter 3 Summary

In this chapter, the need for sport to remain autonomous was described as being dependent on its ability to maintain political neutrality, serving as a limiting principle for freedom of expression. When the legitimacy of this principle is undermined by critiques that promote moral relativism and expose an inconsistent and often biased application of the principle, sport faces an existential threat. While sport neutrality was the central concern here, the stage was set for developing the thesis that social media contributes to malaises that undermine a sense of legitimacy in the principle of sport neutrality. The next two chapters will hence provide Taylor's philosophical response to these issues that will be used as a guide to addressing the issue related to sport neutrality in the age of social media.

PART II: THE METHODOLOGICAL APPROACH OF MORAL REALISM

CHAPTER 4 – TAYLOR’S MORAL REALISM AND THE ETHICS OF NEUTRALITY

In Chapter 1, Charles Taylor’s conception of the modern moral order was used to contextualise and explain that, despite their fallibility, various principles of freedom of expression still ‘make sense’ as procedurally neutral pillars of modernity. Providing further context in Chapter 2, the malaises of modernity were explained. The sense of loss or degradation characterising malaise imparts perspectives that tend to neglect the moral sources of modernity and fall prey to relativism. These views are often represented in major strands of postmodern and reductive scientific thought. However, the former tends to produce ideas that attempt to undermine the legitimacy of procedurally neutral Liberalism, where the attempt to apply neutral principles to limit freedom of expression is seen as a mask for the imposition of power. Moreover, the malaises of instrumental reason, soft despotism and what I include as post-truth lend themselves to pessimistic views of the role of technology in society, like social media. In Chapter 3, I argued that the legitimacy of political neutrality in sport has been infected by the same problematic malaises that support the view that there are no valid ways to limit freedom of expression in sport, putting sport’s autonomy at existential risk.

This chapter provides the methodological basis for overcoming the issue of the legitimacy of political neutrality by focusing on the meaning of neutrality in its modern political context. The dissenting views of the possibility of neutrality claim that any procedurally neutral principles are fundamentally impossible and are not legitimate to impose on others. I attempt to overcome these views by appealing to Taylor’s *moral realism*. This philosophical stance provides a third option towards overcoming the underlying malaise of individualism and cascades into new ways of thinking about the politics of Liberalism and the moral significance of neutrality. I show how Taylor incorporates this realism into his political philosophy as a basis for asserting the need for pluralism that accommodates a Liberalism capable of recognising cultural differences and making reasonable exceptions for their survival. This approach lends itself to what will be discussed in the next chapter, where I argue there is a valid moral basis for making exceptions for limiting freedom of expression in sport.

4.1 – Retrieving Realism

This section introduces the approach to overcoming the individualistic malaise that produces moral relativism and postmodern critiques of the legitimacy of powers that limit freedom of expression. Contending with issues of moral relativism and postmodernism, Taylor’s moral ontology has been described as providing a defence of moral realism (see Baker, 2000; Wang, 2021; Voeltzel, 2020). This is the crucial perspective needed to defend the principle of sport neutrality.

In the book *Retrieving Realism*, Taylor joins Hubert Dreyfus in providing a phenomenological outlook to overcome contemporary dualistic views of human existence prominent in the sciences. In particular, they reproach those who claim to have acknowledged the problematic influences of dualism in their theories but have ignored applying a method to demonstrate they have succeeded in stepping outside of its influence (Llanera, 2015, p. 2). In providing their account of how to escape a dualistic framing of human existence, the book’s major and relevant accomplishment was asserting a ‘pluralistic’ account of *realism*. This account insists that a world that exists independently of us can be understood, in a certain sense, ‘in itself’, but the way of grasping such reality is multiple and does not privilege any one approach (Carman, 2018, p. 585). The term ‘realism’ is being retrieved in the sense that Dreyfus and Taylor provide a phenomenology that attempts to reposition what it means to say something is understood ‘in itself’ that scientific ‘objectivity’ does not adequately or fully capture (Llanera, 2015, p. 7). To do this, Dreyfus and Taylor (2015, p. 382) defend a *pluralistic robust realism*:

That is, there may be (1) multiple ways of interrogating reality (that’s the ‘plural’ part), which nevertheless (2) reveal truths independent of us, that is, truths that require us to revise and adjust our thinking to grasp them (and that’s the robust realism part), and where (3) all attempts fail to bring the different ways of interrogating reality into a single mode of questioning that yields a unified picture or theory (so they stay plural).

This approach rejects the subjective view of individualism, the moral relativism that stems from it, and the problems with naïve universalism and epistemology in the sciences (Llanera, 2015, p. 5). This approach is deeply embedded in how Taylor thinks of morality. Taylor has said he holds a moral realist perspective but not in there being a ‘clinching’ argument that perfectly captures

how to live in accordance with modernity's highest moral aims (Meijer & Taylor, 2020, p. 990).¹⁰ In other words, Wang (2021) aptly interprets Taylor as producing a *falsifiable* realism. This is because Taylor supports the view that we can recognise and achieve moral progress but that we can also lose our grip on our moral frameworks, which can fall prey to degradation and malaise. Taylor thus attempts to overcome moral relativism in favour of a moral realism hospitable to political forms of pluralism that seek to realise universal moral goods. That is to say, Taylor supports moral realism, rejecting relativism and mechanistic and despotic outlooks of technology, while making room for the essential need for a politics that accepts and protects the survival of diversity and multicultural ways of life in a modern liberal society.

4.2 – Taylor's Moral Realism

Understanding Taylor's moral realism requires a grasp of how he grounds his view of morality in an ontology of how human beings understand themselves in relation to moral goods. What Taylor (1989a, p. 8) wants to accomplish with his *moral ontology* is to describe how people 'make sense' of their moral reactions and sentiments by articulating what makes them appropriate based on how they are formed. To understand how one relates to moral goods, all such determinations involve what has been called a *strong evaluation* of higher or lower goods. The highest moral goods disclosed within strong evaluations are called *hypergoods*, which always seem to make moral demands on people independent of their own desires. Hypergoods then have a *constitutive* role in a society and is realised by engaging in practices where one can understand the quality of their conduct and motivations against the higher or lower ideals that make up such practices. Articulating constitutive goods requires considering the *moral sources* that motivate and empower individuals to see themselves in relation to these goods. These sources constitute the broader moral *framework* as a horizon against which individual behaviours and politics can be

¹⁰ In Taylor's own words: "So, there is a certain amount of agnosticism here, if we use the word in the right spirit. There is something here that escapes us— as opposed to there being some final, clear interpretation, which my friends think they have— something that will probably always escape us. I think this is a very common view today, though some of the people who hold this view might be talked into thinking that they are really subjectivists. This is because the meta-epistemology or meta-theory that they have been fed is so powerful, which leads them to believe that if you don't agree with these meta-theories, then you must be subjectivist. But I think there is another path here, which is truer to the experience, but also, in a puzzling fashion, one that never reaches the point where we say 'this is the way to do it' and all these other ones are partial or wrong" (Meijer & Taylor, 2020, pp. 990-991).

coherently judged and understood. This capacity to consciously engage one's moral aims is consonant with the idea that all people use *narratives* that make sense of their moral identities within these frameworks. From this ontology, Taylor (1989a, pp. 4-20) bases his moral realism on the idea that constitutive moral goods have *intrinsic* worth that individuals do not determine themselves. Hence, their independence means they are not relative but *real* and also possible to realise in multiple ways that can all be rationally assessed. The following will provide some more details to clarify this complex system of thought.

Taylor (1989a, p. 5) thinks that while we often engage in moral practices intuitively as if they are instincts, there is a second facet to the way we think about morality where "a moral reaction is an assent to, an affirmation of, a given ontology of the human." Rooting morality in an *ontology* of the human being is to say a moral life is intricately bound up with the question of the nature of human existence. Understandably, a moral ontology is contentious because it seems to propose 'naturally' better or worse ways of living rooted in however we describe the way we 'really are'. But this objection is a mistake, Taylor (1989a, p. 5) thinks, partly because it is fearful of how such views have been the basis for religious authoritarianism, but also partly because it is necessary to grasp human behaviour fully. Instead:

Ontological accounts have the status of articulations of our moral instincts. They articulate the claims implicit in our moral reactions. We can no longer argue about them at all once we assume a neutral stance and try to describe the facts as they are independent of these reactions, as we have done in natural science since the seventeenth century... Rather, we should treat our deepest moral instincts, our ineradicable sense that human life is to be respected, as our mode of access to the world in which ontological claims are discernible and can be rationally argued about and sifted. (Taylor, 1989a, p. 8)

When Taylor (1989a, p. 8) then says that to understand a moral ontology, one must necessarily adopt a stance of what he calls 'moral objectivity', this does not mean transcending personal moral outlooks. Taylor (1989a, p. 27) argues that it is tantamount to human personhood that we are *not* neutral on moral matters. Rather, moral objectivity means that to assess moral growth and gain a deeper understanding of various values and moral perspectives that constitute human existence, we need to refrain from reacting in a way that denies the possibility of there being other equally valid values or means of accessing them aside from our own (Taylor, 1994a,

p. 72; 1989a, p. 8). Moreover, and perhaps more importantly, the very language of ‘objectivity’ is distinctive in the way people use language to understand themselves and their moral world. What Taylor (1989a, p. 176) calls ‘radical reflexivity’ is the language used to describe the self with a subjective, first-person perspective, which has so deeply influenced everyday thinking about self-identity that it operates with its own vocabulary. “Because we are so deeply embedded in it, we cannot but reach for reflexive language” (Taylor, 1989a, p. 176).

The point being made here is not that these views are wrong (although they are problematic), but that language constitutes the limits of human understanding *and* moral assessment. “For our language of deliberation is continuous with our language of assessment, and this with the language in which we explain what people do and feel” (Taylor, 1989a, p. 57). As Taylor writes in *The Language Animal and Cosmic Connections*, the human linguistic capacity is also capable of growth and constituting new moral outlooks. Opening oneself up to the constitutive view of language also opens up the possibility that there are new, or at least multiple, ways of describing the architecture of human experience and understanding. Defending the possibility and need for openness to moral development and multiple understandings is the crux of moral realism’s support for political forms of plurality. To understand this more clearly, it is necessary to understand how people make moral judgements in the first place.

What Taylor (see 1985a, pp. 15-44) considers essential for human agency revolves around the idea that a *second-order* deliberation of moral good is guided by an understanding of ways of being that are concerned with the quality of one’s motivations. In this sense, human agency is not simply about weighing costs/benefits like a computer program but submitting one’s perception of oneself to moral standards that require ‘stronger’ forms of evaluation because such considerations are definitive of how we live our lives (Costa, 2022, p. 243).¹¹ Hence, morality is not just about obligations to others, but these questions in moral life overlap with those about what it means to lead a full life for oneself (Taylor, 1989a, p. 14). This is why Taylor (2016, p. 201) thinks ethics (what defines a good life) and morality (our obligations to others) should always be seen as inescapably linked. The fusion of these two considerations produces a unique Taylorian account

¹¹ Taylor has said explicitly that “computers cannot be strong evaluators” (Costa, 2022, p. 243).

of Ethics. In essence, Taylor considers how we see ourselves in relation to higher or lower goods as necessarily bearing on what it means to *be* good towards others (Morgan, 1994, p. 51).

In thinking about and pursuing these moral questions, individual identities are formed and structured by making *qualitative discriminations* between higher and lower goods that are found to bear significance for one's moral character (Taylor, 1989a, p. 27). Thus, Taylor (1989a, p. 63) argues that the moral goods which most strongly influence people and largely determine their moral identity necessarily involve what is called a *strong evaluation* of how one sees oneself in relation to moral goods.

Strong evaluations require making qualitative discriminations that put moral goods into a deliberate hierarchy, the summit of which most closely determines an identity (Taylor, 1989a, p. 27). This is not to say that people only recognise one kind of ultimate good or cannot sway and deliberate between goods, but all goods with which people identify will likely not determine their ultimate goals in life. Some goods are incomparably higher than others (Taylor, 1989a, p. 19). These higher-order goods “not only are incomparably more important than others but provide the standpoint from which these must be weighed, judged, decided about” (Taylor, 1989a, p. 63). Hence, *hypergoods* are those goods with which strong evaluations tend to determine moral identities. Having hypergoods as a guiding standpoint from which to assess other goods entails that these are goods that everyone within a particular society shares because they, in part, define the culture and constitute what is ‘moral’ (Taylor, 1989a, p. 63).

Hypergoods are understandably a significant source of conflict in ethical theory and are generally understood by people who invoke them to stand as the means to a higher moral consciousness (Taylor, 1989a, p. 64). In modernity, examples of hypergoods are universal justice and benevolence, where all individuals should be treated with equal dignity and respect and are imbued with rights (the politics of equality) (Taylor, 1989a, p. 64). There may also be conflict between hypergoods, the resolution of which may entail great sacrifice and difficult decision-making. This can be seen by considering what modern society claims as its constitutive achievements: liberty (as liberation), power (as empowerment), mutual benefit (the basic function of the society), and reason (the ability to discuss conformity to its achievements rationally) (Taylor, 2007, p. 578). From these benchmarks of modern society flow values of equality and rights

(Taylor, 2007, p. 579). Talking about universal rights is a way to connect an understanding of the human being as autonomous, thus entrenching a major defining feature of modernity in notions of liberty (Taylor, 1989a, p. 12). From these highly connected and self-reinforcing views – their coherence being an important philosophical issue in the absence of religious authority – come notions of individual self-determination and authenticity, which, as described in Chapter 2, can degrade and conflict with the very sources of these values.

The ‘objectivity’ that Taylor considers necessary for assessments of moral value is thus inescapably a component of making strong evaluations (Morgan, 1994, p. 55). Hence, the limits of human language also constitute the limits of ways of conceiving one’s life and sense of self (see Taylor, 2016). Because something like authenticity has become a common and virtually indispensable way of interpreting oneself within a modern moral order, “this is not only a phenomenological account but an exploration of the limits of the conceivable in human life” (Taylor, 1989a, p. 32). This is why Taylor’s exploration of moral ontology shows how people see themselves in relation to their world, characterised as taking up a radically reflexive view of the self that is distinctive and inescapable in modernity.

The monumental task and accomplishment of Taylor’s book *Sources of the Self* was to provide a phenomenology of moral understandings that are inescapably influenced by a language affording a particularly modern way of thinking about the self. The main reason for discussing moral sources is to describe how modern language impinges on what it means to have a sense of moral good. Hence, *moral sources* describe the basis from which modern moral goods motivate individuals, which must be properly articulated to understand how and why it is constituted and realised. In other words, morality does not simply come from nowhere, and modernity is not merely a subtraction of values from prior religious orders. For any attempt to defend the value of a hypergood, “[h]igh standards need strong sources” (Taylor, 1989a, p. 516). This means that articulating higher goods should entail disclosing the powerful animating forces that inspire individuals to realise the *constitutive goods* of their social practices (Taylor, 1989a, p. 264). By ‘constitutive’, it is meant that by engaging in moral practices, the moral order is simultaneously being realised through social practices and structures, such as those described in Chapter 1 as modern social imaginaries.

In describing moral sources of the modern views of the self, Taylor also encourages an understanding that all human beings must exist within pre-given moral *frameworks*, which constitute the structure and coherence of one's moral outlook, as mentioned above. Hence why articulating the sources of one's moral sentiments brings them closer to realisation. "To articulate a framework is to explicate what makes sense of our moral responses" (Taylor, 1989a, p. 26). Within a given framework, individuals must make qualitative distinctions whereby the goods that demand to be valued independent of one's will also function as the standard by which one is judged (Taylor, 1989a, p. 20). In other words, qualitative moral distinctions are made based on a 'sense' of moral good, even if it remains inarticulate, such that they pre-reflectively orient one's behaviour that can later be rationally assessed (Taylor, 1989a, p. 21). For Taylor, people have a *sense* of morality, which is why philosophers are tasked with articulating these senses, *not* creating them. Therefore, there is an *intrinsic* nature to moral goods that motivates and defines one's moral position when one assesses oneself against a moral framework. Articulating and discovering these frameworks and one's sense of closeness to them is, in modernity, interwoven with self-discovery and invention (Taylor, 1989a, p. 22).

In this view of realism, all individuals exist within a background of given norms and understandings that impart significance and meaning in their lives, even if they haven't fully explained it for themselves. The background that Taylor (1991, p. 37) calls 'horizons of significance' comprises the broad frameworks constituting an individual's understanding of the meanings and values integral to a culture or society.¹² Taylor (1991, p. 37) says that "[t]hings take on importance against a background of intelligibility", which is why *horizons* signify the all-encompassing backdrop to a person's general worldview. The use of the term 'horizon' appropriately represents the possibility of changes in moral outlooks; the fact that moral frameworks can substantially change over time means they are not purely rooted in a fixed subjectivity or objective fact of nature, but rather, in dynamic qualitative assessments of oneself

¹² Horizons are not fixed and can change over time, hence why Taylor (1989a, p. 104) stresses that to understand authenticity and modern predicaments, "the path to articulacy has to be a historical one." The idea that people seem to share a similar horizon is the fundamental crux of Taylor's philosophic anthropology and why *Sources of the Self* and *A Secular Age* involve historical exegesis of modern philosophy; the horizons that make up a sense of moral significance are fundamentally social and therefore must be explained in the historical and dialogical context in which people relate to given social norms.

in relation to the world (Taylor, 1989a, p. 26). But this does not mean they are relativistic if it is understood that moral realism accommodates adaptable moral frameworks that bear constitutive good that call human beings to live in specific ways – the moral dimensions of which people cannot simply extricate themselves. Taylor (1989a, p. 27) argues:

I want to defend the strong thesis that doing without frameworks is utterly impossible for us; otherwise put, that the horizons within which we live our lives and which make sense of them have to include these strong qualitative discriminations... living within such strongly qualified horizons is constitutive of human agency, that stepping outside these limits would be tantamount to stepping outside what we would recognize as integral, that is, undamaged human personhood. (Taylor, 1989a, p. 27)

Taylor is claiming that a person not living within a moral framework and having the capacity to deliberate between higher or lower goods in these frameworks would not be a full human agent. Morality is then constituted by a kind of interplay where moral identities are formed through the strong evaluations one makes within moral frameworks. Thus, moral self-identity is *dialectical* within moral frameworks, which requires acknowledging personal agency's role in shaping a sense of self. Personal identity formation and recognition thus also require employing *narratives* that provide “the background against which our tastes and desires and opinions and aspirations make sense” (Taylor, 1991, p. 34). A narrative understanding orients oneself within one’s life’s ‘quest’, giving it meaningful temporal depth (Taylor, 1989a, p. 48). Writing over 30 years later and with reference to the significance of modern developments in poetry, Taylor (2024) has maintained the sense that

[p]utting one’s life in a story transforms one’s stance to it. One relates to it no more just immediately, but also as something one can survey. Insofar as the story has a meaning, one’s life partakes of meaning. This is part of the drive to self-narrative. (p. 278)

This search for meaning and self-realisation in one’s life is, therefore, always demanding an articulation of the sense of one’s life (Taylor, 1989a, p. 18). Having the power to express oneself and adequately disclose the meaning in one’s life is a process freedom of expression facilitates on a profound level for cultural and personal recognition (Taylor, 1989a, p. 18). The continuity of self-interpretation is always necessarily situated within a moral framework in which human beings

are always *becoming* and changing. “Since we cannot do without an orientation to the good, and since this place is something that must always change and become, the issue of the direction of our lives must arise for us” (Taylor, 1989a, p. 47). Hence, narratives are an essential ontological feature deeply figuring into how people form a sense of self against given hypergoods within moral frameworks, structuring political outlooks (Bohmann & Montero, 2014, p. 4).

Crucially, this shows how human beings understand and make distinctions in their moral experience, thus taking seriously the common ways morality is seen as having intrinsic good independent of one’s own desires. Therefore, for Taylor, moral agency involves an ability to make strong evaluations within a given framework that are constitutive of the moral order and the individual moral identities of the human beings that shape it (Weinstock, 1994, p. 174). The plurality in these frameworks comes from the multiplicity of interpretations and ways people try to align their self-narratives with these goods, which are also multiple.

It is possible to see that moral frameworks are constituted by multiple goods, generally forming a coherent enough structure representing a relatively stable moral order. Because moral goods are realisable and intrinsic to social practices, they can also be discussed and argued about in reason. In Taylor’s (1994b, p. 220, p. 224) own words:

Realism involves ranking (some) schemes and ranking them in terms of their ability to cope with, allow us to know, describe, come to understand reality. Some schemes are better or worse than others... Moral realism requires one be able to identify certain moral changes as gains or losses, yet it can be sensitive to the complexities of life and of moral choice.

This realism contends that human beings can grasp the complexity and plausibility of these frameworks, the *resonance* of which Goldstein (2018, p. 782) argues is Taylor’s guiding motif in his philosophical *oeuvre*. One is motivated by moral goods not because of something metaphysical but rather because the goods in a moral framework resonate with one’s sense of self. Taylor (1995a pp. 33-34) uses the Aristotelian concept of *phronesis* – the inevitable inexplicability of our moral understanding, nonreducible to rules – to suggest that knowing how to act morally in a multitude of situations can never be fully explained. *Phronesis* makes it challenging to discuss in reason how to live up to moral aims because of its plurality and inarticulacy. Procedural ethics, on the other

hand, wants to reduce morality through disengaged rationality, which is supposedly necessary for freedom, universality and critical appraisal (Taylor, 1995a, pp. 29-30).

However, Taylor still wants to support the view that despite *phronesis*, people can discuss in reason their approximation to moral goods because these goods are not subjectively determined. Taylor's moral realism asserts that as moral Beings, people make their moral identities out of the ways that they narratively develop an understanding of their place in the world. With the view that there are moral goods intrinsic to social practices, liberal values – including rights, equality, democracy or justice – have derivative status in a modern moral framework, not a foundational one (Weinstock, 1994, p. 177). In other words, modern people have to articulate the moral sources of their moral world, and something like liberty is a way of giving expressive life to a profound moral resonance. The sense-making of one's moral responses requires an acceptance that moral “intuitions offer insights, and the reasoning around these is hermeneutical” (Taylor, 2016, p. 221). This is why Taylor (see 1989a; 2007) writes extensive historiological explanations of the sources of modernity to understand its constitutive moral ideals better. This is also why asserting a principle of rights to defend something like freedom of expression is incomplete; there is a greater complexity to the resonance of moral good than any one principle can fully grasp as a ‘clinging’ argument.

Based on how people understand themselves in a kind of dialogue with the world and others in it, Taylor's view of the self is one that has the capacity to change and become differentiated from that of others. What tends to be important to the notions of agency and freedom in modern moral frameworks is the feeling that there is value in *choice*, which is often seen as valuable regardless of what was chosen or in what domain a choice was made (Taylor, 2007, p. 478). This is essential for the ideal of authenticity as well. However:

Even the sense that the significance of my life comes from its being chosen – the case where authenticity is actually grounded on self-determining freedom – depends on the understanding that *independent of my will* there is something noble, courageous, and hence significant in giving shape to my own life... It may be important that my life be chosen, as John Stuart Mill asserts in *On Liberty*, but unless some options are more significant than others, the very idea of self-choice falls into triviality and hence incoherence... Which issues are significant, *I* do not determine. (Taylor, 1991, p. 39)

This is why degraded forms of individualism that see choice as an end in itself degrade into malaise. They miss the fact that horizons are always already forming the background that gives shape and meaning to people's choices. Morality is not relative because individuals do not determine what is moral, and how one lives up to a normative standard can be discussed in reason. This is why the ideal of authenticity has two conditions:

... (A) involves (i) creation and construction as well as discovery, (ii) originality, and frequently (iii) opposition to the rules of society and even potentially to what we recognize as morality. But it is also true... that it (B) requires (i) openness to horizons of significance (for otherwise the creation loses the background that can save it from insignificance) and (ii) a self-definition in dialogue. (Taylor, 1991, p. 66)

Part (A) was previously quoted above, but like Taylor, I wanted to show that it was incomplete and prone to malaise when taken on its own. When the conditions in (A) do not recognise their situatedness in those of (B), ideals of authenticity are prone to degradation and malaise. Taylor's moral realism overcomes the moral relativism often associated with postmodern views by (B)(i) asserting the independence or realism of moral goods and (B)(ii) affirming that it is a fundamental ontological feature of human beings that their self-relation to moral goods constitutes a moral identity. Articulating the sources of the ideal of authenticity or any other facet of a moral framework is very important because people might come closer to the source of moral power and be better related to it (Taylor, 1989a, p. 96).

