

KEYNOTE PAPER PRESENTED AT BPSA 2018, SWANSEA, UK.

Emily Ryall

Selection in Sport behind a Veil of Ignorance

Paper

This paper is a culmination of two things: one of them is that I am currently working with Sports Resolutions, the UK sports arbitration organisation who deal with many of the high profile disputes between elite athletes and governing bodies, on an EU funded project. Part of the project involves an analysis of case studies provided by Sports Resolutions to develop an undergraduate teaching resource on issues of ethics and good governance in sport. One case area within this is that of disputes over selection, usually related to selection for world championships or the Olympic Games. Sports Resolutions themselves have dealt with over 130 cases related to athlete selection and eligibility. I will draw upon a few of these cases in my discussion.

The second reason that I am interested in the subject matter of this paper is a personal one. As a former player and now coach, I have also wrestled with the issue of fair selection. How much, if at all, should selection be down to the subjective judgement of those in power and how much should be based upon objective measurements and criteria? Is the latter even possible within a team sport, such as rugby which is the one that I am involved in. One of the first papers I had published, which was in this association's journal, Sport, Ethics and Philosophy, considered the place of the substitute in sport, the bench-warmer, and it has always struck me as the worst place to be in sport. A substitute is a quasi-spectator but also requires the psychological readiness to go on the field of play at any time, and able to cope with the disappointment of not getting on at all. In team sports such as rugby and football, there is a reasonable likelihood that substitutes will not be used. And from my experience that position is worse than not being selected for the game at all. As a coach, I have wrestled with the fairness of using substitutes in a game. In a game like rugby where you have a limited number of substitutes and substitutions, you don't want to end up in a position where you use up all your substitutions and then have a player become injured and have to leave the pitch with your team a player down. But at the same time, is it fair that a player, who is committed to the game, trains hard, and in the amateur game, generally pays to play, may not get on the pitch at all. And for some, even

worse, gets to play for two minutes at the end of a game. A situation they find demeaning, patronising and shameful.

So these are the types of issues and questions that I want to look at today. I will start by outlining some of the legal cases that have arisen and then draw upon the ideas of John Rawls, and particularly his notion of the veil of ignorance, to see whether this may be a way of ensuring a fair and just means of selection in sport. Finally, I will touch upon some of the other, deeper and more complex issues around the notion of fairness and desert in sport.

The question of fairness in sport is one that has a long history in the philosophy of sport literature. Ultimately it hinges on what we believe sport is designed to do, and how it should do it. My view on this question is that sport must be meaningful to those involved, whether participant or spectator. My liberal tendencies suggest that individual autonomy is a primary value and that no-one should be forced to do something against their will. Sport, as a purely man-made endeavour with arbitrary rules has to be the paradigm of this, especially as the great majority of sport is done for no other reason than itself. So, proceeding from that basis, what makes sport more or less meaningful? I think Warren Fraleigh had it right when he said good sport is the 'sweet tension of uncertainty of outcome'. It's when we believe that all competitors have a chance of winning. That doesn't mean that the odds are the same for all competitors, but perhaps that the odds are worth taking a punt on. We can accept the odd competition whereby the odds might be stacked against one side, for instance early rounds of the FA cup where a non-league team is drawn against a Premiership club, on the basis, that unexpected results occasionally do happen, but we wouldn't want a completely mixed league whereby a Manchester City plays a