Taylor thus takes a pluralistic stance to realising moral goods. In this way, Taylor does not accept a pluralism where all moral goods are of equal value and that we cannot even begin to make such distinctions. On the contrary, assessing higher and lower goods is *necessary* to make strong evaluations. Taylor is a pluralist in the sense that there are a multiplicity of ways in which a universal moral good can be practised and understood; suspending dismissive feelings and articulating our own sentiments to open ourselves to these different possibilities is needed for moral growth. "This kind of growth in insight often goes along with a growing capacity to act on our ethical convictions. Getting better and seeing better often go together..." (Taylor, 2016, p. 222). The following will explain this in moral detail with reference to its consequences for Taylor's political outlook of Liberalism and pluralism.

4.3 – The Moral Realism of Neutrality and Pluralism in Modernity

For Taylor, the kind of neutrality that fosters a fundamental moral aim of Liberalism is not blind to differences insofar as it is rooted in a modern moral framework. The meaning of neutrality is, therefore, not morally neutral in the sense of having no moral significance, but this does not mean that it cannot provide for fair and consistent procedural equality. Where exceptions can be made in a liberal democratic society to restrict constitutive freedoms, the moral aim must be reasonable, which Taylor considers is acceptable for the sake of cultural survival, which is not incommensurate with the aims of this form of Liberalism.

While there is truth to the rebuttal that Liberalism (and even secularism) originates in a Christian worldview, Taylor (1994a, p. 62) argues that Liberalism should not claim to be completely culturally neutral: “Liberalism is also a fighting creed” (Taylor, 1994a, p. 62). The politics of a Liberalism of equal dignity is just one political approach to realising the constitutive moral goods of a modern moral order. The moral sources of Liberalism’s constitutive goods are so deeply embedded in society that to dismiss this outright as a Western moral bias is to bring into question the moral basis for such a critique.¹³ Indeed, Liberalism is not neutral regarding Liberalism itself, but this does not mean its procedural aims cannot be fair and impartial, insofar as they aspire to these ideals in ways that make moral sense. Therefore, the meaning of neutrality is understood based on its use, derived from a modern moral framework that is inextricably linked to a sense of moral good. Its sense emanates from the modern values of reason, impartiality, openness, inclusion, fairness, justice, and authenticity, to name a few. Although often defined as a lack of assessment or quality, neutrality is not a subtraction of value but an attempt to realise good constituted by a moral order. Neutrality, more appropriately articulated, means actively being open to multiple ways of realising moral good within a shared system of values.

An issue not fully addressed with this meaning of neutrality and is discussed in Chapter 2 is the problem of recognition, where the moral realism explicated above reflects just how essential dialectical recognition is for developing a sense of self. This was also suggested in Chapter 1 with

¹³ This was Taylor’s critique of postmodernism in Chapter 2.

Martin Redish's (1982) argument that freedom of expression is only truly valuable for self-realisation if others recognise it. How neutrality in a Liberalism of equality can offer meaningful recognition and remain impartial begins with an understanding that procedurally neutral principles do not negate their moral sources and absolve individuals from making genuine moral assessments of worth. Treating people equally and with respect, one ought to acknowledge that truly recognising differences cannot entail a genuine suspension of moral horizons for another's differences to be truly respected (Taylor, 1991, p. 51). A cooperative attempt at disclosing intrinsic moral goods that can be independently verified is required to accommodate a politics of equal dignity that offers genuine recognition of differences. To achieve this, Taylor (1991) thinks that

[t]here must be some substantive agreement on value, or else the formal principle of equality will be empty and a sham. We can pay lip-service to equal recognition, but we won't really share an understanding of equality unless we share something more. (p. 52)

With this view, there is the possible risk that different cultures and values will not hold up under scrutiny as being of equal value. However, pretending to offer genuine recognition of equal value purely based on a principle is empty, which Taylor (1994a) extends as a possible moral harm:

... the giving of such a judgment on demand is an act of breathtaking condescension. No one can really mean it as a genuine act of respect. It is more in the nature of a pretend act of respect given on the insistence of its supposed beneficiary. Objectively, such an act involves contempt for the latter's intelligence. To be an object of such an act of respect demeans. The proponents of neo-Nietzschean theories hope to escape this whole nexus of hypocrisy by turning the entire issue into one of power and counterpower. Then the question is no more one of respect, but of taking sides, of solidarity. But this is hardly a satisfactory solution, because in taking sides they miss the driving force of this kind of politics, which is precisely the search for recognition and respect. (p. 70)

In other words, repudiating all standards of value to recognise something as being of equal value undermines the validity of such judgements (Wolf, 1994, p. 78). The self-destruction of this attempt is representative of the subjectivist or postmodern outlook "that ultimately ends in contempt for the very practice of justification, for the vocabulary of critical appreciation, and for anything that could serve as a basis for authentic respect" (Wolf, 1994, p. 78). What is instead

required is a presumption of value rooted in moral pluralism, where standards of value can be grasped from a plurality of angles, and that one may benefit from a ‘fusion of horizons’ (Taylor, 1994a, p. 67). To fuse horizons is to gain a new vantage point where one’s standards for judging value are transformed. But this is only possible if the initial presumption to entertain different outlooks is substantiated by a genuine assessment. This takes careful examination and sometimes the development of new vocabularies to express and cultivate a new outlook (Taylor, 1994a, p. 67).

As a result, “what the presumption requires of us is not peremptory and inauthentic judgments of equal value, but a willingness to be open to comparative cultural study of the kind that must displace our horizons in the resulting fusions” (Taylor, 1994a, p. 73). Such assumptions may be justified because enduring cultures must have some valuable insights to offer about human beings and moral good (Taylor, 1994a, p. 66). This is an optimistic assumption, as Wolf (1994, p. 79) points out, that serious harm with recognition persists if an individual or culture is genuinely recognised as not being as valuable. This might be a necessary consequence of moral realism. However, this realism also makes the idea that the moral sources of culture must have high standards possible and significant. I contend that Taylor is not ‘guessing’ that some cultures may have important values that we should respect and try to understand. I think a completely and universally terrible culture does not exist for Taylor because no society could possibly forgo making the qualitative discriminations that would identify better ways of living within a moral framework. And because it is human beings whose cooperative action constitutes moral frameworks, no moral order can exist without individuals pursuing and manifesting better ways of living. The ability to articulate and realise these constitutive moral goods is the task of all societies.

Principles serve the pluralistic aim of Liberalism, but they cannot be divorced from the moral framework, which makes them significant and assessments of moral good valid. Modern society tends to be fixated and dependent on codes of conduct often generated from single sources or principles because they are essential to the rule of law and moral order (Taylor, 2007, p. 704; 742). ‘Single sources or principles’ refers to reasoning such as utilitarianism in support of a harm principle or a rights-based approach to establishing principles of freedom of expression. However, as Taylor (1995a, p. 39) argues, “[a] procedural ethic of rules cannot cope with the prospect that the sources of good might be plural.” This is the case when the basis for having such procedures

is divorced from the moral sources that make it significant. As a result, a single procedural ethic devoid of its sources is indeed inhospitable to the demands of recognition and the potential for realising good in exceptional circumstances.

Inspired by Aristotle, Taylor (2007, pp. 704-706) regards what is problematic with the sustainability and completeness of these codes is fourfold: 1) the variation in life events are unforeseeable and no set formulae will ever anticipate and capture all of the moral dynamics, 2) there is a plurality of goods which can be in conflict with one another, 3) that 2) intensifies 1) means we encounter genuine dilemmas that cannot be predicted and resolved on the basis of any strict code, and 4) resolutions to some dilemmas demand compromises where recognising a possibility of mutual good extends to a higher plane that should be regarded as making the compromise much less damaging.

In essence, Taylor (2007, p. 743) argues that it is essential to understand that codes can be misused as a crutch and “create dilemmas that it cannot see, and in driving forward, acts with great ruthlessness and cruelty.” This was the issue of *phronesis*, and the idea that procedural ethics claims moral goods are achieved because the means are correct is blind to cases where the outcomes of a rule are unjust or *irrational*. This is even though modernity cannot do without principles that secular society relies upon for fair and equal treatment of individuals with a plurality of moral outlooks (Maclure & Taylor, 2011, p. 19). Because there can be different resolutions to similar moral dilemmas, moral pluralism recognises the tensions between moral goods but also the background in which codes make sense i.e. the moral sense of legitimacy of having codes in the first place, without substituting right procedures for moral good (Taylor, 2007, p. 707).

Conflicts in such a system inevitably arise, but this represents tensions within these frameworks, not contradictions that undermine the system entirely. Taylor’s distinct brand of Canadian multicultural Liberalism can coexist with that of the US or Czechia without fundamentally undermining one another despite limiting and protecting freedoms differently. A plurality of different kinds of Liberalism can foster a plurality of cultural protections so long as they preserve the constitutive values and processes of a modern moral order. Modern secular society has its constitutive goods as well as *processes* which are indispensably linked (Maclure & Taylor, 2011, p. 19). This is only so long as they aim to converge on and maintain the fundamental

moral framework that maintains such peace and autonomy in the service of Liberalism's broader constitutive moral aims.

Whereas choice is seen as valuable for the ideal of authenticity because of the plurality of good ways of living that may be chosen, principles are valuable because they foster a plurality of ways to realise moral goods. When a principle is itself valued for its neutrality, it cannot do this without being embedded within a moral framework where neutrality is seen as morally desirable because of its capacity to open one up to broadening one's horizons and realising new potential goods. Taylor (2007, p. 707) thus advocates for a need for leniency and plurality in the application of principles where attempts to realise constitutive goods accord with the plurality in moral realism. This entails maintaining procedural equality but not rejecting Liberalism's substantive nature.

Therefore, addressing the concern posed in Chapter 2 regarding whether ethical theories should be procedural or substantive, Taylor (1995a, p. 27) thinks common procedural theories are incoherent. This is because to have any coherence, they require a justification in a substantive form (Taylor, 1995a, p. 27). Unpacking this claim, Taylor is saying that we cannot account for the moral framework of procedural ethics without substantive notions of the good that make procedures meaningful in the first place. The role of instrumental reasoning in making a distinction between the means and ends of a procedural ethic gives it the ability to achieve good through reason in a processual fashion (Taylor, 1995a, p. 25). A modern procedural ethic is thus suspicious of notions that both the means and ends can be one and the same because it seems to presuppose difficult metaphysical questions about a 'natural' normative good (Taylor, 1995a, p. 25). Separating the achievement of good from the right, using a disengaged rational procedure to access moral good supposedly solves this issue. This captures the sense that freedom requires breaking away from external authorities, being self-governed by one's own rational capacities, and substantiating one's personal dignity (Taylor, 1995a, p. 19). This is instrumental rationality *par excellence*, and heavily imbued with a disengaged view of the self – a view that makes sense for modern moral outlooks; we ought to see things objectively so that our personal biases and sentiments do not cloud our judgement. "Rational direction is therefore seen as synonymous with freedom understood as self-direction, direction according to orders constructed by the subject, as against those which the subject is supposed to find in nature" (Taylor, 1995a, p. 26). Using rules to realise good satisfies

modernity's drive for freedom, universality, and rationality (Taylor, 1995a, p. 26). So indeed, procedures and principles can foster right decisions, independent of, but always in relation to moral goods, and this is where they derive their legitimacy (Taylor, 1995a, p. 27). Thus, it makes sense to support procedural neutrality, even if it is naïve. However,

...the Enlightenment project ultimately contributes to the credibility of Nietzsche. An impossible model of reasoning is proposed, and then when one sees that no rational headway can be made in this way in discerning the good, one falls into scepticism and despair. Or at least one has an extra motive for opting for a procedural ethic, on the (false) belief that one thereby can avoid the whole issue of the good altogether. (Taylor, 1995a, p. 36)

As has already been substantially argued in Chapter 2, Taylor thinks this line of thought is a mistake. It promotes both postmodern pessimism and naïve universalism. This is primarily because it neglects how qualitative assessments require hierarchies of moral goods that make stronger demands on people. Rationality is something modern people feel *called* upon to employ by some notion of its moral good. The human capacity for rationality is given a moral quality by something other than rationality alone. A Taylorian view shows how this is structured by a given moral framework. Reason is a real human capacity, but it is given unique significance within a modern moral order. Rationality is inescapably based on a notion of moral good couched within a notion of what it means to *be* good in modernity. So, while procedural neutrality is a product of a rational ethic, it is commensurate with the constitutive framework to make exceptions in *reasonable* cases where principles seem *irrational*, contra the 'irrational limits' of freedom of expression principles described in Chapter 1.

The moral realism approach to understanding neutral principles underscores the importance of having a processual basis for limiting personal freedoms because modern society requires impartial means to foster a Liberalism of equality. But this does not deny recognition if it is considered that an assessment of a social practice or outlook must be *worthy* of deference to a procedural ethic (*Liberalism is a fighting creed*).

Of the plurality of such principles, all are supposed to defend or limit freedom of expression to capture the intrinsic good of free expression in modern society. Still, their legitimacy does not rely on their ability to adjudicate all moral dilemmas perfectly. There is no 'clinching' principle

for perfectly protecting and limiting freedom of expression. *Neutrality is valuable because of the good that can be derived from the practices that it makes possible, which can be discussed in reason regarding their ability to realise such constitutive goods.* This makes room for exceptions and limitations to freedom of expression rights, but this cannot be done by withholding genuine assessments of moral worth. Thus, a legitimate basis for having a limiting principle for freedom of expression rests on its reasoned capacity to realise the moral goods constitutive of modern society. As mentioned, the existential survival of sport and its constitutive goods is what justifies the principle of sport neutrality.

The basis upon which these exceptions can be made, Taylor (1994a, p. 52) argues, is for the sake of *survivance*. The survival of a particular cultural or social identity is the exceptional criterion for Taylor because this is what is needed for meaningful individual recognition, which is necessary for a *multicultural* society to exist and benefit from its plurality. However, even these exceptions are conditional on the basis that they preserve the core values of liberal democracy. This will be the framework with which I defend sport's legitimate aim to preserve its autonomy in the next chapter.

Chapter 4 Summary

This chapter disclosed the systematic framework of Taylor's moral realism. By articulating the moral ontology that grounds morality in a modern moral order, moral goods are given an intrinsic social quality where individuals can see themselves in relation to them and discern better or worse ways of living. This view has profound implications for how Taylor thinks about Liberalism and the plurality that it should strive to foster. While procedurally neutral Liberalism remains essential to modern society, *reasonable* exceptions can and must be considered to override such stringent principles for a plurality of cultural practices to realise the constitutive values of a multicultural modern society. I reason that this plurality is hospitable to accommodating the moral aims of sport and its need for survival. In the next chapter, I will connect Taylor's moral realism to the political outlook of sport neutrality as a legitimate social activity with constitutive goods that can legitimately be preserved by limiting freedom of expression in sport.

CHAPTER 5 – PLURALISM AND SPORT NEUTRALITY

In the previous chapter, I discussed Taylor's moral realism and how this influences a political outlook on the need for a kind of Liberalism that maintains procedural neutrality but can also confer meaningful recognition. Chapter 4 consequently played a crucial role in producing an argument claiming that procedural neutrality is not morally neutral, but it is legitimate. Having gained this perspective, Chapter 1 can be reframed as demonstrating that to understand and appreciate the arguments for freedom of expression, one must already live within the modern moral framework in which these arguments make sense. Because of this, the inability to claim to have a 'clinching argument' for a principle that perfectly protects and limits freedom of expression does not diminish the attempt's integral importance in modernity. However, the aim of procedural neutrality stemming from these principles should not be without regard for the dilemmas and 'irrational limits' they create. As a result, procedurally neutral principles should still allow for reasonable exceptions that are consonant with Liberalism's overarching moral aims, and not be satisfied with demanding too irrational limitations or protections of free speech.

This chapter takes Taylor's theory of moral realism that supports pluralistic Liberalism and applies it to the concept of political neutrality in sport. I insist that this principle can be rationally defended as having valid moral aims supportable in a system of Liberalism, establishing an alternative view to those in Chapter 3 that I argued stemmed from outlooks cultivated through malaise. To make this argument, I consider the conditions in which Taylor's version of Liberalism is capable of accommodating limitations to some of its core rights and procedures. However, this is on the condition that sport maintains its integrity and autonomous constitution while also accommodating reasonable exceptions where its own policies may undercut liberal ideals.

5.1 – Realising Sport Neutrality in the Politics of Recognition

The previous chapter defended the theory of moral realism, which proposes that the constitutive moral goods of modernity exist independent of an individual's choosing to value them and that they can be realised through a plurality of means. From this theory, political systems should be capable of entertaining rational arguments about a plurality of ways of achieving common moral aims. Procedural neutrality bears significance within this moral framework

because it helps realise the plurality of approaches to a multiplicity of constitutive moral goods in modernity. This approach does not claim to resolve moral dilemmas or competing interests. Instead, moral realism regards these as inevitable facts that then require strong reasons for favouring some goods at the expense of others. My task is now to provide a rational argument in support of the moral aims of sport to limit freedom of expression.

Commenting on Taylor's essay *The Politics of Recognition*, Rockefeller (1994, pp. 90-93) clarifies the meaning of liberal democracy. This elucidation is necessary because Taylor (1994a, p. 62) rejects the possibility of being neutral on moral matters and argues that "Liberalism is a fighting creed", implicating the politics of equal dignity – which requires procedural neutrality – as having substantive moral aims. What it means to be a fighting creed is to say that there are certain constitutive commitments of Liberalism that need to be maintained and *not* claim to be completely culturally or morally neutral. To this creed, Rockefeller (1994) says that liberal democracy generally can be described this way:

One realizes the end of life, the good life, each and every day by living with a liberal spirit, showing equal respect to all citizens, preserving an open mind, practicing tolerance, cultivating a sympathetic interest in the needs and struggles of others, imagining new possibilities, protecting basic human rights and freedoms, solving problems with the method of intelligence in a nonviolent atmosphere pervaded by a spirit of cooperation. These are primary among the liberal democratic virtues. (p. 91)

Hence, liberal democracy reflects a way of living as much as it prescribes a political doctrine. "Its lifeblood is free communication building on freedom of inquiry, speech, and assembly" (Rockefeller, 1994, p. 91). As a result, limiting a right such as freedom of expression seems to be fundamentally contrary to the constitutive aims of a liberal democracy. This means sport would have no basis for limiting freedom of expression to serve the interests of its need for autonomy, which some, such as Abanazir (see 2023), have argued. A Taylorian perspective concurs that cross-cultural dialogue is necessary for a fusion of horizons to assist individuals in moral growth, realise their freedom, and articulate their moral identities. Rockefeller (1994, p. 92) then argues that it is unlikely that people will be capable of experiencing this transformation if it protects one particular culture at the expense of individual freedoms. However, I argue that sport has a reasonable claim to expect exceptional treatment from these demands.

Introducing Taylor's essay on *The Politics of Recognition*, Amy Guttmann (1994, pp. 10-11) describes two views of universal Liberalism (the politics of equal dignity) that aim to foster a legitimate pluralistic society: 1) a liberal democratic society requires political neutrality in making substantive claims about the good life and treating all citizens with procedural equality (the Liberalism of neutrality); 2) a liberal democratic society capable of furthering specific cultural values and goals so long as it does not: a) encroach upon its citizen's rights and freedoms, b) no one is manipulated into accepting that culture's values, and c) the law-making institutions are democratically accountable. Taylor prefers and provides (limited) justification for 2), albeit he does not outright reject the significance of procedural neutrality in realising the aims of 2).

Whether it be considered a culture, special society, or merely a distinct social practice, I argue it is possible to conceive of sport as being under the protection of the interests of 2). To justify sport neutrality with the conditions of 2), I will argue a) a Taylorian account does not go so far as to demand that there are no reasonable limitations to rights and freedoms, b) sport is not manipulative if it maintains its integrity, and c) it should be acceptable that sport is democratically accountable in an exceptionally limited capacity. To defend a) I will take up the Taylorian argument that reasonable limitations can be made for the sake of cultural survival. Defending b) will require showing that sport is not manipulative because it contains its own intrinsic values and needs to maintain its integrity for the sake of its survival. As for c), I will argue that sport is held democratically accountable, but not always specifically to a nation-state; its internal accountability procedures that sustain its integrity are derived from a modern moral framework, and because it does not seek political power, it can justifiably expect exceptional status from government oversight.

5.1.1 – The Survival of Sport

In this section, I argue that sport should be given a reasonable exception for the condition a) to encroach upon the freedom of expression of its members in a *limited* way. By 'reasonable

exception', I mean a rationally balanced¹⁴ allowance that respects the individual's right to express themselves with the need to protect sport's autonomous survival.

Taylor (1994a, p. 52) has argued that the standard schedule of rights enjoyed in liberal democracies need not apply equally in all cultural contexts. This contentious argument is justified on the basis that a multicultural society must allow protections for the sake of the *survivance* of such cultures. This comes from preserving cultural practices and rituals that confer meaningful personal identities.

This view is in contrast to those who hold that the primacy of rights must come before that of collective goals; this is a proceduralist model of Liberalism that aims to treat all of its members fairly through the equal application of the law (based on strong principles) while making no substantive claims on how individuals ought to live. The ability of a government to make substantive exceptions for the sake of cultural survival thus poses significant challenges to freedom of expression. Suspending the right to freedom of expression for the sake of the survival of sport seems to say one's personal opinions are not as valuable as playing sports, thus making a substantive claim about the good life at the expense of a fundamental right. In light of this opposition, it is vital to consider that Taylor (1994a, p. 58) maintains there are no neutral grounds upon which a government can act when it comes to either preserving culture or advocating for some progressive ideal. Fundamentally changing sport by openly politicising it and risking its loss of autonomy and the integrity of its intrinsic values also makes a substantive claim about the value of sport in society. What is important, then, is to consider what liberal democracy is really trying to accomplish with its ideals and values and if this excludes preserving culture.

To preserve the value and promise of living in a multicultural society, Taylor (1994a, p. 58) argues that *survivance* is a legitimate way of making exceptions for substantive values in a liberal society that is otherwise committed to procedural equality. In other words, Taylor's alternative view of the politics of equal recognition makes concessions to allow substantive views to be protected by the state for the sake of the cultural survival of distinct groups. "They are thus

¹⁴ Recall from Chapter 1 that a 'balancing' approach to freedom of expression is not necessarily a principled approach, but a secondary consideration relying on more fundamental principles.

in the end not procedural models of liberalism, but are grounded very much on judgments about what makes a good life—judgments in which the integrity of cultures has an important place” (Taylor, 1994a, p. 61). This can be considered a legitimate aim for Liberalism because a theory of moral realism acknowledges that procedural neutrality is always already an attempt for moral goods to be realised in a plurality of ways. The broader moral aim of procedural neutrality is to realise the potential universality of a plurality of substantive views of moral goods, fostering multiculturalism and liberal democratic ideals. Recognising that the existence of individual and cultural differences have constitutive value necessitates suspending judgment but also providing genuine assessments of worth by seriously engaging these practices and fusing horizons (Taylor, 1994a, p. 67). In this view, procedural neutrality facilitates opportunities and individual freedom to choose amongst valuable ways of life and realise their intrinsic goods.

Considering the importance of recognition as it applies to Taylor’s (1994a, p. 67) invocation of a ‘fusion of horizons’ through free expression, I insist that recognising and respecting individual differences does not occur exclusively through dialogue. Addressing Taylor, Craig Calhoun has made the argument that *action*, or the kinds of action where people are drawn into relationships with practical consequences for people’s lives, is a crucial facet of fusing horizons (see Calhoun in: McGill University, 2012). Cooperative action considers how transformations in a self-identity and larger culture often occur through social practices, and the development of these relationships often operates within larger political contexts (see Calhoun in: McGill University, 2012). Religion, for instance, is bound up in social practices such as rituals as much as it is a set of propositions and doctrines, and this Taylor (2007) recognises. Calhoun (2022, p. 65, p. 69) has elsewhere acknowledged how important open and reflective debate is in politics, as well as ensuring there are strong institutional structures to help govern the use of new media. Communication is absolutely essential for a fusion of horizons, but actions within the context of sport, where people may come to understand one another in an apolitical setting, also have profound potential for fusing horizons. Operating within a broader political context, sport remaining politically neutral is instrumental for this possibility. As a result, sport should not be seen as denying the means for important forms of recognition because it can also facilitate it and create identities. An absolutely essential argument I am therefore making is that sport is a means for promoting liberal values and pluralism. In other words, sport is an intrinsically inclusive and

peaceful social practice. Where political movements such as Pride – described in Chapter 3 – have claimed to be legitimate in sport because it advocates for inclusion, it neglects to consider sport is already inclusive, insofar as that is a higher intrinsic ideal – whether or not it has always lived up to that promise. Pride does not have a monopoly on inclusion, and sport can facilitate inclusion with apolitical means, arguably making it *more* inclusive.

Through the maintenance of social practices with constitutive ideals and values, cultural survival demands not simply the privileging of individual wills but the desire to *create* members of a community to ensure its existence (Taylor, 1994a, pp. 58-59). The need to create members of a community is important because it resists the claim of homogenising differences, where unique identities are allowed to flourish and prove that a liberal society is accepting of minorities and diversity more generally (Taylor, 1994a, p. 61). This may pose significant questions about those born into a culture without consenting to its practices, but sport is or should always be a practice in which one participates voluntarily. The ‘creation’ of a sportsperson occurs through freely engaging in it as a social practice. This will be defended further in the next section.

Although exceptions for any culture to limit rights for the sake of its survival are contentious, I argue that it is far more acceptable and legitimate in sport, given the need for its autonomous survival. This was defended in Chapter 3. The essential argument was that in order to sustain its autonomy, sport had to remain politically neutral so as not to be politically interfered with. Such a principle does not eliminate moral dilemmas between free expression and sport’s political neutrality, but it does have a reasonable moral aim. Governing sport involves dealing with tensions in its aims that tend to conflict with one another and this requires ever-new and creative approaches to problems that will never have definitive solutions (Taylor, 1991, p. 111). Moreover, the idea that the constitutive rights of a liberal democracy can *never* be violated is to hold sport to a completely unreasonable and incommensurate standard with how governments themselves protect and limit free speech, as demonstrated in Chapter 1. The idea that freedom of expression can never be limited because it is a constitutive value of liberal democracy is to take an absolutist stance and ultimately has no political ethic.

However, the survivance of sport also does not require an absolutist position on limiting free speech in all cases. To this point, Taylor (1994a, p. 53) cites the case of Quebec language

rights in Canada, where he suggests that the Canadian Supreme Court's decision to prohibit unilingual English signs but enforce multilingual French signage was a reasonable compromise. The crucial point is that there does not need to be a situation where rights are protected or limited without exception when it is reasonable to do so. Any allowance for collective action to protect a culture must be made *as an exception* in a politics aspiring to respect equal dignity (Walzer, 1994, p. 100). This means that taking up the kind of Liberalism that allows for protecting cultural survival is not completely abandoning the boundaries called for by a Liberalism of neutrality (Walzer, 1994, p. 100). The point is that Liberalism can and must be able to move between these two forms of Liberalism when it is reasonable or necessary and *reasonable* to do so (Walzer, 1994, p. 100). This would be the basis for allowing freedom of expression in designated areas at the Olympics or through social media.

To further defend the idea that sport should be granted exceptional treatment for the sake of its survival, I also need to defend the next condition for considering the internal values of sport and its integrity.

5.1.2 – The Integrity of the Intrinsic Values of Sport

This section addresses condition b), which states that sport must not manipulate its participants into accepting its values. Sport has intrinsic values, which I argue constitute valid moral objectives that individuals can freely pursue and identify with. The ability of sport to maintain the integrity of these values is, therefore, paramount to ensuring that individuals are not being manipulated into taking up its intrinsic values. This lends itself to the legitimate purpose of limiting free expression for the sake of creating members of a sport community and, therefore, its survival.

As explained in Chapter 4, moral realism demonstrates that people do not simply choose their values, and what value there is in choosing different ways of life cannot be subjectively determined by any one individual alone. This is the result of making strong evaluations, which require qualitative discriminations of higher and lower constitutive goods that we do not determine but rationally deliberate between as moral agents (see Taylor, 1976). When one chooses to participate in sport, this does not bear significance simply because it is chosen, or its value is

radically decided without some depth of understanding of how it bears significance in one's life. Instead, it can be said that sport has tremendous intrinsic (and extrinsic) value and that that value is something one person does not determine alone. Therefore, understanding the value of participating in sport requires disclosing its intrinsic values.

Irena Martínková (see 2013), in her book *Instrumentality and Values in Sport*, takes up an according perspective of sport's instrumentality in achieving various human aims; there are values *of* sport (intrinsic), which can be contrasted with values pursued *through* sport (extrinsic) (Martínková, 2013, p. 19). In other words, Martínková (2013, pp. 8-9) sees the instrumentality of sport as a way in which human beings engage with sport to achieve various external goods, such as health and moral education, and internal goods arising from something like competition, both of which are constituted by the human engagement with this social practice; realising either intrinsic or extrinsic values requires engaging with the embodied practices of sport. However, the values of sport are not psychologically 'subjective' in the sense that individuals determine what sport is valuable for. Instead, while the instrumentality of sport can indeed be valued and practised in different ways, there remains a limit and identity to what sport can be good for. Martínková's (2013) work draws on previous philosophical thought about intrinsic and extrinsic values of sport, such as from Scott Kretchmar and Sigmund Loland, but she distinctly attempts to establish a phenomenological (Heideggerian) grounding for the way in which human beings instrumentalise and co-constitute their world, and by extension, sport.

Realising goods that constitute sport can be done in a plurality of ways. This can often be seen in different leagues, organisations, or subcategories, as one might expect, given the aims of a sport and its participants. Children's sports usually have different rules and organisation compared to adults because they seek to realise different things, but all through the intrinsic values of sport. This is similar to how, in modernity, Taylor (1994a, p. 25) argues that "single principle neutral liberalism can't suffice", thus calling for the need for exceptions and a plurality of means to realise moral goods. So, too, do many different sports need to apply their own rules and governance procedures, as explained in Chapter 3. This can be seen as necessary and evidenced by Duval (2022) within the framework of sport and the procedures of the CAS.

[T]he CAS has become an integral part of the “judicial pluralism” or “jurisdictional pluralism” which characterises the “open architecture” of the ECHR’s “cosmopolitan legal order”. Until today, scholars have largely failed to register that beyond national and EU institutions, private judicial institutions, such as the CAS, are also in the process of becoming active participants in the concert of “European Human Rights Pluralism”. What this broadening reception of the ECHR entails in terms of the legitimacy and the deference that should be afforded to the human rights assessments of private judicial institutions like the CAS (but the same would apply to the interpretation of the ECHR by the Facebook Oversight Board) will need to be thoroughly debated and investigated in the future. (p. 149)

What is distinct in Duval’s (2022, p. 149) quote is the idea of *plurality* and its legitimacy in the domain of politics, sport, and technology (social media). Multiple judicial bodies in sport – as well as international State governance in Europe and private social media companies – apply a plurality of protections and limitations for human rights that captures the pluralism necessary and important for modernity. However, this is on the assumption that these bodies are legitimately seeking to realise universal and commensurate goods within a liberal democratic society, which social media and sport have been suspected of undermining. For the sake of the survival of sport or any other distinct social practice with integral values that need to be protected, plurality requires some exceptions to procedurally neutral Liberalism *and* for the integrity of these practices to be upheld.

Hence, a caveat of the instrumentalisation of sport is that it can also alienate or undermine its participants and the practices from its more constitutive aims, especially when extrinsic values are prioritised, such as financial enrichment (Martínková, 2013, pp. 8-9). Hence, the intrinsic values of sport are also subject to degradation and loss. To align Martínková (2013, p. 9) with Taylor, she recognises that how good or bad sport practices can be depends on how their intrinsic goods are realised. Taylor would describe how ideals are applied and understood as being prone to degradation or malaise. This need for preserving the intrinsic values of sport and the constitutive goods of modernity can be interpreted as a demand for maintaining the integrity of this system.

In an effort to defend both extrinsic and intrinsic values of sport, Robinson and Parry (2017) have argued that

[k]ey to integrity in sport is sporting identity, which is built up of several different narratives: I am a sportsperson with a will to win; I am part of a club which provides goods (tangible such as economic goods, and intangible such as social and community goods); I am part of a corporation which has to sustain itself in a difficult market place; I am part of a federation which embodies the core values of my sport, such as fairness; I am part of a professional organization which seeks to influence good behaviour, for instance through anti-racist campaigns; I am part of a global movement which recognizes the part that sport plays contributing to peace. (p. 94)

Sport has unique constitutive values, people can define their identities in relation to its values, and it has a significant role in society. Sport neutrality has a legitimate moral aim because it attempts to create sporting identities by preserving the integrity of its constitution through the protection of its intrinsic values. Nevertheless, people can have multiple identities, and these can often come into conflict with others that also have significant political or moral importance. Taylor (1994b, p. 214) accepts that there are irreconcilable moral demands in everyday life, and these make conflicting demands on individuals. However, this does not mean that it is unnecessary to defend the possibility of living in a world where identities are multiple and sometimes need protection. “A society can succeed in accommodating real differences to the extent that its members can live with complex, many-poled identities” (Taylor, 1994b, p. 254).

Hence, the values in sport are prone to degradation and malaise as they often conflict with other goods, thus appealing to the need for integrity to prevent them from collapsing. It is crucial to remember that these conflicts arise out of the fact that moral claims do not arise out of one’s radical choosing of them but because they make moral demands regardless of choice (Taylor, 1976, p. 291). Otherwise, dilemmas could be resolved simply by choice; there would be no basis for seeing one’s choice of ice cream flavour as any more significant than one’s freedom of expression. These views negate the very basis for having a moral dilemma because they eliminate how one’s sense of self can be torn between options one did not choose to value. How much we value sport is a question I leave unanswered, but I maintain that it is not trivial. In this spirit, I suggest Nelson Mandela concurs, as demonstrated in his following quote:

Sport has the power to change the world. It has the power to inspire, it has the power to unite people in a way that little else does...Sport can create hope, where once there was only despair. It is more

powerful than governments in breaking down racial barriers. It laughs in the face of all types of discrimination. (Mandella in: Laureus, 2020)

At this point it is crucial to acknowledge that the justification for providing exceptions for sport to limit freedom of expression arises out of an argument centring on the concept of *recognition*. The idea that sport plays any role in demanding recognition has perhaps been ambiguous thus far but can now be clarified. With regard to the demand for political recognition, it is most readily defensible, given what has been described in Chapter 3, that sport organisations require state recognition to grant its autonomy legitimacy. This state-sanctioned political recognition makes it possible to see participation in sport as a legitimate social practice. The personal aspect of recognition is less obvious, but demonstrable nonetheless. I claim that the personal significance of sport is evident, as Mandela concurs, in the fact that sport is not a trivial pursuit for those who practice it. Denying personal recognition regarding the notion that sport is indeed a meaningful social practice for an individual to pursue, capable of fostering high moral ideals and developing strong moral character, is profoundly harmful to those who identify with their participation in sport. In other words, dismissing sport as a trivial practice not deserving of political and personal recognition is to misunderstand and underestimate the significance of sport in modernity entirely.

The ability for sport to maintain its integrity towards realising such high ideals is worthy of serious philosophical and political consideration. Towards this end, Taylor's moral realism is compatible with and perhaps even needs a concept of integrity when exercising principles that make room for reasonable limits at the expense of other goods. This would be to maintain some of the values of procedural neutrality and a commitment to substantive moral aims. A concept of integrity that has been used in the philosophy of sport (see Robinson & Parry, 2017; Gardiner et al., 2017) and cited here uses an Aristotelian conception of integrity, which fits with Taylor's Aristotelian account of *phronesis* and the irreconcilability of conflicting moral goods.¹⁵

¹⁵ Taylor (2016, p. 230) does consider the term 'integrity' in *The Language Animal*. However, as with the concept of authenticity, Taylor is evoking its use in common parlance, where he describes how the word 'integrity' resonates with people because it elicits notions of wholeness and unity, overcoming contradiction, dispersal, and self-stultification (Taylor, 2016, p. 230). I argue that this is a prime example of the need for specificity, which Taylor accepts is important in our study of language, despite its tendency to pass over the normal way we understand and use language. This is mainly because the everyday use of 'integrity' is often used inappropriately and without real regard for its institutional

Howard Curzer (2015; 2024) offers a concept of integrity that has been shown to be applicable to sport (see Robinson & Parry, 2018). Curzer (2015, p. 207) proposes an Aristotelian interpretation of integrity as truthfulness, which considers ‘truthfulness’ (*alētheia*) in the sense of ‘being genuine’ as opposed to being false or phoney. In this interpretation, integrity is not the same thing as honesty because integrity is about *presenting one’s self-identity accurately in order to craft a reputation that reflects one’s highest moral commitments* (Curzer, 2015, p. 207; 2024, p. 131). This entails that one need not always tell the truth or that one has perfect self-knowledge, but it does entail expressing self-identity accurately based on one’s acknowledged commitments (Curzer, 2024, p. 131; 142). It also does not encompass all or even most moral behaviours, and, crucially, does not entail one’s commitments are held unconditionally, that they encounter no moral conflicts, that they are endorsed wholeheartedly, acquired authentically, consistently acted upon, or are publicly expressed (Cruzer, 2024, p. 131).

Relevantly, Gardiner et al. (2017) have argued that such a description of integrity can apply at the individual and organisational levels in sport:

For our purposes, an organisation is perhaps best seen as a collective person, and so the integrity of a sport organisation can be seen to lie centrally in its ability to sustain its reputation by accurately and reliably representing the identity and values of the organisation as it moves forward towards meeting its commitments. However, a key further commitment at this point is expressed in the value of sustainability, that is, of the organisation. (p. 18)

As mentioned in Chapter 1, with reference to John Stuart Mill’s defence of the value of truth, the integrity of institutions (and the development of personal character) is strengthened when a diversity of viewpoints challenges it. This entails that it should be in the interests of the integrity of sport organisations to not limit freedom of expression in any way other than what is necessary to maintain its autonomy. I argue that this conception of integrity reflects the fragile and often conflicting moral goods individuals and organisations must contend with and the plurality of

significance, as Robinson and Parry (2018) lament. Thus, working out a more appropriate meaning of the term integrity retrieves and helps constitute social practices in better ways. This is commensurate with a Taylorian invocation to retrieve the meaning of our ideals (and terms) by recognising their situatedness in our practices so that we might realise their highest potential.

approaches that different sports need to employ to realise their intrinsic goods. Moreover, individuals need to make qualitative assessments within their multiple identities of the role of sport in their lives, which should be freely chosen and not manipulated.

To this point, where the principle of neutrality in sport posits a contrary ideal to that of authenticity, this is not to say it necessarily overpowers an ideal of authenticity. However, it does reflect a legitimate counterpoint that, when taken up, expresses commitments that may be just as important in the context of preserving the intrinsic values of sport. Evaluating one's moral commitments does not simply demand one make a radical choice – although this may be the case sometimes in sport when deciding to make a political protest – but to articulate them, thus disclosing their value and worth to one's sense of self (Taylor, 1976, p. 294). This 'moral sense', its resonance with oneself, can never be perfectly articulated, Taylor (1976, p. 294) says, but it does provide some capacity to use reason to guide decision-making. I propose that if a strong evaluation of the values and ideals of sport are better articulated and understood, they can be seen to have some significant hold over individual moral commitments and the collective moral good that should not be wantonly undermined. Where political protests do occur in sport, we can often understand why they occur and their meaningful impact, but only on account of there being a genuine conflict. When political expression and protest become the status quo, the significance of challenging the importance of politically neutral sport is no longer there to serve as a counterweight to assess the value one places on other commitments.

Within a given framework, a plurality of conflicting goods can coexist, and moral dilemmas can be healthy as long as they do not completely undermine the framework of such goods (Taylor, 1989a, p. 503). However, when values that emerge from a given framework are undermined, they alter the fundamental structure (Taylor, 1985b, p. 72). The claim, for instance, that sport cannot be neutral is an attempt to demonstrate that the alternative of politicising sport is the more favourable value. This alteration of the framework is problematic, as it is political neutrality that serves to protect sport autonomy and its various ideals and values as a part of the Olympic movement. More radically, it rejects the basis upon which the moral value of neutrality emerges from a modern moral framework. It rejects the more fundamental moral ontology of the constitution of modernity that Taylor has defended. Rejecting the basis for the principle of sport neutrality compromises what it would mean to preserve the integrity of sport as a practice that

seeks to protect its intrinsic values such that it does *not* manipulatively impose political views on its members.

On this basis, sport should not be seen as ‘manipulating’ people into accepting its limitations on personal freedoms for the sake of its constitutive values. Not only would such a critique deny the moral agency of voluntarily participating sportspeople, but it also denies the intrinsic good sport has to offer that reasonable people would want to pursue. This furthers the argument that the existential need for the preservation of the constitutive good of sport is deserving of exceptional status to further its moral and cultural aims to create members of these communities. A pluralistic society should want to preserve the values of sport and the identities formed therein. However, if the integrity of these values is not preserved, it could be said that sport is manipulating its participants by not accurately representing its moral commitments. By maintaining its integrity, sport genuinely represents its highest moral commitments and the potential for their realisation. This is despite the fact that competing interests, moral dilemmas, and a plurality of ways of realising the internal goods in sport will always exist. Stemming from this rationale, sport’s integrity is paramount to its exceptional status in terms of democratic accountability.

5.1.3 – Sport Exceptionalism and Democratic Accountability

This section will defend the view according to c) that sport organisations are democratically accountable to an exceptionally limited degree. I argue that when sport is not fully accountable to democratic governments – which is often the case – it should be granted this exception. This is because sport requires cooperative action that seeks to realise universal values that resonate within the moral framework of Liberalism, only in an apolitical context. Sport, therefore, is not a threat to the fighting creed of Liberalism, so long as it maintains its integrity and accommodates some liberal democratic procedures towards this end.

Taylor’s multicultural Liberalism makes exceptions for the sake of the survivance of unique cultural identities, as explicated above. This facilitates a multicultural society with a plurality of conceptions of how to realise constitutive moral goods and articulate their value. Hence, moral pluralism is the phenomenon where individuals may adopt different and potentially

incompatible value systems and views about moral good and yet live together peacefully (Maclure & Taylor, 2011, p. 10). However, Maclure and Taylor (2011) argue:

A liberal and democratic state cannot remain indifferent to certain core principles, such as human dignity, basic human rights, and popular sovereignty. These are the *constitutive* values of liberal and democratic political systems; they provide these systems with their foundations and aims. Although these [constitutive liberal] values are not neutral, they are legitimate, because it is they that allow citizens espousing very different conceptions of the good to live together in peace. They allow individuals to be sovereign in their choices of conscience and to define their own life plan while respecting others' right to do the same. (p. 11)

As a result, liberal democracy should be defended because it is one way of organising society that both protects and constitutes peace and liberty in modern moral frameworks. Taylor (2022, p. 19) explains that “[d]emocracy is a telic concept, necessarily a matter of purposes and ideals, not merely conditions or causal relations. It is defined by standards that can never be met”. This is to say that Taylor (2022, p. 19) makes a moral distinction between power used for domination and power exercised through collective action in a democracy—the means and aims of political power matter. Taylor has effectively argued that the *telos* that guide moral behaviours, collective or otherwise, bear different kinds of significance that should not be reduced to relations of domination or oppression. This is why collective action aimed at preserving a distinct social practice or culture bears different moral connotations when demanding protections that might only be permissible in some cultural contexts (Taylor, 1994a, pp. 60-61).

While it must be conceded that sport does not always make governance decisions on a strictly democratic basis, I argue that the *telos* of its governance is also *not* one that can fairly be reduced to a relation of domination and control. This is on the basis of all that has been written of above with regard to the intrinsic values and autonomy of sport. The idea that this is at the expense of individuals, or involves no collective action, is to simply ignore the non-manipulative conditions that individuals willingly and voluntarily enter into to practice sport. There are indeed tensions and conflicts between personal commitments because of the demands sport makes for the sake of its autonomy, but these are not entirely contrary to democratic ideals. In fact, sport can, and often is, democratically accountable. This is despite the fact that the laws that govern international sports are not ones that result from a democratic process (Modi, 2023, p. 371).

Geeraert (2022, pp. 21-23) has argued that transparency, democracy, and internal accountability are essential to good sport governance. All three of these features serve to sustain a legitimate system of accountability that lends itself to supporting the integrity of sport. Essentially, the integrity of the systems and procedures of sport legitimises its governance and, by extension, its autonomy. However, the kind of democratic accountability in sport, as Geeraert (2022, p. 22) suggests, is contingent on the internal processes by which sport executives are selected, and various other decisions are made. This is to say that sport is not democratically accountable to a particular nation-state or participative structure, which Modi (2023, p. 371) seems to suggest is problematic. Sport, instead, takes up a limited form of democracy regarding internal governance. However, in systems where sport receives national funding from the government, a degree of democratic accountability to a national government is actualised.

When sport organisations are perceived to be acting unjustly or irresponsibly, governments may intervene or withhold funding. This was the case with the Canadian Government when Hockey Canada was accused of using public funds to pay legal settlements to sexual assault victims at the hands of Canada's Junior Hockey team members (see Sadler, 2022). When and how governments will become involved in sport is, therefore, usually a matter of significant legal or political concern, which may sometimes be problematically subject to the political climate. In other words, nothing other than the perceived legitimacy of sport organisations prevents a state from intervening in a sport organisation. This means sport's very existence is threatened when its legitimacy is undermined. This is the case when the legitimacy of the principle of sport neutrality is brought into question.

The integrity of sport requires maintaining political neutrality and limiting free expression, but not to an absolute degree. Exceptions can be made for sport, as sport organisations can make exceptions for individuals to express themselves politically at particular times and places, as argued above. Moreover, as with any democratic government, the form of democracy an organisation takes can be negotiable. The pluralism found in liberal democratic systems around Europe, as mentioned above, or worldwide is evidence that it would be hypocritical to suggest otherwise (Duval, 2022, p. 149).

Highlighting a concern, some, such as Henry (2022, p. 196), have raised the objection that the integrity of sport adopts a distinctly Western view of good governance, overlooking the plurality of possible modern conceptions of good governance. Henry is justified in claiming there may be a plurality of ways of achieving good governance, as moral realism might suggest. However, contrary to Henry's claim, the moral sources of pluralism cannot be neglected and need to be articulated if they do not already stem from a Western framework as Taylor has shown. To foster a pluralism of this kind, there needs to be an overlapping consensus on a society's higher moral aim. Plurality is not hospitable to just any form of governance, or else it is relativistic plurality. It is towards these common aims that exceptions can be made with regard to how to achieve moral goods *qua* pluralism.

Individuals can come together under the pretence of peaceful and cooperative social behaviour in sport and realise its constitutive goods through free and fair participation. Democratic accountability to a nation-state does not by itself legitimise such moral goods. Taylorian moral pluralism validates this argument because sport can be a means to accessing constitutive moral goods of modernity, only that the way it achieves this is *not strictly political*. In the context of sport, there is a possibility of coming to a common understanding of sport and one another by sharing in sporting experiences with very different moral, political, spiritual or philosophical outlooks. This is because people can view their social activities with a sense of objective understanding of their instrumental and secular purposes (Taylor, 2007, p. 543). The instrumentality of sport is the crucial rational basis upon which people can recognise its intrinsic values and acknowledge its non-political, yet morally legitimate aims.

A crucial distinction can then be made between *political* secularisation and *social* secularisation; the former refers to the necessary neutrality of the state and its separation from religion, whereas the latter refers to the erosion of religious influences on social life and embodied in a plurality of moral worldviews (Maclure & Taylor, 2011, pp. 15-16). "In accordance with the argument for the state's necessary neutrality toward conceptions of the good and convictions of conscience, the state must seek to become politically secular but without promoting social secularization" (Maclure & Taylor, 2011, p. 16). This means that social activities themselves do not need to apply the same neutrality to their practices if genuine multiculturalism is to be possible. However, a socially secular practice cannot be a threat to Liberalism and its political secularity,

hence why Liberalism is a fighting creed (Taylor, 1994a, p. 62). For this reason, sport must always be in a position of placating to Liberalism's demand for democratic accountability, but Liberalism owes sport – as it does any other distinct social practice – an exceptional status under reasonable terms.

It is important to note that allowing a principle of political neutrality to override a fundamental right like freedom of expression might misrepresent Taylor's views when he has advocated strongly for freedom of expression. Secularity, in the sense that Taylor (2007, p. 20) is most preoccupied with in *A Secular Age*, is the sense in which people can co-exist with a plurality of beliefs such that the conditions of belief have changed. In this way, secularity is not against religion, but religion remains intrinsic to it, only that its role has dramatically changed in ways definitive of a modern global society steeped in an exclusive humanism (Taylor, 2007, p. 21). These views support the idea that religious symbols in classrooms – a contention that has impacted many Western countries in recent years – are not anti-secular but a part of a secular society. Therefore, as the need for neutrality in public spaces or represented by authority figures is in conflict with freedom of expression, Taylor opts to support the latter in cases such as teachers wearing the hijab – an argument that arose out of the Bouchard-Taylor commission (formally called the Quebec Consultation Commission on Accommodation Practices Related to Cultural Differences) (Riga, 2018). Thus, my argument risks abusing Taylor's views as the Quebec legislative ban on (mostly Islamic) religious symbols did.

However, as I have stated above, it is not an unconditional limitation of freedom of expression in sport that I am advocating. Nor is it un-Taylorian to look at the circumstances and rationale behind the inevitable conflicts of values and ideals and assess where necessary and reasonable limitations make sense (Maclure & Taylor, 2011, p. 100). Although Taylor never considers sport, it is my position that a principle of political neutrality in sport can be conditionally justified based on this line of thought, especially if it is considered that there should be no expectations that religious beliefs or symbols in sport (like the hijab) are to be suppressed. Such demonstrations of religious affiliation are to be expected in a multicultural and pluralistic modern practice of sport, and distinctions can be made between freedom of religious association and intentional political provocations or subterfuge. The institutions of sport themselves are neutral in the liberal sense that such symbols are acceptable and constitutive of a multicultural society, but

that the organisations themselves do not take political or religious sides outside of the frame of its constitutive Liberalism. The limits sport should impose are those necessary to preserve its autonomy. Having a Christian cross tattooed on one's arm is not the same thing as using sport to promote a political agenda. The latter alienates, the former includes. While this line is perhaps blurry, the existence of such a line must be maintained.

And so, sport is democratically accountable in a broad, yet weak sense, insofar as it must be seen as maintaining its integrity through good governance. Sport cannot fight Liberalism or any other political ideology. Sport must be convincing in its own right to be granted exceptional status and for it to realise its moral aims. This can be safely achieved because sport does not aspire to seize political power (Russell, 2004, p. 137). However, sport does have constitutive moral aims that portend to be universal.

Therefore, it is crucial to understand that sport autonomy is a privilege, not a right; the principle of political neutrality in sport is granted as an exception, not a rule; the integrity of sport is an ongoing effort to appeal to the government to permit its existence, not a natural unadulterated state. Sport needs to be held democratically accountable because Liberalism provides the means by which its autonomy is possible, and its ability to govern itself is dependent on how much integrity its own limited democratic system appears to have. If communist dictatorships were the dominant global power, then sport would undoubtedly need to succumb to its demands insofar as it would be possible to realise sport's intrinsic values in such a system. The question of whether sport in a system of Liberalism that demands democratic accountability is the best framework in which to realise the intrinsic values of sport is conjoined with the question of whether Western liberal pluralism is the only system that could possibly allow sport to exist autonomously in the first place.

Chapter 5 Summary

This chapter made the argument that freedom of expression in sport can be legitimately limited under reasonable conditions that are aligned with a pluralistic politics of Liberalism. A Taylorian argument claims that exceptions for procedural neutrality can be made for the sake of the survival of distinct social practices to create members of its community. Sport matches these

exceptional needs because its survival depends on its ability to remain neutral, which requires exceptions to limit freedom of expression, but not necessarily in an absolutist way. In doing so, sport is not manipulating its members into adhering to its values and practices so long as it maintains its integrity and accurately represents its moral commitments. Finally, I argued that sport is democratically accountable but in a weak sense. This is because sport is not a political entity seeking power, and the *telos* of its aims are performed through collective action and consonant with liberal democracies, albeit realising these constitutive goods non-politically. On the basis of these arguments, I claim that the principle of sport neutrality is a legitimate principle with which to limit freedom of expression in sport, which contradicts malaises that dismiss the validity of the principle of neutrality.

PART III: THE INFLUENCE OF SOCIAL MEDIA

CHAPTER 6: SOCIAL MEDIA AND REALISM IN TAYLOR'S 'MODERN SOCIAL IMAGINARIES'

Drawing on what was established in Chapter 4, Charles Taylor's moral realism served as a method for overcoming moral relativism and providing an alternative treatment to the malaises of modernity. Such malaises, discussed in Chapters 2 and 3, are at the root of rejecting the foundations of a Liberalism of equal dignity that promotes procedural and political neutrality in sport. Moral realism addresses these concerns by showing that people do not determine their own morality, but rather interpret their moral responses and sense of self within a pre-existing moral framework. Within these frameworks, individuals evaluate their actions in everyday normative social practices, which disclose better or worse ways of living. Realising moral goods through one's practices can also be achieved through various methods and practices. Therefore, a Liberalism that welcomes a diversity of social practices is desirable in modern society, so long as they do not undermine the fundamental moral framework that supports such pluralism.

The malaises of modernity discussed in Chapter 2 reflected pessimism that technology inevitably limits freedoms, instrumentalises human beings, and can erode trust in institutions. These malaises pull modernity away from its greater potential to realise its constitutive moral aims. In this chapter, I apply Taylor's concept of the *modern social imaginary* – briefly introduced in Chapter 1 – to show that modern malaises are not derived solely from problematic theorising. I aim to show that the issues arising from everyday social practices that instrumentalise social media are implicated in the development of modern malaises, simultaneously demonstrating that malaises are not unfounded but are also not incurable. It is essential to a Taylorian outlook that the problems surrounding the use of social media are always ones involving human agents engaged in moral decision-making.

Taylor's social imaginaries provide a structure for thinking about how people make sense of their everyday social practices in the modern world. Stemming from this concept, Taylor (see 2004) has described three characteristic features of Western modernity that enable the realisation of a modern moral order: 1) the public sphere, 2) the market economy, and 3) a self-governing

people. Succinctly describing each in turn, a limited application of Taylor's broad interpretation of these features will be used to contextualise how social media is embedded in society and can co-constitute its malaises. This perspective demonstrates why resistance to limitations of freedom of expression is strongly felt even though, as will be seen, one of the most fundamental issues with social media is its promotion of unfettered speech across global communication networks. This will provide clarity and context for why a better explanation for the malaises afflicting the principle of political neutrality in sport is needed in the final chapter.

6.1 – Modern Social Imaginaries

Taylor's framework for thinking about *modern social imaginaries* explains how modern self-understandings make sense in everyday social practices. How social practices and self-understandings have come to constitute Western modernity can be grasped by considering the imaginaries of 1) the public sphere, 2) the market economy, and 3) a self-governing people. These will be briefly explained to set up a critical discussion that analyses how social media is embedded in modern society. First, an elaboration of the concept of social imaginaries, only briefly introduced in Chapter 1, is required.

Many of Taylor's works (see 1989a; 1991; 2007) stress the importance of how people's everyday moral sense is constructed and intertwined with the way they imagine their social existence. For Taylor (2004, p. 23), a *social imaginary* is not a social theory. Rather, social imaginaries constitute a phenomenological approach to describing the ordinary way people imagine how they fit into their social surroundings and see themselves aligned with a commonly held sense of moral good (Taylor, 2004, p. 23).¹⁶ As a result, it is 'social' in the sense that it is both something commonly shared and about society (Taylor, 2007, p. 323). Because social theories

¹⁶Social imaginaries may seem broader than 'horizons' because they refer to collective social ways of envisaging community life, but these concepts are not easily distinguished; I understand 'horizons' as referring to the totality of possibilities and meanings that are available and understandable to an individual or society within a given temporal situation. Taylor seems to account for social imaginaries as a phenomenological reflection on the self-understandings people have of a 'plural' self, or as a 'social' self (Bohmann & Montero, 2014, p. 3). To me, this means that horizons and social imaginaries are nearly equally broad in scope, but the former is what an individual does with that scope and the latter is how society shapes itself within that scope, which we (I) are (am) constitutively a part of.

are often complex ideas about how society does or ought to function, an ‘imaginary’ is something all members of society possess; its articulation allows people to come to a “common understanding that makes possible common practices and a widely shared sense of legitimacy” (Taylor, 2004, p. 23). Social imaginaries thus describe how moral orders are manifested by the way individuals see themselves as being involved in common social practices, and so are not merely a focus on the ‘ideas’ or ‘institutions’ of modern society (Taylor, 2004, p. 2). These practices are necessary components of a theory of moral realism if it is to be maintained that social practices constitute a coherent moral framework definitive of modernity.

A social imaginary has no clear limits to constituting the background that makes sense of how people come to grasp their situatedness in modern society (Taylor, 2004, p. 25). “It is in fact that largely unstructured and inarticulate understanding of our whole situation, within which particular features of our world show up for us in the sense they have” (Taylor, 2004, p. 25). Taylor remains focused on Western modernity, which has its own social imaginary rooted in a distinct moral order, meaning not all modern societies should be considered ‘modern’ in the same way. Modern social imaginaries are legitimised by moral orders (Taylor, 2007, p. 207). The Western moral order was described in the first chapter and referred to the horizontal and secular nature of modernity. It was a central thesis of Taylor’s in *Sources of the Self* that modernity bears its own architecture of positive moral sources that have developed out of, and can sometimes be seen in contrast to, prior vertical Judeo-Christian religious orders. All social imaginaries are thus manifested in the ways people regularly interact with their world in a relatively stable, functional, and pre-reflective way.

In this modern context, there is a possibility of coming to a common understanding and sharing experiences with very different moral, political, spiritual or philosophical outlooks. This is because people can view their social activities with a sense of objective understanding of their instrumental and secular purposes (Taylor, 2007, p. 543). Taylor (2007, p. 542) calls this the ‘immanent frame’. The immanent frame is like a social imaginary in that it simply describes a collective understanding of how to behave in certain situations, specifically a secular modernity (Costa, 2022, p. 245). Taylor says that in the immanent frame, “what you know you share is set against the background of knowing that you do different things with this” (Taylor in: Costa, 2022, p. 245). In other words, people can participate in collective social activities with a common

understanding despite having very different moral or spiritual goals and questions not answered by these collective activities. This is how religion can persist in a secular age. Hence, the immanent frame is a novel phenomenon of modernity and how individuals relate to others and the world.

I want to suggest that social imaginaries are necessary to understand the practices in sport as well. This approach requires moving away from a view of sport that simply involves following a sport's rules in a rationally disengaged fashion. This is because it would be the embeddedness of the rules within the larger cooperative practice of sport that makes sense for people as a desirable and cooperative life pursuit. For example, a boxer hitting an opponent in the face requires a broader social imaginary than just disengaged rule-following to make sense as a cooperative social behaviour. Contrast this to duelling in pre-modern times, which were often seen as contests whose outcomes were evidence of truth or rightness sanctioned by God (Huizinga, 2014, pp. 81-82). Although some may still believe in a God determining the outcomes of modern sport, the ability of people to accommodate both an exclusive humanism and a theistic outlook is definitive of the immanent frame of modern secular society (Taylor, 2007, p. 14). This includes modern sport. This is a significant point that cannot be further developed here but will be readdressed in the next chapter.

Below, I will describe the three characteristic modern social imaginaries to show how situating social media within the background of its uses in modern society enhances an understanding of how our use of it functions within a moral framework. This will show how social media is taken up in everyday social practices that are preceded by a legitimising modern moral order. The intention is to strip the malaises of modernity of their inevitability and control by demonstrating that issues arise from the novel ways in which social media is used and employed towards realising the good of freedom of expression.

6.2 – The Public Sphere

This section foregrounds the public sphere with which social media has been commonly associated (see Fuchs, 2014a; Çela, 2015; Kruse et al., 2018). I aim to show that the way we make sense of social media as a public space depends on having the background social imaginary of the

public sphere, which allows people to use social media for such a purpose. One of Taylor's (2004) concise descriptions of the public sphere states that:

[t]he public sphere is a common space in which the members of society are deemed to meet through a variety of media: print, electronic, and also face-to-face encounters; to discuss matters of common interest; and thus to be able to form a common mind about these. (p. 83)

Hence, media have played a significant role in facilitating public discourse since the invention of the printing press, which has spawned industries and institutions devoted to ensuring the public receives true and relevant information necessary for good self-governance and personal fulfilment (Haworth, 2015, p. 175). As a result, social media could be said to be another innovation for discourse in the public sphere. However, any specific kind of media is not in itself 'a' public sphere or has the potential of creating a public sphere. This is because 'the' public sphere must exist prior to the use of media for any such purposes and to be within the right cultural contexts where their common use for public discourse makes sense (Taylor, 2007, p. 187). In other words, it only makes sense to think of technologies like social media as a part of the public sphere in a social imaginary that makes use of them as such. To make this point clearer, how the public sphere is understood will lend itself to different views of how social media may or may not be a part of the public sphere, which will now be discussed.

Some objections to the idea that social media is compatible with a concept of the public sphere have stemmed from how the public and private domains are blurred with social media and how its monetisation makes it particularly unfree (see Fuchs, 2014a; Salikov, 2018). Such criticism stems from the work of Jürgen Habermas, whose most pertinent critique of the modern public sphere dispenses with the possibility of modern media to facilitate rational and critical political discourse when interest groups are inclined to undermine the democratic means of deliberation (Kruse et al., 2018, p. 63). Arguing that interest groups corrupt the modern media, Habermas introduced the theory of *communicative action* that functioned to define the public sphere as 'speech communities' that have the potential for rational discourse and cooperative behaviour that

can politically mobilise (see Kruse et al., 2018; Bohman & Rehg, 2017).¹⁷ This means that the public sphere arises from the ability to mobilise politically because it is dependent on certain kinds of action and communication. In accordance with the Habermasian view of the modern public sphere, Kruse et al. (2018) argue in an empirical study that communicative action does not occur on social media because of low levels of political discourse due to 1) online harassment and workplace surveillance, 2) engagement only with politically agreeable others, and 3) an overall perspective of social media as a ‘happy’ sociable space.

Salikov (2018) offers a counter perspective to Kruse et al. (2018). Salikov (2018) argues that a Habermasian public sphere is too idealistic to begin with, and social media rather ought to be conceived of as a part of an interconnected mosaic of mediums from which the public sphere is composed. Salikov (2018, p. 96) highlights the importance of the agonistic character of public political debate that may even require fractured and localised domains to make political participation feel meaningful within a large general public. Finding common ground with Kruse et al. (2018), Salikov (2018, p. 98) is concerned that ‘socialness’ or homogeneity can be a threat to political dialogue if it is more conforming and not agonistic. The important point is that different points of view are needed in the public sphere for it to be truly meaningful; this is likely to be cultivated in localised spaces that make up the broader public sphere.

In accordance with this perspective – but importantly making a very different point – Taylor (2007, p. 187) thinks that the public sphere should also be seen as a plurality of topical common spaces. This includes modern communication technologies, where the ‘meta-topical’ non-local amalgam of spaces and media constitutes a broad understanding of the public sphere (Taylor, 2007, p. 187). Although there may be multiple kinds of media and public spaces in society, they are all generally inter-communicating and together constitute spaces of common social understanding (Taylor, 2004, p. 83). But in Taylor’s view, the conditions in which so many different locales of the public sphere make sense is because the social imaginary precedes the use of them for such purposes.

¹⁷ It has been noted that Habermas no longer holds this narrow view of the public sphere and concedes that there is perhaps a plurality of more “plebian” public spheres (Finlayson & Rees, 2023).

As new social media platforms emerge, each seems to have different traits and possibilities for engendering unique personal and social meaning (see Boczkowski et al. 2018). Despite this, an intuitive understanding of which platforms can be called ‘social media’ can be grasped based on how they are found to be involved in people’s common projects for similar social ends. These platforms are used based on how they have the potential to function as public forums, meaning that the platform’s features, user base, and social imaginaries all conspire to constitute how social media derives its relevant value and character as a part of the public sphere. It can be argued that what confers an intuitive understanding of social media is not merely the appearance of personal profiles or friends lists, as was found in common definitions identified in Chapter 2. Instead, more than just having particular features, these features only have relevance within a modern moral order that makes sense to use them to satisfy a need for a public sphere.

The modern public sphere is importantly defined by the fact that it is *secular* and does not exist purely because of the authority of religious law, which reflects the essential need for a public sphere compared to pre-modern moral orders (Taylor, 2004, pp. 95-96).¹⁸ The public sphere allows individuals to understand public opinion and situate themselves within the boundaries of public concern as members of the polity. Prior to modernity, one’s position in society was pre-established. A substantial shift in the structures of political power and authority in the modern moral order thus stems from the idea that authority can be checked by public discourse and tamed by reason and debate (Taylor, 2007, p. 190). The public *speaks* to power, as opposed to merely being subject to it. This is how the public sphere can be considered extra-political and standing outside of the political domain while still having normative implications for it. Because of this, something like sport can be said to be a part of the public sphere, *but this does not entail it is political* – at least not in the sense that some (as exemplified in Chapter 3) use it to mean sport is an illegitimate political entity wielding undemocratic power. The existence of sport and social media evidence the fact that society is no longer just a polity whereby all aspects of life are determined by a hierarchical moral order determined by God or some other governing authority. Liberty makes no sense in modernity if nothing can be seen to be independent in some meaningful way.

¹⁸ This democratic function was also indicated as an essential principle of freedom of expression by Meiklejohn in Chapter 1.

Therefore, what is considered a legitimate part of the public sphere is based on what is imagined as legitimate by the public (Taylor, 2004, p. 85). Thus, the public sphere is constantly negotiated as the locus for political debate, which indeed can blur the boundaries of private and public spaces. Although Taylor (2004, p. 101) agrees with Habermas that there is an important distinction between the public and private, pertaining to the public sphere, this distinction has never been perfectly realised. Hence, there is little reason to delegitimise new means with which to engage in public and politically relevant discourse just because they include elements of private life. This is how social media is adopted in the public sphere by making sense of the modern moral order. However, this does not mean that new problems do not arise.

6.2.1 – Section 230 and the Creation of the Modern Internet

Prior to discussing the market economy and a self-governing people as social imaginaries, I must discuss the significance of social media in the public sphere as a definitive moment in modern communications policy. This is for the sake of demonstrating how the way we view social media's normative relevance to the public sphere is manifested in the policies that seek to realise its greatest potential, or not. To understand this, I must explain *Section 230*. This is the policy which Kosseff (2019, p. 2) says “created the modern internet” and Balkin (2009, p. 433) described as “one of the most important guarantors of free expression on the Internet.” This explanation henceforth provides an explanation for how social media and many of its problems have been contextualised by moral considerations that make sense within a modern moral order, in contrast to the fatalism of various modern malaises.

In the early years of the Internet, online forums and chatrooms defined the *WEB 2.0* era by facilitating accessible interactivity with other users through Internet services, producing the first platforms that today could be called social media (Donnath, 1995; Ellison & Boyd, 2013, p. 10). No nation pre-empted the legal considerations arising from these new modes of communication, primarily pertaining to whether the companies operating these platforms should be considered distributors or publishers – the latter generally meaning that social media companies are to be liable for the content shared on their platforms.

US legislators created Section 230 in the Communications Decency Act of 1996 to address the status of online platforms as publishers (Kosseff, 2019, p. 10; Whitehouse, 2022, p. 349).¹⁹ (c)(1) of Section 230 reads: “No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider” (Protection for Private Blocking and Screening of Offensive Material, 2018). As a result, “Section 230 provides broad immunity for online platforms that host or republish speech against a range of claims that might otherwise be used to hold them legally responsible for what their users say or do” (Ceresney et al., 2022, p. 41). Subsection (c)(2) additionally clarifies the civil liability for social media companies under the stipulation of a Good Samaritan policy whereby actions taken to restrict access to potentially harmful or illegal material ‘in good faith’ do not jeopardise the non-publisher status (Ceresney et al., 2022, p. 41; PPBSOM, 2018). This could be to prevent the spread of child pornography, hate speech, or defamation, to name a few. Hence, many online platforms today have ‘community standards’ that serve as the body of laws by which they can moderate content on their platform (see Klonick, 2020).

Section 230 only applies in the US, which already has considerably broader protections for freedom of expression – including the protection of hate speech – compared to jurisdictions such as the European Union (EU) (Benedek & Kettmann, 2020, p. 68). The European Union has an E-commerce Directive that currently governs its legal framework for online communications

¹⁹ The antecedents to the creation of Section 230 involved two landmark court cases in the US. In 1990, a columnist wrote defamatory comments about another journalist on an online forum hosted by the internet service CompuServe, resulting in both the offending user and CompuServe being sued (Kosseff, 2019, p. 39). The court verdict ultimately absolved CompuServe of liability for the user’s post because CompuServe had no editorial control of its online content and could not be considered a publisher (Whitehouse, 2022, p. 347). Four years later, in 1994, the internet service Prodigy was sued for defamatory user-generated comments on its platform that accused a brokerage firm and its president of fraud (Kosseff, 2019, p. 47). However, because Prodigy was a ‘family-oriented’ service and *did* edit the content that was “obscene, profane or otherwise offensive,” the platform was held liable because it behaved like a publisher (Whitehouse, 2022, p. 348). Prodigy did not censor the defamatory posts that it was sued for because, at the time, so many users were beginning to use the forum that manual editing was impossible and automated software was still in its infancy and only capable of vetting specific words and the not complete subject matter (Kosseff, 2019, p. 51). The result was that internet platforms could not moderate any content or else be viewed as a publisher. But even then, upon receiving a notice of removal request from a user, platforms could not feign ignorance and would be made immediately liable for that content (Kosseff, 2019, p. 55). As an outcome, online free expression would be subject to a “hecklers’ veto,” and platforms would be disincentivised to hold open forums due to the fear of liability that could not be reasonably prevented or litigated at scale (Kosseff, 2019, p. 133, p. 144, p. 152). Therefore, it would make it impossible for online platforms to host open discussions and thus have a chilling effect on free speech if regulations did not protect the status of online services from publication liability.

(Kosseff, 2019, p. 149). It provides similar protections to Section 230 by recognising ‘information service providers’ as mere conduits and not liable for information transmitted through their services (Kosseff, 2019, p. 149). However, the European Court of Human Rights has affirmed that websites are not protected from being held liable for *illegal* comments made on their platform (Kosseff, 2019, p. 151).²⁰

Article 11 of the European Charter of Human Rights corresponds to Article 10 – the right to freedom of expression – of the European Convention of Human Rights. In Article 11, speech is considered illegal when it is necessary to limit speech for reasons such as being “in the interests of national security”, “for the prevention of disorder or crime”, or “for the protection of health or morals” (European Court of Human Rights, 2022). As a result, by providing relatively weak protections (compared to the US) for online platforms from liability in the EU, ‘collateral censorship’ is promoted by forcing platforms to heavily censor content under the threat of being sued or held criminally liable (Kosseff, 2019, p. 152).

As no other body of laws in the world provides free speech protection like Section 230, the US government enacted the Protection of our Enduring and Established Constitutional Heritage Act (SPEECH Act) (Kosseff, 2019, p. 162). This act accounts for the global disparity in free speech protections and the globalisation of the Internet. Suppose another country finds a US-based internet company liable for user-generated content under a legal system with weaker protections than Section 230 or for freedom of expression (regarding the First Amendment) than in the US. In that case, the SPEECH Act protects these companies from requests of foreign governments for US courts to enforce their judgements and collect US assets (Kosseff, 2019, p. 162). The SPEECH Act prevents ‘libel tourism’ and positions the US as a global leader in online free expression (Kosseff, 2019, p. 163).²¹

Under this leadership regime, the US plays a significant role in shaping international online agreements. Other international agreements, such as the 2019 CUSMA deal between Canada, the

²⁰ A recently proposed Digital Services Act would update and further define the responsibilities of social media platforms for moderating online content (European Union, 2024).

²¹ Kosseff (2019, p. 146) has said that freedom of expression and Section 230 protections are the reason why so many social media and technology companies are currently based in the US.

US, and Mexico, require all participating countries to develop laws similar to Section 230 (Goldman, 2021). This means that unless existing legislation provides protections similar to Section 230, the other two countries must develop new internet communications laws following the US.²² This is an example of how the US pressures other nations to follow its lead in online free expression per US values. Hence, online freedom of expression, regulated and protected by the US, has significantly shaped social media globally and the sociality that has consequently arisen, for better or worse, as will be discussed in the following.

6.3 – The Market Economy

This section proceeds from an understanding of social media as a medium in the public sphere and describes its role in the market economy. Expanding upon the social imaginary of the market economy will explain how data or surveillance capitalism can produce tensions with its social function in the public sphere. This is essential for demonstrating in the next chapter how economic factors can compromise the perceived integrity of sport.

As a social imaginary, the economy is described as not merely a public exchange of goods and services, but also an order upon which such exchange makes moral sense to people who see themselves as free agents (Taylor, 2007, p. 170). The rise of the economy in ordinary life facilitated the supplanting of the religious order on which the previous moral order was based. As a result,

[i]nstead of being merely the management, by those in authority, of the resources we collectively need, in household or state, the ‘economic’ now defines a way in which we are linked together, a sphere of coexistence which could in principle suffice to itself, if only disorder and conflict didn’t

²² Countries like Canada have tried to implement bills regulating social media, such as Bill C-18, which demands that social media companies financially compensate news organisations for sharing their news content on their platforms (Government of Canada, 2023a). This bill targeted two specific companies – Google and Meta – resulting in Meta’s refusal to host Canadian news content on Facebook, which had serious consequences when, in the summer of 2023, wildfires in Western Canada meant mass communications to at-risk residents were impeded by the inability to share pertinent news on the platform (Lindeman, 2023). Canadian Prime Minister Justin Trudeau responded by saying that Facebook was putting “corporate profits ahead of people’s safety” (Gillies, 2023). In the case of Google, a deal was struck that resulted in an annual payment of 100 million CAD from the search engine giant, but how and to whom the payments would be distributed is still unclear (Pamma, 2023).

threaten... From that point on, organized society is no longer equivalent to the polity; other dimensions of social existence are seen as having their own form and integrity. (Taylor, 2007, p. 181)

As a result, the economy could also be objectified and scientifically studied as if it were an independent organism, with powers to move people and society independently as if with an ‘invisible hand’ (Taylor, 2007, p. 183). This change in the sense of modern order “consists in our coming to see our society as an economy, an interlocking set of activities of production, exchange, and consumption, which form a system with its own laws and its own dynamic” (Taylor, 2004, p. 76). Hence, the public sphere and the economy can both exist independently of the polity but often demand government intervention in cases where the polity’s aims are threatened.

It should not be controversial to argue that the economy plays a significant role in the way people organise and think about their lives. This is despite the disagreements over the way its power is applied to self-interest or an independent strategic logic, as was discussed in Chapter 2; understanding a market economy cannot be divorced from understanding the human agents constituting this social imaginary by making moral assessments of worth within a modern moral framework. Having an organised society is no longer equivalent to having one single overarching political body or order and can be thought of as having independent ‘economies’, ‘civil societies’, or ‘cultures’ (Taylor, 2007, p. 183). This does not mean politics and religious institutions have no place in the economy, only that the economy as a secular institution is unique to modernity because it has its own social role and logic that, while complex, can be explained rationally. This secularity extends to what was argued in Chapter 5 regarding the autonomy of sport. In this context, the economics of social media can make sense to individuals, but also why it tends to fall prey to the malaise of instrumental rationality.

6.3.1 – Instrumental Rationality and the Market Economy of Social Media

To some, such as the owners of social media companies or people who profit from their various features, these technologies can be understood for their relevant instrumental economic function. As a result, this section is positioned to briefly demonstrate how the market economy of social media can substantiate the malaise of instrumental reason as it impinges upon the public sphere. However, Taylor (1991, p. 96) reminds us that “we can’t see the development of

technological society just in light of an imperative of domination. Richer moral sources have fed it". It will, therefore, be important to regard the technocratic changes brought about by social media as underpinned by a modern social imaginary that reflects a modern moral order.

Social media is generally free to use. Instead of charging fees for using their platforms, social media companies most commonly make money by selling personalised advertising based on the data extracted from their users (Srnicsek, 2017, p. 56; Franks, 2022, p. 269).²³ The genesis of this data stems from user profile information, which can include any information provided by the user, by a third party authorised to do so, or by the actions of the user that may also be deduced or presumed from other information or behaviours, as Google's patent on their advertisement technology (Zuboff, 2019, p. 180). From this data, behaviours, personalities, and other assumed traits of users are collated to attract advertisers hoping to target the most relevant potential consumers.

This is the impetus for what has been called the 'information economy' or 'surveillance capitalism', which "unilaterally claims human experience as free raw material for translation into behaviour data" (Zuboff, 2019, p. 23). Privacy concerns are unsurprisingly at the forefront of these technologies (see Post, 2019). However, some, such as Couldry et al. (2016), have argued that 'social analytics' are as much an integral facet of the surveillance capitalism system as it is accepted as a new form of social interaction online.²⁴ Significantly, online forms of surveillance distinguish themselves from formal regulation and legal oversight by exercising their power merely by reminding the observed that they are being watched (Mann et al., 2003, p. 333). As

²³ Some social media platforms, such as Substack, use a paywalled platform commonly used by journalists and academics who write longer articles and blogs about contemporary issues. Platforms like YouTube have recently introduced 'Subscriber' options, where users can also pay for exclusive features and content provided by the accounts they are subscribed to. However, while these pay-for-access systems sometimes mean users do not encounter advertisements, this does not mean that their personal data is no longer used as capital and used and sold for similar data mining purposes.

²⁴ The types of surveillance relevant to social media are multifaceted: vertical surveillance occurs when social media companies or government have the potential 'top-down' view of citizens and can monitor their actions and behaviours, which is the primary means of surveillance employed to generate information capital; horizontal surveillance occurs through peer networks where the 'sharing culture' subjects individuals to public scrutiny and control; and 'sousveillance' permits, through the popularisation and accessibility of recording devices, ordinary users to observe and reflect to authorities their behaviours and actions, such as recording police conduct in public (Coeckelbergh, 2022, p. 13).

PoKempner (2019, p. 642) contends, freedom of expression and privacy are symbiotic because “the fact of being observed, and who observes us, can determine whether and how we speak, browse, read, or participate.”

Fuelled by the advertising incentives that ultimately generate the bulk of social media companies’ profits, the logic of the surveillance economy demands that social media companies encourage as much attention and engagement with their platforms as possible (Srniczek, 2017, pp. 50-60). Artificial Intelligence (AI) algorithms can facilitate this by recording user interactions and recommending content users may enjoy (Coeckelbergh, 2022, p. 18). Terms used to describe the application of AI through social media range from the more benign ‘recommender systems’ (Gillespie, 2014, p. 167); to terms implicating risks to positive freedom such as ‘nudging’ (Coeckelbergh, 2022, p. 18); all the way to the most concerning idea of being outright ‘addictive’ (see Sun & Zhang, 2021). Possible consequences of these systems are that users may be confined to ‘echo chambers’ or ‘filter bubbles’, whereby the democratic ideals of an agonistic public sphere are compromised (Coeckelbergh, 2022, p. 77).

The more extensive a network of users, the more value there is to users and advertisers, which is the basic definition of what is called the *network effect* (Balkin, 2022, p. 702). Because of the network effect, social media companies want to retain as many users and encourage as much interaction with their platforms as possible. As a result, some, such as Fuchs (2014b) and Vaidhyathan (2017), have described social media users as unpaid ‘labourers’ who produce data capital *via* interaction with the platforms. However, Srniczek (2017, p. 56) argues it is inappropriate to consider the incentive to encourage social media use ‘labour’. If labour is understood in the sense of the production of surplus value, which demands “socially necessary labour time”, although there are capitalist incentives to get users to engage with social media to generate more data, there is no reason to suppose that social media encourages users to do more ‘work’ overall in their day (Srniczek, 2017, pp. 55-56). In other words:

... if our online interactions are free labour, then these companies must be a significant boon to capitalism overall – a whole new landscape of exploited labour has been opened up. On the other hand, if this is not free labour, then these firms are parasitical on other value-producing industries and global capitalism is in a more dire state. (Srniczek, 2017, p. 56)

As a result, data is ‘mined’ from users that produce data as capital. This furthers the argument that social media reflects a surveilled public, not a workforce being monitored. This has substantial implications for considerations of freedom of expression and facilitating malaise, as Coeckelbergh (2022, p. 22) sees the ‘labour’ behind social media use as a constraint of positive freedoms and the potential for self-realisation. Although it may not be so extreme, social media can appear to have a parasitic influence on, and a potential modifier of, everyday social interaction. To this extent, society’s worst tendencies are cultivated at the expense of its highest aims because individuals and for-profit social media companies are not subject to responsible moral, legal or intellectual standards (Bollinger & Stone, 2022, p. 907). This is a very real problem emblematic of the malaise of instrumental rationality.

The novel market economies of social media that collect and sell personal data have produced questions about the commensurate need for unique regulation, which have generally failed to assuage serious concerns about trust in the aims of these companies (see Harsin, 2015; Srnicek, 2017; Zuboff, 2019). What is crucial to remember that the market economy's social imaginary still makes moral sense to individuals in modernity. As Taylor (1991) has said,

in large and complex technological society, as well as in the large-scale units that make it up – firms, public institutions, interest groups – the common affairs have to be managed to some degree according to the principles of bureaucratic rationality if they are going to be managed at all. So whether we leave our society to ‘invisible hand’ mechanisms like the market or try to manage it collectively, we are forced to operate to some degree according to the demands of modern rationality, whether or not it suits our own moral outlook. (p. 97)

Instrumental reason is baked into the market economy, and the use of technology, which seems to entail a constant struggle to retrieve modernity’s moral sources and defend against powerful critiques and malaises. Individualism surrounding ideals of authenticity can feed into pessimism over the governance of individual rights in these cases, and there are sound reasons for doing so (Taylor, 1991, p. 98). Despite this, these issues are always already contextualised by disengaged reason as a moral ideal – as something good connected to freedom and autonomy – along with an affirmation of ordinary life in a secular society that aspires to create global communities and foster free speech (Taylor, 1991, pp. 103-104). These are the richer moral sources that can be retrieved as feeding universal values and are important to uphold. The next section will

consider how social media is also exceptional as a matter of global governance, which will further articulate the compromising tension the market economy of social media has for liberal democracy.

6.4 – A Self-Governing People

This section presents Taylor’s last characteristic modern social imaginary: a self-governing people. The idea that no one has a right to rule over others without consent, that individuals should determine for themselves how they ought to live their lives, and that all people should be treated equally entails that a self-governed society must be based on a common agreement for their association. This means that people not only should have the ability to express themselves openly and hold their own beliefs, but they also require a public sphere in which to discuss their interests and come to a common understanding with others (Taylor, 2004, p. 83). Protests and demonstrations are necessarily a part of an ordered and stable democratic society (Talyor, 2007, p. 174). When the power to limit speech in the public sphere is given to private organisations, unique questions arise as to their legitimacy, especially when they lack accountability or are motivated by economic incentives. Hence, this section culminates in concerns that tend to degrade trust in the integrity of systems and their perceived legitimacy to limit freedom of expression.

Popular sovereignty – or self-governance – is rooted in the idea that people should be self-ruled and that a legitimate government only gains its authority from popular consent to being ruled (Taylor, 2007, p. 197). A paradigm example of the assertion of this social imaginary is the document of the American Constitution, which bore all the hallmarks of an idealisation of mutual social benefit that stems from a theory of rights and legitimate rule (Taylor, 2007, p. 170). “It starts with individuals, and conceives society as established for their sake. Political society is seen as an instrument for something pre-political” (Taylor, 2007, p. 170). The pre-political is the moral framework surrounding the modern ideals of the individual for whom society is designed to protect.

The idea of a self-governing people constitutes a significant facet of the underlying political ethos of modern social imaginaries in Western society, without which modern notions of Liberalism would not be possible. Because so much has already been said in all of the chapters

prior to this one regarding Liberalism, democracy, authenticity and some of its foundational rights – like freedom of expression – it will not be necessary to restate them here.

Regarding the advent of social media, these sensibilities for self-governance remain, albeit they are now contested and unclear as to the future governance of the new addition to the public sphere. How social media is understood is deeply impacted by the way its sovereignty and ‘space’ are conceptualised because this demarcates the legitimate rule and authority of control of this technology. The discussion will now focus on the social imaginary of social media as a self-governed domain and the potential for malaise to arise out of the pursuit of these ideals.

6.4.1 – The Independence of Cyberspace and its Censorship

While the advent of social media may be seen as producing more significant opportunities for realising the goods of freedom of expression because it increases access to the public sphere, I aim to provide a sober reassessment of the confidence of such views. This section extends how understanding the social imaginary of popular sovereignty helps to contextualise why social media presents such new and significant concerns about political autonomy. Akin to the concerns regarding sport’s autonomy, the independence of social media platforms provokes questions over the legitimacy of political sovereignty in these domains. I will introduce a perspective that reflects how these issues of sovereignty are associated with degrading trust in institutions, thus facilitating the malaise I associated with the ‘post-truth’ phenomenon. This also implicates the malaise of soft despotism, where a sense of a loss of freedom through fragmentation stems from the struggle to establish common moral aims and trust on the Internet. The intent is not to frame social media as a technological power inevitably controlling or dominating individuals. Rather, technology should be understood within the background of modern moral orders that make sense of its practical social uses, which are not easily realised without articulating how to best govern its use towards achieving its greatest potential.

On the internet, a worldwide network crosses government jurisdictions, and through social media, people (and social media companies) may feel that national borders do not define their online communities (Bomse, 2001, p. 1718). The exceptionalism of the internet has thus become a popular cultural trope (Benedek & Kettmann, 2020, p. 114; Kosseff, 2019, p. 78). John Perry

Barlow's (1996) *A Declaration of the Independence of Cyberspace* contains a paradigmatic assertion of *internet exceptionalism* when he states:

Governments derive their just powers from the consent of the governed. You have neither solicited nor received ours. We did not invite you. You do not know us, nor do you know our world. Cyberspace does not lie within your borders. Do not think that you can build it, as though it were a public construction project. You cannot. It is an act of nature and it grows itself through our collective actions. (para. 3)

Franks (2019, p. 408) argues that Barlow's declaration reflected popular libertarian thought about the Internet and shaped its governance for decades.²⁵ However, the invention of the Internet was not natural and not the result of private enterprise – it was a product of the US government's military initiative, the Advanced Research Project Agency (ARPA) (Franks, 2019, p. 411).²⁶ Many counterarguments to this position have since been published against 'cyberanarchy' and asserted the contrary dependence of cyberspace on government and other social institutions (see Bomse, 2001; Goldsmith, 1998; Lessig, 2006). Moreover, the idea of the popular sovereignty of cyberspace or social media is distinctly a modern social imaginary from which it derives its modern salience. Nevertheless, the idea of Internet exceptionalism brings into question the political autonomy of online communities and the entities that limit and protect online communication.

Online governance is often negatively linked with online censorship. Censorship varies in meaning and scope; Lakier (2022, p. 531) describes it as generally containing the criticism that the government or social media companies control speech to "distort public debate and deny equal access to the social, political, and economic goods that the platforms provide". Censorship can come in many forms, such as deprioritising content through recommender algorithms, adding warnings or labels, or removing posted content or profiles altogether (Lakier, 2022, p. 532).

Government control or censorship of online speech is subject to abuse and possibly a fundamental hindrance to the development of free online communication. This was the impetus for Section 230. However, not moderating online content has real-world consequences by risking

²⁵ The declaration was published in response to Section 230, both in 1996 (Bomse, 2001, p. 1717).

²⁶ This should not be confused with the inventor of the World Wide Web, Tim Berners-Lee.

individuals' health and safety, democracy and the integrity of the public sphere more generally. For example, false information spreads faster and more prolifically through social media than true information, contributing to substantial social and political concerns (Vosoughi et al., 2018; Brown, 2020; O'Connor & Weatherall, 2019). During the COVID-19 pandemic, the World Health Organisation announced an 'infodemic' and declared that "misinformation costs lives" (World Health Organisation, 2020).²⁷ The insidious problem with the spread of misinformation during the COVID-19 pandemic was that, in defence of the search for truth and the suspicion of authority, freedom of expression principles provided cover for (dis)misinformation that sought to degrade public trust in health authorities (Bazon, 2022, p. 188).²⁸

Social media enables the success of problematic forms of information to integrate themselves into the public sphere that would have otherwise had more difficulty in older technological environments (Schauer, 2019, p. 249; Douek, 2022, p. 445; L. Kramer, 2022, p. 129). Stengel (2019, p. 290) describes three main types of problematic online information that can undermine democratic institutions that censorship often targets: Disinformation, misinformation, and propaganda. Disinformation is "*false or misleading information that is intentionally seeded or spread for an objective*" (Starbird, 2022, p. 623).²⁹ Misinformation refers to misleading or false information created or shared by mistake or not deliberately (Starbird, 2022, p. 624; Stengel, 2019, p. 290). Propaganda describes "information that may or may not be true that is designed to engender support for a political view or an ideology" (Stengel, 2019, p. 290).³⁰

²⁷ US Surgeon General Vivek Murthy (2021) stated that "limiting the spread of health misinformation is a moral and civic imperative..."

²⁸ Social media has been central to this issue, as US President Joe Biden blamed Facebook for "killing people" and allowing COVID-19 misinformation to spread (Bazon, 2022, p. 191). Although Facebook reportedly tried to stem the flow of misinformation related to public health misinformation during the pandemic, transparent reports of the company's efforts have not been published (Bazon, 2022, p. 191).

²⁹ Starbird (2022, p. 625) identifies former Czech intelligence officer and disinformation specialist Lawrence Martin-Bittman for providing the context for this definition and furthering research on types of disinformation.

³⁰ The term 'malinformation' is also common and refers to information that is true but disseminated with the intent to cause harm and can often include doxing (revealing private information about a person) or revenge porn. Other types of online conduct that are difficult to categorise neatly include catfishing (luring someone into a romantic online relationship with a fake or assumed identity), phishing (attempting to steal personal information, sometimes through the use of digital viruses), and deepfakes (AI-generated content representing real things or people).

Diresta (2022, p. 390) argues that concerns over problematic online information stem from the shift away from top-down information control by elite media companies and institutions, which traditionally moderated the media in the public sphere. With social media, ordinary people and algorithmic architectures can determine what information ‘goes viral’, influencing what people think is true and manipulating public consensus (Diresta, 2022, pp. 393-394, p. 399). This has been described as having the potential to erode the foundations of democracy, trust in media, and government institutions, which, over time, destabilise the political basis needed for a functional polity to govern itself through the public sphere (Starbird, 2022, p. 644; Taylor, 2004, p. 86). In other words, social media disinformation, misinformation and propaganda can strategically undermine a political system at scale (Starbird, 2022, p. 644).³¹

Concerns over the trustworthiness of information in the public sphere and questions of the legitimacy of government censorship stem from a moral framework that values truth and popular sovereignty. Despair over unprecedented changes in human communication technology seems to be a reasonable response to an unregulated system with little transparency and a demonstrable lack of integrity in light of its market economy (surveillance capitalism).³² Social media has thus been characterised as an “accelerant and catalyst for a change in degree so extreme as to amount to a change in kind” (L. Kramer, 2022, p. 129). The ‘kind’ is that of more than just typical discontent in the public sphere. Instead, it contributes to views where contemporary free speech protections are increasingly seen as irrelevant in the digital age (Balkin, 2009, p. 427).

Some scholars suggest that there need to be ways of updating commitments to freedom of expression principles that balance robust protections with limits for the novel ability of social media to undermine liberal democratic institutions (see L. Kramer, 2022, p. 127; Ceresney et al., 2022, p. 65; Starbird, 2022, p. 642). “We have the formal liberty of speech without the

³¹ Within this milieu, the new face of war has been called ‘information warfare’, and it plays out through the Internet and social media (Molander et al., 1996; NATO, 2016). This ‘networked conflict’ can be said to take advantage of the network structures of social media to influence people’s behaviour (Decker, 2019, p. 8).

³² By letting social media companies regulate themselves, enticing them to block harmful content or decrease addictive or problematic behaviours and engagement with their platforms would entail convincing these companies to make less money. In the words of Facebook whistleblower Frances Haugen, “Facebook has realized that if they change the algorithm to be safer, people will spend less time on the site, they’ll click on less ads, they’ll make less money” (Klubuchar, 2022, p. 842).

accompanying institutions that help protect and promote the values that justify that liberty: cultural and political democracy and the growth and spread of knowledge” (Balkin, 2022, p. 696). However, more than seeing this as an indictment of the failure of liberal democracy in an age of social media, it can also be interpreted as a reminder that modern societies cannot be run on single principles and demand pluralism and adaptability (Taylor, 1991, p. 110). Taylor (1991, p. 111) says: “Governing a contemporary society is continually recreating a balance between requirements that tend to undercut each other, constantly finding creative new solutions as the old equilibria become stultifying”.

Taylor (2022, p. 29) has written that degenerations of democracy have been facilitated by the fragmentation of society, polarisation, loss of citizen efficacy, and exclusion, to name a few that can be associated with social media. For Taylor (1991, p. 112), soft-despotism – the sense of political ineffectiveness that leads to despondency and lack of political participation – is more relevant in modernity to what he calls *fragmentation*, where a sense of a loss of freedom coincides with a loss of common purposes that collective action could attempt to realise. Despotic control feeds on atomism, where people feel less bound to others who are not members of their ‘partial groupings’, such as ethnic identities, religion, or ideology (Taylor, 1991, p. 113). But where a public sphere in liberal democracies should thrive on pluralism, fragmentation or polarisation reflects a loss of a higher, more common moral aim. As a result, Taylor (2022, p. 25) maintains that “a fragmented society, with less mobilization, means that we need media more.” A Taylorian view appeals to the idea that social media technology is not inherently an issue, but rather how it is being used to realise articulated moral commitments and govern accordingly. Indeed, L. Kramer (2022, p. 129) and Soave (2021) recognise how common the spread of false information has been for centuries, and Taylor was writing about fragmentation in 1991. Social media creates new conditions which invoke old questions about the validity of modern moral frameworks. The reification of the modern moral order in the age of social media depends on the ability to rearticulate and retrieve modernity’s moral commitments in social practices that use these new technologies towards their highest potential.

However, in lieu of transparent government interventions aiming to demonstrate integrity by reflecting genuinely held moral commitments, independent organisations have sprung up around a supposed need for impartiality in assessing the trustworthiness of online information.

These include the American Sunlight Project, which aims to combat anti-disinformation disinformation (see Jones, 2024). However, what has developed out of this responsiveness has been called the ‘censorship industrial complex’, inspired by US President Dwight D. Eisenhower’s famous farewell address that identified an independent arms industry that collectively wielded a disproportionate and unchecked amount of power (Schimdt et al., 2023).³³ Built upon a lack of public trust in institutions, Harsin (2015, p. 331; 2018, p. 2) has argued that social media has contributed to actual market demand for fact-checking; such third-party organisations are the Global Disinformation Index (GDI) and NewsGaurd.³⁴ Perhaps indicative of being a bandage to these issues and not addressing the core problem, organisations like the GDI have been criticised for harbouring their own political bias (see Sayers, 2024).

When institutions and governance are not trusted to moderate public expression, the public sphere becomes vulnerable to decay (Balkin, 2022, p. 687; Freiling et al., 2023). Nevertheless, content on social media can and must be censored to some degree. Consider that in the first quarter of 2021, Facebook took action to remove five million posts related to violations of their policies against child nudity and sexual exploitation (Chemersinsky & Chemersinsky, 2022, p. 318). To this end, Facebook CEO Mark Zuckerberg has said that AI was the only way to moderate content at scale (Stengel, 2019, p. 250). “At this scale, content moderation acts on systems of probability and proportionality, not individual fairness” (Chemersinsky & Chemersinsky, 2022, p. 318). Sacrificing fairness for efficiency is undoubtedly a contributor to a sense of despair over the moral aims of a democratic society.

Moreover, despite its possible appeal to procedural neutrality, AI can make mistakes, contain human biases, and may be less effective in less commonly spoken languages. For example, it has been reported that Facebook’s AI algorithms not only did not censor but actively promoted violence against Rohingya Muslims in Myanmar, resulting in Facebook playing a *facilitating role*

³³ The term ‘censorship industrial complex’ was coined shortly after what is known as the ‘Twitter Files’ were investigated by journalist reporters after Elon Musk purchased the social media website Twitter. With new management, the new CEO released internal e-mails to reporters who have steadily unravelled an interlocking network of government agencies, extra-governmental organisations, private interest groups, and social media companies themselves engaging in various actions of political censorship (Schimdt et al., 2023).

³⁴ Organisations like the GDI receive funding from the British government and the European Union and thus have a sense of political legitimacy (Sayers, 2024, para. 8).

in the Rohingya Genocide (see de Guzman, 2022). While AI may be efficient and ‘procedural’ in deleting material that may ostensibly be illegal or going against ‘community standards’, these standards and the AI algorithms programmed by moderators are fundamentally expressions of human values (van Dijk et al., 2018, p. 128). “Thus, when considering platform selection mechanisms involving algorithms, human editors, or a combination of both, we inevitably need to question the *core values* that guide these mechanisms” (van Dijk et al., 2018, p. 128).

Douek (2022, p. 429) suggests that the formalistic ‘community standards’ approach to self-regulation instils a sense of legitimacy, which may prevent true government regulations.

[T]here has been a steady march toward a legalistic, formalistic paradigm of content moderation that is rule-based and provides some semblance of procedural justice in an attempt to ease anxieties about the enormous and unconstrained power platforms have come to exercise over modern discourse. (Douek, 2022, p. 436)

This is very much the same as what is seen in sport, which is necessary for the sake of its autonomy – as described in Chapter 3 – and will be detailed more in Chapter 7 regarding its control over social media. However, as was conceded in Chapter 3 concerning sports organisations’ censorship of athletes’ free speech, the ostensible lack of consistency and fairness is inhospitable to generating trust in the legitimacy of politically autonomous institutions. Therefore, malaises of post-truth and soft despotism are prevalent where an institution’s core values are not trusted to govern self-governed people. This is why the integrity of sport is so essential; it provides a basis for articulating the legitimate moral aims that sport aspires to so it can be held to account for succeeding or failing to uphold its moral commitments. More than this, it contains the seeds for realising common moral sources, which resist relativistic and subjectivistic individualism because it demonstrates the possibility of plurality within a broader community, online or off.

As has been argued throughout this chapter, social media is used and understood based on the way it becomes embedded in a modern moral order that makes use of it for socially relevant purposes. van Dijk et al. (2018, p. 17) also recognise that internet platforms do not exist independently of society but rather contribute to the production of the social structures that we live in. “Connective platforms cannot and should not be considered separately from social organizations, sectors and infrastructures; on the contrary, they have become paramount to the

functioning of economies as well as democracies” (van Dijk et al., 2018, p. 61). Indeed, it is this integration that makes sense in light of modern social imaginaries. But the way social media is being used and governed has, I argue, led to substantiating malaises. Otherwise, there is reason to believe social media can be a tool with the potential to realise the goods it is used towards. The question I have now raised is: How is social media being used in sport?

Chapter 6 Summary

In this chapter, modern social imaginaries provided an explanatory framework for recognising how social media is used and understood by being integrated into everyday social practices that constitute a modern moral order. Social media can be understood not just as communication networks with profiles and friends lists but also for how it is co-involved in constituting and shaping the public sphere and the concerns related to its independent governance and novel market economy. While sport can legitimately limit freedom of expression under certain conditions, social media, as a new technology with ill-defined governance, can pose a significant challenge to any organisation's ability to manage its use such that it maintains the integrity of its core values. With this comprehensive understanding, it will be clearer how social media has complicated and raised concerns about freedom of expression in sports in the following chapter.

CHAPTER 7: SOCIAL MEDIA AND THE INTEGRITY OF SPORT NEUTRALITY

This final chapter extends from the previous chapter, which looked at modern social imaginaries and social media, and where I demonstrated how the malaises of modernity I identified in Chapter 2 contextualised and manifested themselves in issues pertaining to freedom of expression online. These malaises included individualism, instrumental reason, ‘soft-despotism’ and fragmentation, and a fourth that I introduced called ‘post-truth’. The proceeding analysis thus culminates in a similar approach to understanding how athletes and sport organisations can be prone to cultivating perceptions associated with malaise through the use of social media.

Recalling what was said in Chapter 2, Taylor has consistently argued that a full explanation of human motivations and the influence of technology in society must consider the role of human agency and moral frameworks (Taylor, 2016, p. 217). In defending these and other arguments, Taylor has applied a hermeneutic method to support his claims.³⁵ “A hermeneutical account is one which strives to make (human) sense of agent and action, and a hermeneutical argument tries to show that one account does so better than a rival one” (Taylor, 2016, p. 218). To this end, my thesis seeks to overcome the views articulated in Chapters 2 and 3 regarding moral relativism and the despotic control of technology. Having defended a Taylorian reproach to relativism in Chapters 4 and 5, this and the previous chapter attempt to reflect how the problems identified with technology can be seen as products of malaise.

As it applies to sport in this chapter, I describe what has been called the ‘fourth wave’ of athlete activism, which is associated with the use of social media. The consequent branding and commodification of authenticity, along with the applications of codes of ethics that limit freedom of expression, are thus issues that arise out of the advent of social media in sport. Ultimately, I argue that genuine moral dilemmas do present themselves based on the need to protect sport autonomy and the free speech rights of individuals on social media. However, the principle of sport neutrality is not delegitimised by moral dilemmas. Instead, when the values of sport are not being

³⁵ “There is a circle here, but it is not a vicious one. It doesn’t involve the notorious ‘circular argument’, where one assumes the conclusion among the premises. On the contrary, the attempt is to bring the arguments in both directions [comparing the parts of a text to the whole] into an equilibrium in which one makes maximum sense of the text” (Taylor, 2016, p. 218).

realised through policy and practice, and athletes are inclined to use social media in similarly instrumental and individualistic ways, there is reason to believe this cultivates malaise about the nature of such dilemmas. As stated in Chapter 5, integrity is about *presenting one's self-identity accurately in order to craft a reputation that reflects one's highest moral commitments*. This means that how social media is used and regulated influences perceptions of integrity as much as in any other policies or domains. I aim to show that the way individuals and organisations use social media thus impacts the perceived legitimacy of sport's principle of political neutrality.

What this view captures better than that of cruder postmodern views is that despite the advent of social media and the power athletes have when expressing themselves because of it, the rejection of the principle of political neutrality is not simply the result of a greater drive for power by athletes; nor is it the desire or interest for sport to suppress human rights or the inevitable despotism of technology. Rather, it is a problem where new technology is being used in ways that erode the moral foundations that neutral protections and limitations for freedom of expression depend upon to be perceived as legitimate and fair. The substantial result of this perspective uncovers a deeper philosophical avenue of thought regarding the co-constitution of modernity's role in understanding the significance of sport, which is being disclosed through social media.

7.1 – Power and The Fourth Wave of Athlete Activism

In this section, I propose that understanding contemporary perceptions of the legitimacy of a principle of sport neutrality must acknowledge how moral agents use social media for political purposes. This begins with understanding how social media has integrated sport and its participants into the public sphere in new and politically significant ways.³⁶ Understanding the popular status of sportspersons is crucial to appreciate the degree of influence they may have in shaping public opinions and institutional policies as political activists. However, while athletes are increasingly being politically outspoken online and their celebrity status highly influential, I intend to demonstrate that despite their good intentions, the moral sources behind these initiatives are prone to degradation, and thus malaise.

³⁶ This is not to say that sport settings were never part of the public sphere prior to social media, as Guschwan (2014) argues.

According to Modi (2023, p. 378), “athlete activism plays an important role [in promoting human rights] as athletes enjoy role-model status and have the power to influence millions and create a positive impact.” Indeed, over several generations, sport has had the effect of aggrandising an athlete’s identity, where athletes “used either sports themselves or their stature in sports as a platform and pulpit” (Jackson, 2020, p. 75). Since the advent of social media, new ways of garnering role-model status and influencing others through the public sphere have given rise to new ways of seeing sport’s involvement in society.

Due to the ubiquity and accessibility of social media, athletes in the 21st century can more easily than ever express themselves and engage in public political discourse (see Sanderson, 2018a; Schmittle & Sanderson, 2015).³⁷ Gruzd and Wellman (2014) argue that such modern social influence ought to be perceived as ‘networked influence’ due to the increasing public adoption of social media networks in the public sphere. Stemming from this idea of networked influence, Hautea et al. (2021, p. 12) describe a relevant political phenomenon playing out through social media:

If we consider these [social media] posts as traces of what people are feeling in the moment, and how these feelings become more prominent and visible over time, we might view each video as a dot in the mosaic of larger social patterns that subtly transform climate indifference into a subject of social disapproval and direct action. In this way, harnessing affective publics, new media may galvanize momentum toward material forms of activism.

In other words, individual social media posts can manifest through a networked public sphere as a common sentiment or understanding. This reflects the amalgam of public spaces described in Chapter 6 that constitute the broader public sphere, and how discourse in one sphere can influence, and is influenced by, many other domains. Through these networks, some individuals have an outsized influence (O’Connor & Weatherall, 2019, p. 141).

At the expense of traditional media, sportspersons have increasingly garnered power in the public sphere through social media networks. Supporting this assertion, Vermeer and Araujo

³⁷ The two most ‘followed’ human beings in the world on the social media platform Instagram are Cristiano Ronaldo (628 million followers) and Lionel Messi (502 million followers) (Dixon, 2024).

(2020) have argued that the power of traditional sports media has decreased significantly since the advent of social media. As discussed in the previous chapter, expunging traditional media systems can have serious implications for the reliability of information and the integrity of the modern public sphere. Balkin (2022) relates this issue to the concentration of power through social media:

In general, one should expect that the most powerful forms of propaganda and falsehood in society will often be spread by the most prominent and powerful actors in society. They will draw the most media attention in many different forms of media. (p. 668)

When the power to control and influence the most popular spaces for public communication is inverted and placed into the hands of individuals, fears over its effects on society and what information can be trusted produce what Jonathan Rauch (2021) calls an ‘epistemological crisis’. This mimics what Taylor (1991, pp. 109-121) warned against fragmentation and is echoed by Diresta (2022), who says:

The old system of facilitating consensus by way of top-down narrative control was demonstrably flawed. And yet, today we find ourselves facing a distinctly different challenge: Although what society thinks is no longer neatly manufactured by the top-down propaganda of elites, it is increasingly shaped by whosoever manages to wield the affordances of social networks most adeptly to solidify online faction and command public attention. (p. 399)

However, to claim this is all due to the desire for political power of athletes or sports organisations is extreme. This is not to deny that athletes do indeed have significant power. According to Clopton (2012) and Forbes-Mewett & Pape (2019), even student-athletes from marginalised backgrounds have college experiences with distinctly higher social statuses due to the social capital their sports affiliations provide them. However, as discussed in Chapter 2, the use of power towards collective political action (democratic means) should not be considered to have the same moral connotations as tyrannical authoritarian rule. To frame the use of power as ‘tyranny’, it is essential to look at the context in which power is used and legitimised.

To introduce the point of contention that empathises with the moral sources contextualising athletes’ political motivations, consider how Brown (2019, pp. 598-599) frames silence as normatively implicated in addressing hate speech on social media: silence can be seen as assent, licensing or complicity when (i) it is the intention of the hearer that their silence is taken as assent,

licensing, or complicity; (ii) there is a partial understanding of the sociolinguistic conventions governing the situation that their silence will constitute assent, licensing, or complicity; and (iii) silence is minimally voluntary (there is no perceived significant danger in not keeping silent).

Brown thus makes accommodating arguments that may excuse individuals from confronting online hate speech.³⁸ However, it is not unreasonable to argue that (especially younger) athletes are relatively aware, socially adept, and safe from physical harm on social media (although this is not to discount all the serious harm that is possible). Therefore, modern athletes may feel complicit in perpetuating harm if they do not address content on social media that they believe their positions of power can help confront. In this spirit, Naess (2018, p. 148) questions the responsibility of those with power in sport to do something about harm perpetrated by others, placing athletes in a difficult position where staying silent may not feel like a genuine option. This is all to say that some may have an underlying sense of moral duty in an age characterised by authenticity to express themselves and stand up for their political beliefs or in solidarity with others. Whether this be manifested online or on the field of play, it bears on the moral narratives of an individual's journey in sport, which contributes to shaping their moral character.

Provided there are evidently modern moral sources legitimising the motives for activism in sport and on social media, I want to continue scrutinising these conditions and motivations, which I consider are subject to malaise.

Athletes can also capitalise on the presentation of their image through social media platforms. This reflects another moral source – disengaged rationality – that makes sense as a social practice (social imaginary) to engage in the market economy borne out by social media. Social capital can translate into other profitable economic forms of capital because large networks and familiarity with athletes lend themselves to an advertisement's perceived credibility and

³⁸ On account of the first condition, Brown (2019, p. 606) argues that it depends on whether users view and understand a post on social media. As for the second, it is not always clear how one is to discern the communicative norms of an amorphous public sphere that may be characterised by a lack of duty to access and comment on what is encountered online, thus limiting one's responsibility (Brown, 2019, p. 611). Finally, although one may not be immediately at any risk of physical harm, the prevalence of hate speech and the vitriolic and possible threatening responses one might experience from responding to (often) pseudonymous people online is by no means risk-free, and may also lessen responsibility in responding online (Brown, 2019, p. 616).

potential audience. As a result, many scholars have examined how social media, as a powerful tool in sports marketing, is now a major influence in the sports industry (see Sanderson, 2013; Dixon et al., 2015; Tiago et al., 2016; Rai et al., 2021; Zimmermann et al., 2024).

For individual athletes, Arai, Ko and Ross (2014) determine that an athlete's market value is based on the athlete's (1) performance, (2) attractiveness, and (3) marketable lifestyle. In a study by Woods et al. (2024), the athletes' popularity and social status were reported to be most influenced by (1) gender, (2) sport dominance and (3) physical attractiveness. Feeding back into their professional careers, studies have shown that the ability to effectively use social media as a marketing platform directly impacts the market value of athletes when they receive professional contracts and sponsorships (see Sanderson, 2013; Parmentier & Fischer, 2012; Kloc et al., 2020).³⁹ This is because when a sports team hires an athlete with a large social media following, the team can capture some of the popularity behind the individual athlete.

Hence, there are valid reasons for athletes to feel like their public power and influence are being misspent if not used to engage in politics *and* realise the economic potential of social media. As a result, it makes sense that international sporting organisations and athletes seem to have accepted this responsibility to use sport and their associations with it to an instrumental end (Naess, 2018, p. 148).

Sport and its participants exist within a broader public sphere and amongst different institutions with various values. There will inevitably be tensions between the intrinsic values of sport and the values individuals cultivate from other aspects of life that call for political action and

³⁹ To quantify these factors, consider how the recent changes in the National Collegiate Athletic Association (NCAA) policy on US college athletes collecting income from their Name Image and Likeness (NIL) have produced incredible financial gains for student-athletes. Recent evaluations of the NIL market value of the number one ranked male NCAA athlete Bronny James (son of LeBron James), was \$5.9 million USD, who had 13.5 million followers across three social media platforms; the top female athlete Olivia Dunne was evaluated at \$3.2 million USD and had 12.1 million followers also across three platforms (Pope, 2023). High school athlete Bryce James (another son of LeBron James) is also ranked number one in *high school* athletics with an NIL of \$1.2 million USD and had 1.9 million Instagram followers at the mere age of 16 (OneNIL, 2024). Moreover, despite top male athletes generally having more followers than top females, median male and female athletes were discovered to have comparable followings, meaning gender gaps in media coverage on these platforms are far more equal than the 4% of overall traditional media coverage females receive otherwise (Kunkel et al., 2021; Cooky et al., 2015). The fact that social capital has redistributed attention to athletes more equally is a positive change thanks to social media.

commitment. I want to emphasise that these tensions cannot be fully understood without acknowledging how the blending of the domains of sport and broader society through social media can also blur the sources and motivations of one's moral commitments.

Chapter 5 defended the legitimacy of sport to operate and conditionally limit freedom of expression autonomously. However, despite the potential for social media to support athletes' political expression in the public sphere, the increasing capacity for free expression has not abated the view that the principle of sport neutrality is illegitimate, as demonstrated in Chapter 3. Forming the rationale that explains this development around malaises means looking closer at this kind of activism in sport. It is my contention that political activism and political neutrality are natural and acceptable tensions in sport. The perceptions that reject the legitimacy of the latter (or possibly both) result from malaise – which can be substantiated by inconsistent and unfair applications of a principle of political neutrality – *not* the triumph of supporters of one view over the other.

7.1.1 – Athlete Activism as Economic and Technological Capitalisation

There is a need to examine the political activism associated with the rise of social media more closely to reflect its novelty and potential for cultivating malaise. When viewed from the perspective of 'activist waves', Cooper et al. (2019) have distinguished how athletes have often been at the forefront of challenging sport to remain politically neutral.⁴⁰ These movements generally conform to the political demands for recognition discussed in Chapter 4. What is today called an influencer on social media has clear historical precedent in other athlete-led activist movements, and the role of the sports star as a role model is often invoked to position them as

⁴⁰ Specifically with regard to American generations, the first 'wave' of activism in sport has been said to have occurred from 1900-1945 and was led by individuals such as Jack Johnson (boxing) and Fritz Pollard (American football) (Cooper et al., 2019, p. 155). The focus of this wave was gaining legitimacy for Black Americans during oppressive and racist segregation policies during what was known as the Jim Crow era (Hill, 2023, p. 277). The second wave occurred from 1946 to roughly into the 1960s, and its flag bearers were Jackie Robinson (baseball) and Althea Gibson (tennis) (Cooper et al., 2019, p. 157). This wave could be characterized by the attempt to gain political visibility – given much of the Jim Crow era segregationist policies were still in place – through democratic movements (the civil rights era) to assert the political power needed to change discriminatory laws (Hill, 2023, p. 277; Cooper et al., 2019, p. 157). The third wave, which followed in the mid-1960s and the 1970s, brought forth some of the most well-known sports activists the world has ever known: Muhammad Ali (boxing), Tommie Smith and John Carlos (track and field), Kareem Abdul-Jabbar (basketball) and Jim Brown (American football). This cohort was at the vanguard of promoting dignity and respect, a noticeable change in activist orientation given that it concentrated not only on policy and legal reforms but also on social and cultural disparities (Cooper et al., 2019, p. 158).

political leaders as well. However, social media invites new incentives and economic considerations. By changing the conditions in which activism is performed through social media, the contexts in which politics are involved in sport also change. This creates new considerations in which the principle of political neutrality needs to be maintained.

According to Cooper et al. (2019, p. 161), the fourth wave of athlete activism has been defined by the ability of athletes to utilise technological and economic capital to secure and transfer political power. Economic capital refers to the unprecedented sums of money some athletes are paid in modern sports,⁴¹ while technological capital refers specifically to social media (Cooper et al., 2019, p. 162). The current wave emerged after a decline in activism from around the 1980s and 1990s and has been determined to have begun around 2005 until the present day – represented by LeBron James, Colin Kaepernick and Venus Williams (Cooper et al., 2019, p. 161). In this era, activism is commonly promoted and enacted online, where the popularity of an athlete’s social media activity makes it difficult to ignore social and political issues.

For instance, Colin Kaepernick, who famously kneeled during the US national anthem while playing in the NFL in 2016 to protest racist policing and oppression, has become a figurehead of free expression and activism in sport (see Lindholm, 2017; Cooper et al., 2019). Kaepernick’s activism generated the global #TakeAKnee movement through social media and his actions on the field. This resulted in a mixture of success and negative consequences for Kaepernick, but for better or worse, his impact on politics and communication in sport was global in scale (see Asada et al., 2021; Coombs et al., 2020; Martin, 2018; Schmidt et al., 2018; Towler et al., 2020).⁴²

⁴¹ For example, former NBA all-star Michael Jordan was the first athlete to reach the Forbes 400 list with a net worth of 3 billion (Birnbaum, 2023).

⁴² It must be remarked that Black athletes in the US have spearheaded these waves of athlete activism in their own country and around the world. In the book *The Game is Not a Game: The Power, Protest and Politics of American Sports*, Robert (Scoop) Jackson (2020) identifies many political issues that prominent Black sportspersons highlighted thanks to the pulpit provided by sport. To provide only one example, the way that women – especially Black women – have been treated by the media and through misogynistic and condescending rules and expectations in sports has forced *universal* political issues of equality into the sports world (Jackson, 2020, pp. 44-72). It should also be recognized that Jackson (2020, p. 11), citing Kareem Abdul-Jabbar, thinks of the history of American sports not just as a series of remarkable athletic achievements but as a “consistent timeline of attempts to silence the voices of African Americans.” On this account, preventing political speech, or the depoliticization of sport, takes on the perception of a political act of censorship of minority voices, which has a terribly oppressive historical context. With the invention of

Protest against injustices and oppression felt by Black communities has drawn comparisons with other protests such as that of Tommie Smith and John Carlos, which some, like Moretti (2023), see as a flawed comparison.⁴³ Unlike Kaepernick, Smith and Carlos were not only expelled from the Olympic Games where they staged the protest, but the notoriety and isolation they experienced after the Games were long-lasting and devastating to their professional and personal lives (see Moretti, 2023). The change between the era of Smith and Carlos to that of Kaepernick is stark; athletes have gone from social pariahs to national heroes for standing up for their political beliefs in sport (see Gregory, 2018). This is perhaps a sign of change in cultural attitudes towards free expression, as well as an indicator of the value placed on perceptions of authenticity and political convictions. However, lauding political protest in sport preceded Kaepernick, such as when Czechoslovakian Vera Čáslavská turned her head away from the soviet flag during the medal ceremony at the same 1968 Olympics as Smith and Carlos' protest. Čáslavská was never sanctioned and was instead later rewarded with an appointment to the Olympic Order by the IOC for contributing to the Olympic movement (Modi, 2023, p. 379). As a result, the kinds of political protest implicitly sanctioned by sports organisations like the IOC remain inconsistent and threaten its integrity *more than the protests themselves*. As discussed in Chapter 3, such issues with consistency and fairness can promulgate perceptions of the relativity of political neutrality and devolve into malaise.

However, athletes can also behave in ways that compromise their integrity using social media. Rhodes (2022) argues that capturing and capitalising on one's political advocacy on social media and elsewhere partly results from changing social attitudes towards political expression, which commercial enterprises cater to to increase profitability. "In this context [of expansive corporate power in the political domain], political dominance is pursued not through the contest of political views in public political forums, but rather through the loudness of the voices with

social media, many of the constraints on the opportunity for athletes to express themselves could thus be supposed to have been overcome.

⁴³ At the 1968 Olympic games in Mexico City, the two U.S. track and field athletes – who had won Gold (Smith) and Bronze (Carlos) – wore beads around their necks to symbolise lynching, one black glove to represent Black solidarity, carried their running shoes to reflect poverty, and all three podiumed athletes wore Olympic Project for Human Rights badges (Moretti, 2023, p. 96). The pictures of Smith and Carlos with their raised fists clenched in black gloves are iconic.

economic power” (Rhodes, 2022, p. 13). The corporate and commercial capture of political power and influence impacts – and is defining – the fourth wave of athlete activism. In these circumstances, political activism can become commodified if an athlete’s image can be captured and sold for financial gain. Such is the idea behind *commodity activism*.

Banet-Weiser (2012, p. 63) has written that “[c]ontemporary commodity activism positions political action as part of a competitive, capitalist brand culture, so that activism is reframed as realizable through supporting particular brands; activism is as easy as swiping your credit card”. Darnell and Millington (2018) capture something similar by differentiating the efficacy of genuine social justice in sports from charity. In the former case, tangible social change can be brought about through sport-related advocacy and initiatives to better human welfare (Darnell & Millington, 2018, p. 185). In contrast, charity functions more to address the immediate needs of marginalised groups without fundamentally addressing the root causes of this inequality (Darnell & Millington, 2018, p. 185). While corporatised civic advocacy may be laudable, conflating political and commercial speech and ascribing them equal protections has been highly controversial. Some, such as Baker (2009), have argued strongly against it because it can undermine democratic and public health, such as when pharmaceutical companies can advertise their products using free speech protections.

Bhagwat (2019, p. 293) argues that this link between changes in commercial speech and political speech is causally related to social media. This is because of the changes in the ability to harness an individual’s power and influence through social media, which companies can and must respond to to protect their interests (Bhagwat, 2019, p. 294).

When private consumers can quickly become mass-movement activists, corporations feel an obligation to respond to such activism. And while that pressure might sometimes lead them to eschew politics, in the modern era consumer activists more and more insist on political engagement by corporations. (Bhagwat, 2019, p. 295)

Indeed, if deemed economically beneficial, corporations will assess support for certain kinds of political expression based on their ability to make a profit. In this case, some types of activism are more ‘brandable’ than others, and so are supported according to capitalist dictates, independent of the aims and accomplishments of the movement itself (Banet-Weiser, 2012, p. 64).

This tends to exclude support for labour unions and raising minimum wages. This can result in impotent political systems because corporations and other private entities take over the responsibility of democratic governments to deal with political issues. Because corporations do not hold the same fundamental obligations and responsibilities as democratic governments, their ancillary political activism is ultimately a form of capitalism that comes at the expense of the very system designed to limit their power. Therefore, the fourth wave of athlete activism, defined by the advent of social media, is at high risk of falling prey to the malaise of ‘soft-despotism’ closely associated with fragmentation.

Recalling that Taylor (1991, p. 9) characterises this malaise by a profound sense of a loss of freedom, the transposition of political power from democratic means to those with economic and technological capital is indeed a disastrous loss of political efficacy. In other words, the very idea that economic and technological capital is the modern means for effecting political change has already succumbed to a sense that democratic means are insufficient. Vigorous political action on social media might look like vibrant political culture, “[b]ut the atomism of the self-absorbed individual militates against this” (Taylor, 1991, p. 9). This is the sense that fragmentation is a particular concern; through the fracturing of interests and systems that are integral in modernity and the age of social media, people may be less capable of forming common purposes (Taylor, 1991, p. 112). I consider it an error and a malaise to think that the aims of sport run contrary to that of broader modern society. But where social media and the activism playing out through the public sphere appear to be nurtured by a sense of individualism that sport is an oppressive force against, the common moral sources of sport and society are lost. Hence, the malaise of soft despotism, through an increasingly fractured and commodified individualism (authenticity), can be fostered by social media. This, I contend, is the basis for the other malaises – post-truth and instrumental reason – also to proliferate.

So, while political activism has proliferated through social media, it has also developed adjacent to more lax attitudes and policies in actual sporting venues, in sharp contrast to previous eras, and for reasons that are suspect. As argued in Chapter 3, such relativity and politicisation of sport seriously threaten its autonomy and its ability to be perceived as applying fair and impartial rules to restrict freedom of expression. However, my argument is not to deny the (mis)application of the principle of sport neutrality, nor to resolve or reject the fact that there are genuine moral tensions

at play with protecting sport autonomy and freedom of expression rights. Instead, I want to demonstrate that the way social media is used has brought about predicaments where the malaises of modernity appear to be realised. This means identifying the sources of malaise not simply in subjective outlooks, but in the very practices of the public sphere in which modern politics takes place.

7.2 – Social Media and Degenerations of Modern Sport

In the two subsections below, I aim to provide a hermeneutic explanation for how malaises of modernity can be derived from the practical uses of social media by athletes and sport organisations. This is in reference to individualism associated with ideals of authenticity, the adjacent instrumental utilisation of an economic market based on the notion of a ‘brand’, fragmentation inspired by a loss of a sense of political efficacy, and a lack of trust in public institutions (post-truth). Thus, I attempt to demonstrate that the use and regulation of social media by athletes and sport organisations disclose modern malaises that contribute to perceptions that reject the legitimacy of sport’s autonomy.

7.2.1 – Branding and Commodified Authenticity

Central to the main line of argumentation introduced above, I want to reflect on the relationship between the ideals of authenticity and its commodification on social media, which is significant for sports marketing. This perspective discloses how individualism and instrumental reason are deeply intertwined on social media, and their potential to lose sight of their moral foundations is well-founded by common ways of using these platforms.

Kluch (2020, p. 579) has identified in interviews with collegiate athletes that the purpose for their activism was not based necessarily on their identity as activists *per se*, but on their sense of particular group identity and the need to be “true to themselves” (defined by Kluch as ‘authenticity’). The relationship between outspoken activist athletes and their sense of self-identity has been thus described as intricately linked (Clemon, 2023, p. 37). Cressida (2020) supports this assertion, saying:

Thinkers agree that the notion of *identity* has become indispensable to contemporary political discourse, at the same time as they concur that it has troubling implications for models of the self, political inclusiveness, and our possibilities for solidarity and resistance. (para. 5)

The meaning of ‘authenticity’ is seldom fully explained in this literature, but the contexts and sentiments in which it is conveyed are entirely captured by Taylor’s own description, described in Chapter 2; the sense in which authenticity is used is where people in the 21st century believe they have true or ‘inner’ selves that are often at odds with the social demands placed on them. Because modernity places a supreme value on this way of thinking about ‘authenticity’, resistance to social conformism is seen as a praxis for authentic self-expression.

For Enli (2015, p. 14-15), authenticity is ultimately a social construct full of conventions and contracts between individuals, and the breakdown of these practices results from deception or ambiguity. To maintain the *illusion* of authenticity, the media must portray individuals as trustworthy, original, and spontaneous (Enli, 2015, p. 18). Following this view, Luebka (2021, p. 642-646) performed a narrative review of common conceptions of authenticity in politics and arrived at four main dimensions: consistency, intimacy, ordinariness, and immediacy. Thus, in politics, “[b]eing an honest politician is about speaking the truth and avoiding lies, but being an *authentic* politician is about performing” (Enli, 2015, p. 279).

A contributing factor to the illusion of authenticity on social media is the need for validation from one’s networks (Enli, 2015, p. 234).⁴⁴ “[I]n a time when communication technology and online interaction is no longer separated from our offline reality, we seem to have become even more oriented towards preserving authenticity in human connection and of ourselves” (Enli, 2015, p. 233). This perspective is corroborated by Ellison and Boyd’s (2013) definition of social media

⁴⁴ To highlight an evident concern, Starbird (2022, p. 630) argues that motivation for spreading disinformation includes gaining a reputation *via* “accumulating online attention in the form of engagement or followers.” To believe athletes are immune to these motivations is naïve. Especially since it is clear that reputational gains easily translate into political and financial clout on social media (Starbird, 2022, p. 630). Interestingly, while examining the operations of Russian ‘trolls’ during the 2016 US election, Starbird (2022, p. 651) and colleagues observed that most of the online activity involved gaining followers and not spreading ‘fake news’; the most important factor in disrupting democratic elections revolved around increasing the trolls’ legitimacy and network to shift discourse more effectively (Starbird, 2022, p. 651).

presented in Chapter 2, reflecting how the network of friends lends itself to validating an individual's identity in an otherwise anonymous setting.

Sport is one such activity where real-world involvement and social capital lend themselves to validating an athlete's identity and the perception of authenticity, which can be leveraged lucratively. For instance, a study performed by Pronschinske et al. (2012) used Facebook data to reveal that 'authenticity' and 'engagement' were the two most effective ways of promoting a sport organisation. Corroborating this study, authors Burnette and LaStrape (2023, p. 205) analysed tennis star Naomi Osaka and how she has been described as "a powerful example of commodified authenticity" who utilised this sentiment to support her political activism based on how she "constructs an ethos of authenticity by communicating intimacy, ordinariness, and immediacy to her followers" (Burnette & LaStrape, 2023, p. 205, pp. 230-231).

The move from 'authenticity', to 'commodified authenticity', to 'branding', is one that comes out of a terminological slide that I argue afflicts the notion of *integrity* and falls prey to malaise. Consider, for instance, that Arruda (2019, p. 22) says that when corporate brands effectively capture a personal brand, it lends itself to the perception of "trust, and engaged, empowered social employees [who] are the fuel that powers purpose-driven brands... in an era of fake news and a decline in trust that extends to our institutions, politicians, and brands." Following a Taylorian line of thought, what warrants critical analysis is how these ways of thinking about one's individuality impact one's views of what constitutes integrity and what are deemed legitimate restrictions of free speech rights. The question that needs to be considered is: Are the motivations and outcomes behind branding or commodified authenticity manifesting higher ideals of authenticity and free speech, or are they being degraded?

For Banet-Weiser (2012, p. 28), a *brand* is usually conceived as an intricate economic tool for connecting social or cultural meaning to a product to make it more personally resonant with the potential consumer. Brands can also be as much about culture as they are about economics because of the experiences and ideals they try to appropriate (Banet-Weiser, 2012, p. 28).

More than just the object itself, a brand is the perception – the series of images, themes, morals, values, feelings, and sense of authenticity conjured by the product itself. The brand is the essence

of what will be experienced; the brand is a promise as much as a practicality. (Banet-Weiser, 2012, p. 29)

Therefore, branding is somewhat different from mere commodification. Whereas commodification turns things into products, branding is focused on turning things into stories, thereby situating itself in culture as much as the commodification of that culture. Citing marketers David McNally and Karl Speak, Banet-Weiser (2012) accommodates an understanding of a personal brand in this way:

‘Your brand is a perception or emotion, maintained by somebody other than you, that describes the total experience of having a relationship with you.’... By this definition, self-branding is an expression of a moral framework, a means to access ‘authenticity,’ and crucially important in order to become ‘more of who you are’ as well as who ‘you were meant to be.’ (p. 159)

As an example of how this branding of authenticity works in sport through social media, consider how, in February 2019, Colin Kaepernick (2019) posted a video to Twitter with the comment, “For those true to themselves on and off the field. Proudly, unapologetically and against all odds. This is only the beginning #TrueTo7”. The ‘#TrueTo7’ and accompanying video to Kaepernick’s Twitter post was about a Nike shoe that he was promoting. Nike Chief Marketing Officer Greg Hoffman (2022, p. xiii) says the campaign was a strategic partnership between the athlete and the sportswear company to create a brand to communicate Kaepernick’s social justice sentiments.

This description seems to call forth a similar, more pessimistic sentiment of Moeller and D’Ambrosio (2021), who see this as a ‘post-authentic’ ethic that they call *proficiency*. “The ethics of proficiency is concerned with the presentation of the self, and it is this presentation that requires curation” (Moeller & D’Ambrosio, 2021, p. 29). It appears that what Moeller and D’Ambrosio mean by ‘proficiency’, others, such as Enli (2015), see as ‘performative’ authenticity. This connects with Charles Taylor’s (2007) own interpretation of this phenomenon when he says:

My buying Nike running shoes may say something about how I want to be/appear, the kind of empowered agent who can take ‘just do it’ as my motto. And in doing this, I identify myself with those heroes of sport and the great leagues they play in. In doing so, I join millions of others in

expressing my ‘individuality’. Moreover, I express it by linking myself to some higher world, the locus of stars and heroes, which is largely a construct of fantasy. (p. 483)

However, Taylor (2007, p. 481) considers this a minor kind of social imaginary he calls ‘the space of fashion’. The space of fashion “is one in which we sustain a language together of signs and meanings, which is constantly changing, but which at any moment is the background needed to give our gestures the sense they have” (Taylor, 2007, p. 481). In Internet parlance, Taylor seems to suggest that the ‘meme’ is now a feature of modern social imaginaries. This imaginary is distinctive of the modern culture of authenticity and the technological mediums that facilitate new ways of being with others in the immanent frame (Taylor, 2007, p. 481). For example, this can be interpreted as a way in which sports such as the Olympics come to be enjoyed, in that this social activity may spontaneously become a site of common action/feeling and greater social significance (Taylor, 2007, p. 482). This undoubtedly heavily influences commoditisation and personal ‘branding’. Although Moeller and D’Ambrosio may be honing in on a similar sentiment characteristic of social media and other modern mediums, Taylor (2007, p. 483) states that this turbulent space of conformity and individualism is still predicated on an ideal of authenticity. What I think such performative accounts of authenticity and branding are really indicating is that there is a sense of instrumentality that may come at the expense of a loss of expressing a genuine moral commitment i.e. *integrity*, of the personal narratives involved in sport.

Take, for example, a paper by Coombs and Cassilo (2017), who analyse LeBron James’ political activism on social media and the basketball court to support the Black Lives Matter (BLM) protest movement. In their article, they detail James as a cautious activist who is aware of his personal ‘brand image’ (‘Brand LeBron’) (Coombs & Cassilo, 2017, p. 432). At the start of his career, James was more reticent about his activism, seeing politics and sport as ill-suited, which, over time and after gaining international fame, shifted in recent years along with the BLM movement (Coombs & Cassilo, 2017, p. 433). Although James has been politically vocal, Coombs & Cassilo (2017, p. 434-435) note how, after the police killing of Tamir Rice, James said he was unusually silent due to the poor understanding he had of the incident. “By integrating activism into a brand that is both credible and authentic, James now faces higher expectations to be a vocal advocate for those in need of his support” (Coombs & Cassilo, 2017, p. 433). No doubt, James must be very cognisant of what he says, given the power and responsibility to create a brand with

integrity. This influences another aspect of James' branding and activism, which Coombs & Cassilo (2017, p. 435) describe as advocating awareness and attention rather than aggression, and community solidarity over protest.

These considerations are notably dated, considering much has developed over the few years that have since transpired. Today, "Cleveland Cavaliers forward LeBron James has emerged as one of the NBA's most high-profile voices on social and political issues" (James & Lombardo, 2016, para. 1). Ultimately, James is cautious and considerate of his obligations, but even his activism has grown with many others during the COVID-19 pandemic season in the NBA. However, in notable contrast to the activism displayed during protests over racial inequalities, James was heavily criticised for an incident where both he and the NBA governing body denounced Houston Rockets general manager Daryl Morey for tweeting support of Hong Kong protests against China (Yglesias, 2019; Silverman, 2019). James was not only notably absent in support of Hong Kong protests and other human rights issues critical of China, but implicitly condemned Morey's support by describing Morey as "either misinformed or not really educated on the issue" (Silverman, 2019, para. 6). Scepticism of the integrity of such views is not uncalled for, provided the economic influence of the lucrative Chinese market for the NBA and its leading sports star conforms to the influential capitalist framework proposed above.

To further demonstrate the conspicuousness of these financial interests, consider that the commercial appropriation of an athlete's authentic 'brand' is no secret. Take, for example, US track and field world 200m champion Noah Lyles, who in 2022 said: "I don't need to be seen as a track and field athlete. I think I need to be an influencer" (Lyles in: Ingle, 2022, para. 8). While Lyles perceived this role as one that could be in the interest of promoting Track and Field and its values, he also admitted the economic incentives by stating:

[s]hoe companies are encouraging people to get their social media game up... Every time you sign a contract, they say post this to social media. Originally I thought my job was to run. No, your job is to sell shoes. And the more you do it, the more they will pay you. (Lyles in: Ingle, 2022, para. 9)

The instrumental rationality here is clear. But even this way of instrumentalising authenticity as a brand has moral sources. Emerging out of mass market capitalism in the 1950s, authenticity began to be a marketable ideal that was closely associated with the emergence of identity politics

in the 1970s (Banet-Weiser, 2012, p. 91; Taiwo, 2022). Banet-Weiser (2012, p. 154) claims that “postfeminism and interactivity [online] create what I would call a neoliberal *moral* framework, where each of us has a duty to ourselves to cultivate a self-brand.” As a result, authenticity and one’s ‘brand identity’ are distinctive features of the personal market economy facilitated by social media. Before social media, when third-party media sources controlled the means for widespread athlete expression, the ability to independently market oneself and be one’s own public relations representative was far more difficult (see Korzynski & Paniague, 2016). Whereas sports organisations may still want to retain good public relations with journalists and media outlets, athletes are taking more control of their self-presentation with social media (see Hutchins, 2011; Sanderson, 2016).

However, as argued in Chapter 4, the *choice* permitted with a framework of modern moral pluralism does not entail moral relativity, as the intrinsic value of what is chosen can be discussed in reason. ‘Postfeminism’, or neoliberal attitudes towards the adoption of capitalist enterprise towards independence, free choice, and empowerment, is one such driver of many women and men on social media to brand themselves and capitalise on their image (Banet-Weiser, 2012, p. 151; 153). Thus, the instrumental rationality towards branding harbours the possible exploitation of sexuality through the internet. For example, athletes such as Paige Vanzant (UFC – mixed martial arts) have profited off their athletic popularity and become pornographic entrepreneurs on platforms such as OnlyFans, a pay-for-access multimedia blog site often used for selling amateur pornography (Lemoncelli, 2022). Professional Brazilian volleyball player Key Alves has said about her OnlyFans: “Whether I like it or not, today it’s my biggest income. I earn about 50 times more with digital platforms than with volleyball, and more on OnlyFans, because the monthly price of 16 euros is fixed” (Lemoncelli, 2022, para. 22). Canadian Olympic bronze medallist at the 2024 Paris Games Alysha Newman saw her OnlyFans account crash due to its being overwhelmed by over 20,000 new subscribers after her medal-winning Olympic performance (Greenberg, 2024). However, the use of OnlyFans to share nude or semi-nude content is not restricted to women, as male rower Robbie Manson and diver Diego Balleza have also used OnlyFans to support their Olympic training, the latter being quoted as saying: “I firmly believe that no athlete does this because they like it... It’s always going to be because you need to” (Balleza in: Adamson & Janetsky, 2024, para. 32).

The value of internet pornography is an ongoing matter of debate which some, such as Shahghasemi (see 2020), see as a possible means for liberation, while others, such as MacKinnon (see 2021) websites such as Onlyfans as oppressive and a virtual ‘pimp’. However, this unsettled debate should not overlook how the need to sell pictures and videos of oneself online for profit to support one’s athletic training speaks volumes about issues in the funding models of amateur sport. Nevertheless, the essential point I am trying to make is that there is a clear instrumental nature to using one’s brand, garnered through sport, to acquire economic goods through social media that can and should be debated concerning whether it is accurately presenting one’s self identity in order to craft a reputation that reflects one’s highest moral commitments. Sexual exploitation is not addressed with individualistic or morally relative frameworks. These rather extreme examples demonstrate the prevalence of individualism through an ideal of authenticity and the instrumental rationality that coincides with its economic exploitation. I argue that this is emblematic of the malaises of individualism, instrumental rationality, and even post-truth. When this way of using social media is also the basis for the fourth wave of political activism in sport, it can arguably have broader social and political implications, as Taylor’s malaises of modernity explain.

7.2.2 – Codes of Ethics for a Post-Truth Era

Following the critique of individuals’ use of social media, I attempt to demonstrate how, through social media policies, sport organisations also seem to understand their engagement with social media in ways arising out of modern ideals and subject to its malaises. While issues of fairness and consistency regarding political neutrality bear heavily on the perceived integrity of sport, I want instead to focus on the motivations that guide social media policies. I want to question the integrity of sport organisations insofar as their social media policies present an organisational identity accurately by crafting a reputation that reflects its highest moral commitments. While the authority to limit free speech may be claimed to protect sport’s autonomy and foster sporting values and ethics, the following will reflect the untransparent nature of these policies that more evidently protect branding interests. When branding is held as a value over that of free speech rights, when a sport organisation claims to support human rights, its integrity is compromised while its activist brand is exploited. I will limit the scope of examples of these limiting factors by drawing from Canadian national team sports policies that impose various constraints on freedom of expression despite freedom of expression being constitutionally protected.

Codes of conduct and ethics are important reflections of an organisation's core values that ought to be applied with transparent procedural neutrality. This is essential for the integrity of sport that seeks to limit freedom of expression legitimately. However, in Chapter 6, social media companies' 'community standards' were seen as suspect and capable of sowing distrust and malaise. So, too, can this apply to sport. Tacon & Walters (2022, p. 221) have stated that "[o]ver the last 20 years, there has been a process of 'codification' across the nonprofit sport sector in many countries, wherein governments, national sport agencies, or other bodies have introduced codes of good governance". The central problem with 'codification' is when the codes of ethics become distorted to promote interests and values that do not genuinely reflect or aspire to realise sport's constitutive goods and values. Codes of ethics that apply to social media, therefore, have just as consequential an impact on the integrity of sport as any of its other policies regarding the legitimacy of its autonomy.

Most social media policies cover the need to establish the sport organisation's right to impose sanctions or penalties for expressions deemed injurious to the organisation's interests. Because athletes are in significant positions of power and influence, particularly on social media, their freedom to express themselves can be heavily restricted by sport organisations and sponsors (see Di Marco, 2021). Sport organisations aim to foster positive environments and relationships within their sport, so they must retain some power to discipline and control the expression of those associated with them. For instance, many social media policies prohibit using these platforms during competition or practice for performance and broadcasting reasons (Gabison, 2017, p. 35). However, generally, commercial incentives produce the need to restrict expression through social media outside of athletes' 'working hours', such as during training or competition.⁴⁵ I think this can be demonstrated by looking at several Canadian national sports organisations' social media policies.

⁴⁵ Notably, the monetary and social incentives from social media can be so significant to athletes themselves that Gabison (2017) suggests that social media policies may not even be needed. This is because athletes will self-censor due to social and monetary influences from social media. As an example, consider how Barcelona player Gerard Pique announced he was retiring from professional football due to the criticisms he faced from social media, often jeered by fans while playing due to his political support for Catalan independence (Associated Press, 2016).

Canada has explicitly guaranteed the right to freedom of expression in its Charter of Rights and Freedoms Constitution Act of 1982 (Government of Canada, 2024). Therefore, to have some limited form of democratic accountability (see Chapter 5), Canadian sport organisations attempt to balance their own interests with the right to free expression. Each sport organisation in Canada enjoys a certain degree of autonomy from the Canadian government, which provides a significant amount of funding for 66 national sport organisations (Government of Canada, 2023b). Because of this relative autonomy, Canadian sports organisations can dictate their policies regarding social media use and other promotional media. However, their funding from the Canadian government can be withheld if they are not seen as acting responsibly with their funds, as was the case with Hockey Canada during the sexual assault scandal (see Sadler, 2022). Despite this, social media policies pertaining to freedom of expression have not been widely adopted.

Of Canada's 66 national sport organisations, I identified that only 25 sports had explicit social media policies as of June 2023. Within these policies, there are apparent contradictions and unclear protections for freedom of expression. For instance, in Archery Canada's social media policy, they attempt to make their support for free expression quite clear in section 3.6, which states, "Archery Canada recognizes the importance of online conversation and respects the right to freedom of speech and the use of social media for personal purposes"; but immediately after this statement, in section 3.7 it conditions this right by stating "[r]egistrants are not permitted to disparage others publicly using social media; however, they are permitted to make fair comment for the purposes of expressing opinion and factually based criticism of Archery Canada's policies and actions" (see Archery Canada, 2016, pp. 3-4). Preventing hate and libel speech can be a legitimate legal reason for sport organisations to limit speech; however, curbing negative speech is what is being targeted, opening the scope of application indefinitely. In Chapter 6, this expansive power for censorship was identified for its potential to frustrate the perceived legitimacy of organisations to limit free speech online. In Chapter 3, the issue of allowing sport to censor online criticism of a sports organisation demonstrated that sport does need to 'concede' free speech rights, but to what extent was left ambiguous by the CAS. What the CAS should have made clear is that the purposes of limiting free expression should be aligned with the integrity of sport.

Some policies make explicit the need to foster brand relationships that may offer financial incentives as the reason for these policies. For example, Alpine Canada's social media policy states

that members “[d]o not post negative comments about any company, product or brand. Even if the company is not a current sponsor, the same rule applies (they could be a sponsor in the future)” (Zayas, 2021, p. 2). Branding is a significant issue for sport organisations to protect, granted that their public image may be besmirched by unhappy members, which may lead to a damaged reputation and loss of essential revenue. For this reason, sports such as Field Hockey Canada require all social media accounts that are created in association with their brand to receive permission from the governing body prior to becoming public, and they retain the right to have a co-administrator for the account (Field Hockey Canada, 2021). What must be critiqued is whether it is evident to athletes and the public that these limitations are imposed by organisations that truly value human rights (if these are indeed their committed values) or for more instrumental economic reasons.

For sport organisations that lack explicit social media policies, previous policies are commonly retrofitted. One such adaptation of older policies involves using *Codes of Conduct* that would typically encapsulate public behaviour and traditional media representation. For instance, Basketball Canada – which actually has a formal (albeit short and extremely limited) social media policy – defers making new policy directives by referring members to the code of conduct policy: “Canada Basketball encourages Participants to engage with social media but cautions that such engagement must meet the standard of conduct and behaviour outlined by Canada Basketball’s *Code of Conduct and Ethics*” (Canada Basketball, 2021). The code of conduct that generally outlines athletes’ rights and responsibilities can, therefore, be used to significantly affect managing athlete expression on social media, albeit in a similarly ambiguous form.

Another implicit method of policing social media behaviour stems from ‘morality clauses’ often agreed upon by athletes and professional organisations or when entering into sponsorship deals (see Auerbach, 2005; Kohe & Purdy, 2016). Morality clauses are contracts that allow sports organisations (and, in some cases, athletes) to terminate a contract if the party in question engages in criminal or inappropriate behaviour (see Auerbach, 2005; Socolow, 2008). This has been described by Auerbach (2005) as being generally enforced because sports depend heavily on a brand used to market to audiences, and tarnishing this brand can have seriously impactful financial consequences. Although these clauses are not applicable to all athletes who may become associated with the national teams of the respective sports governing bodies, they are likely to

apply to the highest-profile athletes who are most likely to have the greatest influence on social media.

Morality clauses have traditionally contained boilerplate admonitions of unethical behaviour, meaning that vague references to ‘unseemly’ behaviour provide organisations with leeway to determine wrongdoing, often on the basis of financial evaluations (see Socolow, 2008; Auerbach, 2005). Indeed, social media is increasingly a contributing factor to the market value of individual athletes, which can translate into the marketability of an individual sports team or organisation (see Kloc et al., 2020; Korzynski & Paniague, 2016; Yoon & Petrick, 2017). The incredible influence that athletes have on social media and the simple empirical metrics that convey an athlete’s popularity means that morality clauses can be incredibly invasive as well; this has been leveraged to the extent that some contracts may even have control over what kinds of tattoos athletes can get (see Kohe & Purdy, 2016). Controlling an athlete’s tattoos should be highly suspect if it is being claimed that doing so is in the interest of preserving the integrity of sport as opposed to a brand.

Sport integrity does not exclude the need to protect its financial interest. However, Constandt and Willem (2022, p. 210) have questioned whether codes of ethics are really upholding the integrity of sport.

Whereas some scholars argue that a code of ethics represents the important foundation, cornerstone, and first tangible step of an organisational programme on ethics, others refer to the deceptive misuse of codes of ethics as a form of hypocritical lip service or window dressing to often falsely convince people that the organisation is really preoccupied with ethics. (Constandt & Willem, 2022, p. 210)

From the Taylorian perspective I developed in Chapter 5, the use of principles or codes of ethics is highly dependent upon their appropriate application towards moral aims. In Chapter 6, I further demonstrated how the ‘community standards’ of social media companies do little to assuage distrust when they lack the sense of integrity to back their moral commitments up. As Chapter 3 reflected how sport organisations are increasingly adopting commitments to human rights, weighting in favour of brand interests over human rights undermines such stated commitments. Moreover, allowing some kinds of political discourse on social media rooted in commercial interests does not inherently fulfil an ethical commitment to freedom speech. This is

why tyrannical dictatorships pretend to have open and democratic discourse without any real liberal democracy.

The legitimacy of procedural neutrality and political neutrality in sport comes from seeing the applications and processes as genuinely reflecting an individual's or institution's moral commitments. Such thinly veiled interests as protecting a brand over the more important aims of political neutrality are likely to promote distrust in sport organisations, fostering post-truth malaise. Additionally, instrumental rationality evidently plays a significant role in deciding between financial interests and stated moral commitments. When these incentives are accepted as the status-quo, further degradation into soft-despotism and the fragmentation of athlete and organisation interests are likely to follow.

As a result of such a compromising milieu, the implications for such superficial interests as branding can practically impact individual participation opportunities in sport. In recent years, athletes have been disciplined by their sports organisations for comments on social media, even from years-old posts that were resurfaced (Gabison, 2017, p. 33). As a result, 'due diligence' checks into an athlete's social media history have become essential for sports organisations or sponsors before hiring an athlete (see Winnie, 2021). The rationale for sport organisations to impose fines, discipline athletes, or even rescind job offers for making problematic comments on social media is significantly vague. Indeed, posting about injuries, engaging in illegal behaviour such as drug use, cyberbullying, or just generally having an 'off-putting' social media presence has all been reported as attributing to athletes being dropped from college recruitment or losing scholarships (Associated Press, 2014). In a Tweet from Penn State football coach Herb Hand in 2014, he said of an athlete, "Dropped another prospect this AM due to his social media presence... Actually glad I got to see the 'real' person before we offered him" (Associated Press, 2014, para. 6). As a result of the overly broad scope of authority with which sports organisations can punish and deter expression on social media, Gabison (2017, p. 58) argues that the 'best interests of sport' standard guiding these organisations' policies need to be revised and clarified in order to assuage concerns over the arbitrary or prejudiced punishments imposed on athletes.

Whether censorship is explicit or implicit, self or externally imposed, freedom of expression is limited through social media in ways that are not institutionally transparent or

democratically accountable towards realising commensurate moral aims with a liberal framework. Supporting human rights is a contentious matter for sport organisations to commit themselves to, not least because when they do, they must actually demonstrate such commitments or else undermine their integrity. I allege that when commercial branding interests control athletes' free expression rights, the idea that such values reflect a sport organisation with integrity is something most people are not buying. As a result, it is reasonable to surmise that perceptions representative of malaise will proliferate at the expense of the autonomy of sport.

7.3 – The Constitution of Modern Narratives in Sport

To culminate the ideas I have put forth thus far, I want to draw on the significance of how social media is used in the context of sport and its relevance in individuals' lives. I argue that social media discloses distinctly modern narratives, which is also a significant disclosure of how sport bears a distinctly modern character and understanding. Putting forward this view is vital because it grounds the preceding analyses of the potential for malaise in the way sport is understood and, by extension, meaningfully practised. This provides new avenues of thought about the relevance of sport and social media in the modern age.

In the following paragraphs, I propose a more suitable way of thinking about the malaises that I have identified as arising from how sport is disclosed through social media. It follows from what Taylor (1991) says about technology, such that:

there could be a struggle between better or worse modes of living technology, as there is between higher and lower ways of seeking authenticity. But the struggle is inhibited, in many cases it fails altogether to begin, because the moral sources are covered over and lost from sight. (p. 96)

This quote informs my belief that moral sources exist for sport which are embedded in modern developments. As discussed in Chapter 4, Taylor argues that people understand their moral lives using narratives. I want to introduce the idea that sport co-constitutes morally significant self-narratives and that these narratives in sport are distinctly modern, reflected in the way social media is used and prone to malaise. That is to say, sport is understood and constituted by modern views of the self and sport's intrinsic values, in contrast to the perspective that sport is somehow external to modern moral developments and thus no different from pre-modern 'sports'. From a plural

robust realism methodology, to say sport is co-constituted by the meanings individuals make of sport is to say there is a ‘real’ socially constituted practice of sport that individuals do not determine themselves. Nevertheless, such meanings are themselves conditioned by moral orders and normative understandings that make up the background understanding of such practices.

Taylor says that as people in a modern moral order, “[w]e are very different kinds of beings, based on individual responsibility and freedom. We had to reconstruct ourselves in a certain sense to become what we are” (Bohmann & Montero, 2014, p. 5). Compare this to a quote from Ludwig Wittgenstein, for whom Taylor (see 2006; 1995b) interprets the idea of ‘rule-following’ as distinctly a social practice.

Many people can see clearly enough that the Greek thinkers were neither philosophers in the western sense nor scientists in the western sense, that participants in the Olympian Games were not sportsmen and do not fit into any western occupation. (Wittgenstein, 1984, p. 16e)

Far from definitive proof of these assertions, I nonetheless want to support the idea that Wittgenstein was right about Olympian sportspersons, Taylor corroborates this view by making the distinctions between modern and pre-modern moral orders (see Chapter 1), and therefore sport is constituted by distinctly modern moral practices even if various written rules remain the same as ancient Olympian games. Evidence for this view is supported by how social media discloses self-narratives constituting the issues of authenticity and rights that have permeated the issues of freedom of expression discussed in this dissertation. As a result, this perspective reframes the way social media is used and understood in the contexts of sport not as aberrations of narcissism or the domination of the despotic properties of social media technology, but as expressions of the modern character of sport which precede the use of social media.

As opposed to taking an externalist or relativistic view of sport, realism can be applied to better articulate how sport’s intrinsic qualities and values arise out of embodied modern practices. This perspective introduces a radical – in the sense of being fundamental – new way of thinking about sport, which I do not have the space to attempt here. Nevertheless, I reason that this approach is called for as a consequence of a Taylorian view applied to the philosophy of sport.

The central relevance of this view to my thesis is that it supports the contention that social media is *disclosing* modern social practices and understandings which can fall into malaise. This entails that what was observed as a conflict between sport and other liberal democratic ideals, such as freedom of expression, is not because sport is an illegitimate outgrowth of modern society, but because it is constituted by modern moral sentiments that are in conflict. Sport is not isolated from broader society, nor does it ‘subtract’ from its constitutive values. Rather than see sport as intruding on broader society, perhaps it needs to be understood as being derived from it. Like the social imaginary of the market economy, sport can exist somewhat autonomously, but even such autonomy is a product of modern understandings. So, too, with social media, can it only be understood as a part of the public sphere by individuals who recognise they can make use of it as such.

As a result, social media is not inert in the sense that it has no impact or potential to change society or individual outlooks. Chapter 6 made this abundantly clear. What I consider social media has changed in sport is that by putting the means for mass communication of the lived experience of sport into the hands of individuals, new ways of communicating and engaging with sport arise. Perhaps the most prominent scholar who has helped open this niche and brought to light the intersections of new social media technologies, identity expression and sport is communications studies researcher Jimmy Sanderson (for overviews of these intersections, see Sanderson, 2013; 2016; 2018a). Sanderson has tackled this topic from a sociology and communications perspective, often studying how social media has changed the way sport is viewed and how athletes are impacted (see, for example, Schmittel & Sanderson, 2015; Sanderson, 2018b; Sanderson et al., 2020; Sanderson & Weathers, 2020;). Explored in this research is how people view and understand sports stars and the sports they play differently with social media; it seems to involve far more ‘off-field’ narratives that have the potential to create more holistic or, to use Taylorian terms, ‘flattened’ or ‘narrowed’ experiences of an athlete’s journey.

As an example of what I mean by the latter terms, I consider several papers written by Aurélien Daudi (2022; 2023a; 2023b; 2024), all of which apply a Nietzschean perspective to the cultural practices related to ‘fitspiration’ that ‘photo-based’ social media platforms facilitate. In Daudi (2023a), a critique is leveraged against hedonistic forms of self-presentation, reflecting the unique combination of digital and physical aspects of fitness culture, arguing that “[w]ith the

advent of social media, sport subcultures have gained an avenue that impacts and transforms the way practitioners, fans, and observers engage with and relate to them” (Daudi, 2023a, p. 128). However, the methods and ontological approach researchers apply to studying social media can, as I have argued throughout, problematically influence the operative assumptions about the nature of social media and its involvement or control in people’s lives. Consequently, Daudi’s (2022; 2023a; 2023b; 2024) critiques of fitspiration and self-presentation on social media attributes moral criticism to ‘hedonist’ users while implying that social media is somehow complicit in these practices without explaining their ontological relation. Although Daudi (2023b) has discussed an ontology of social media, he focuses on the subject-object ‘realness’ or ‘correctness’ of pictorial representations that characterise these platforms. As a result, his perspective almost exclusively focuses on an ontology of photographs, obscuring how social media differs from something like e-mail or postcards. Instead, a more suitable Taylorian ontology could aim to provide an understanding of social media that clearly reflects how it relates to athletes and sport practices. In doing so, it would be useful to reflect on how social media distorts ‘reality’ in a way that is nevertheless recognisable – or else Daudi would be without grounding – and discloses a particular intentional way of using this technology. Ascribing blame to nothing but ‘hedonist’ psychologies, I think Daudi overlooks some ideals and contexts in this digital culture that deserve a more sympathetic articulation.

Personal narratives of sport certainly can be highly edited on social media. Moreover, deception regarding misinformation and disinformation has been discussed as a central issue with social media. However, the content shared through social media is unlikely to resonate or make sense for viewers if they do not fit within a very real moral framework that makes these journeys compelling and its use for such purposes understandable to begin with. Returning to Taylor’s (1989a) concept of self-narrative helps to expand on this idea:

Orientation in moral space turns out again to be similar to orientation in physical space. We know where we are through a mixture of recognition of landmarks before us and a sense of how we have travelled to get here... Part of my sense of its genuineness will turn on how I got there. And our entire understanding beforehand of states of greater perfection, however defined, is strongly shaped by our striving to attain them... Thus making sense of my present action, when we are not dealing with such trivial questions as where I shall go in the next five minutes but with the issue of my

place relative to the good, requires narrative understanding of my life, a sense of what I have become which can only be given in a story. (p. 48)

Social media thus seems to make the sense it does in the context of its role in sport precisely because it can be so readily applied to sharing *holistic* personal narratives about one's journey in sport. This is very different from a regular sporting event broadcast on television or even a documentary film. The new developments in how personal narratives are coming to dominate the way sport and its participants are being seen do not necessarily change the constitutive values or intrinsic nature of sport, but how they are being realised and communicated is entirely novel.

This may have severe implications for the democratisation and institutionalisation of sport. When athletes and other sports figures are not held to standards of responsibly upholding and protecting the values of sport, they are prone to degradation and malaise, which is parallel with the modern foundations of society more broadly. Moreover, the implied relationship between the commitments of sport to protecting its brand and its values are themselves distinctly modern ideals arising out of modern moral frameworks. In other words, these are most likely not issues encountered by pre-modern sports. These issues proliferate through social media not because social media creates such conflicts but because of how the technology discloses these modern quandaries in new ways. This is how social media contributes to forming malaise.

Last but not least, I need to address a new philosophical theory called *metamodernism*. This popular and emergent theory must be acknowledged because I think it perpetuates underlying postmodern views that my Taylorian perspective has all along tried to reject.⁴⁶ Metamodernism has been variously described as a 'post-postmodernism' in the sense that it claims to accept some grand universal modern narratives while maintaining the critical outlooks of postmodernism (Vermeulen & van den Akker, 2010, p. 3). In other words, metamodernism often sees itself as a development of values and ideas arising out of modernity and postmodernity, with its current development in the hands of the idealists at the vanguard of this philosophy. Consequently, while Taylor has yet to acknowledge metamodernism, considering the following description by

⁴⁶ Metamodernism is gradually cultivating a popular following and social interest, particularly in the arts, such as in films like *Barbie* and *Everything Everywhere All at Once*, the latter of which the directors Daniel Kwan and Daniel Scheinert have said was explicitly a metamodern film (see Corbett, 2023).

Vermeulen and van der Akker (2015), it would be understandable to think that his philosophy pre-empted this philosophical movement:

Ontologically, metamodernism oscillates between the modern and the postmodern. It oscillates between a modern enthusiasm and a postmodern irony, between hope and melancholy, between naivete and knowingness, empathy and apathy, unity and plurality, totality and fragmentation, purity and ambiguity. (pp. 5-6)

However, my great concern with this burgeoning yet immature theoretical framework is that contrary to Taylor, metamodernism's 'ironic sincerity' takes an approach that excuses the incoherence of postmodern critiques, which gives license to their continuing neglect of the sources and constitution of values and modernity. For example, in *Metamodernism: The Future of Theory*, Jason Storm (2021, p. 633) calls for a "revaluation of values" as if metamodernism is a means to recreating the constitutive values of society. In other words, Storm's 'social ontology' ignores modernity's constitutive moral sources and favours relativism. In an attempt to ground this theory on a kind of 'realism', what Storm (2021, p. 133) considers pluralistic 'metarealism' is a plurality of 'modes' of reality, in the sense of multiple equally valid realities – because it sees its self-awareness as the means to recreating its own values.

I suggest this is a more significant problem for sport than postmodernism because metamodernism does not resolve postmodern incoherence and uses self-awareness to excuse its relativity. In this sense, because Noah Lyles and Alysha Newman both recognise their instrumentalisation of sport, by being 'ironically' aware of their superficiality and brand-driven success, they have also achieved substantial moral progress. Their narratives remain relativistic and unchallengeable simply because the means to accessing moral good is to be aware of oneself. The idea that sport can be anything and have whatever values anyone wants, despite the incoherence of such a relativistic view, gives those with newfound power through social media an excuse to claim something like sport neutrality is just one amongst many grand narratives that people might accept but not believe. But sport's political neutrality is *not* just one narrative claimed by those with power. Political neutrality in sport is an ideal – one that can never be perfectly achieved – legitimised in a moral framework of Liberalism, that serves an existential function towards preserving the autonomy of sport. Relativising sport neutrality degrades sport into a

superficial system acted out by individuals and organisations that use social media to reap extrinsic benefits and foster a brand. Without any constitutive values and principles, nothing about sport matters, which trivialises objections to its powers to limit freedom of expression; limits to freedom of expression are just the ironic concessions of the athletes, trivialising any real project of human rights.

Ungrounded, and thus unrealised, would be the intrinsic values in sport if its constitution is not held together by a common moral understanding of its place in modern life. Therefore, the understandings that people have of sport must be taken to constitute a social practice that no one individual determines the value of themselves. It is by seeing how one stands in relation to the goods of sport that one can realise its intrinsic (and extrinsic) values by incorporating one's engagement with sport into a sense of one's personal character and life narrative.

In sum, sport requires a certain amount of autonomy with which to limit a necessary degree of some liberties like freedom of expression to realise its constitutive values. In the age of social media, personal narratives potentially play a much greater role in constituting how sport is understood as a modern social practice. This is not to say the meaning and value of sport are relative, but where a plurality of means can be used to realise the value of sport, the multitude of narratives can lose the common sources of sport and fragment into a practice characterised by modern relativism and malaise. Thus, the sources of sport need to be retrieved and articulated to preserve the significance of the modern narratives that play out and co-constitute the intrinsic value of sport. While competing narratives and tensions with other goods will persist in modernity and sport, the potential of social media to realise the values and goods in sport in new ways will remain dependent on the ability to preserve its constitutive moral aims. "What draws us to follow moral precepts is not that we avoid contradiction, but the intrinsic appeal of a higher way of being" (Taylor, 2016, p. 210).

CONCLUSION

This thesis argued that there is a legitimate basis for defending the principle of political neutrality in sport, which can reasonably impose limits on freedom of expression. This defence was argued to be compatible with a modern moral framework of Liberalism as articulated in the philosophical works of Charles Taylor. Central to my argument was the need to retrieve the meaning of neutrality within its situated relevance to Liberalism and the importance of procedural equality. I argued that while neutrality is indeed not morally neutral, it is legitimate insofar as it serves to realise the intrinsic goods of sport that require limiting freedom of expression to protect its autonomous survival. The positions that dismiss political neutrality in sport thus neglect the moral significance of neutrality in modern society and the legitimacy and need for limitations and exceptions to otherwise rigid ethics and principles.

I developed this argument by showing that the objections to this perspective typically adopt views demonstrating what Taylor considers ‘malaises of modernity’, constituted by moral relativism and subjectivity. While concerns with the consistent and fair application of the principles limiting freedom of expression were often not unfounded, these problems did not suggest the coherence of the moral framework supporting such principles was undermined. However, this view did not entail extending a license to limit freedom of expression in all circumstances; sport organisations do have limited obligations to be democratically accountable and not violate human rights where they can. How sport organisations and athletes negotiate these limits should not rely on finding ‘clinching’ arguments or solutions, but rather expect to confront tensions and require compromises. Unlike the ‘irrational limits’ doctrine to demarcating limits to freedom of expression attributed to Scanlon (1972) in Chapter 1, a Taylorian view accommodates greater exceptions to principles such that they do not devolve into harsh dogmatic ideals antithetical to modernity’s constitutive moral aims.

Having defended a principle of political neutrality in sport, I also underscored the pressing concerns regarding the need to resist degenerations of its moral sources and value due to malaises in the age of social media. I maintained that the malaises of instrumental rationality, individualism, soft-despotism/fragmentation, and post-truth were relevant concerns for maintaining support for the autonomy of sport. In my analysis of social media use in the context of sport, I found practices

and outlooks that were highly characteristic of a loss of the sources and values of modernity. Embedded in the notion of ‘branding’, highly instrumental uses of social media by athletes were captured by the commodification of ‘authenticity’ at the expense of more substantial collective aims. As for the sport organisations, these institutions were also seen to be engaging with social media and limiting freedom of expression in ways that were oriented towards protecting a brand. This, I argued, compromises trust in sport institutions and a sense that a legitimate collective moral aim in the interest of sport is being realised. What was then seen as playing out on social media was not necessarily caused by social media but a symptom of how social media was seen to be useful towards realising the goals of human agents. The aims of which I saw as guided by problematic outlooks that were characteristic of a loss or degradation (malaise) of the values of sport and modernity. A Taylorian perspective thus encourages us to consider whether such contemporary uses and institutional structures are truly realising the highest aims and values of sport.

Contrary to the concern that social media will contribute to violating human rights or supporting despotic regimes, which is a genuine concern, a Taylorian perspective is more reservedly optimistic. It is reserved in the sense that if the sources of sport and modernity’s constitutive moral aims are not articulated and retrieved so that they might be realised through the powerful new technology of social media, the very foundation of sport neutrality will be lost and degraded, leading to potential misunderstandings and misinterpretations of sport and political neutrality. It is optimistic, however, in the sense that by recognising the problems in the outlooks of individuals and retrieving the sources of modern values, social media can be oriented towards realising higher purposes in sport.

In the last chapter, I argued that modern sport is understood in a distinctly modern way, evidenced by how social media disclosed distinctly modern narratives and malaises in the context of sport. Discussing this result at the end of my thesis exposed a weakness, which may have been question-begging: What, then, is sport? While I defined sport in the introduction according to Parry’s (2019, p. 4) idea of sport as an institutionalised, rule-governed contest of human physical skill, this was admitted to be inadequate to fully disclose the political situatedness of sport in society. Articulations of sport such as Parry’s are not, in my view, false, but on a pluralistic account of realism that I adopted in this thesis, one way in which the constitution of sport is trying to be

grasped. I think this perspective leads to a need for a deeper ontological understanding of what the constitutive nature of this practice means for individuals who are situated in a modern global society. What it means for sport to be ‘rule-governed’ as a social practice means looking at how sport is situated in a particular moral order, not as if it were a ‘subtraction’ from the values and constitution of broader society.

This thesis advocates for new approaches to understanding sport that accommodate theories aligned with the kind of Taylorian realism described in this thesis. A moral realism theory of sport has yet to be considered, and Taylor’s philosophy has been virtually neglected in the philosophy of sport. As the foundation of Taylor’s thinking, the application of a method that identifies subjectivist epistemologies that make problematic assumptions about the moral grounding and understanding of the world is entirely applicable to theories of sport. This is primarily in reference to how the constitutive rules of sport are understood and derive their significance and meaning. By considering the moral sources of sport as rooted in the developments of modernity, sport might be practised and even shared through social media in ways more closely aligned with its highest ideals.

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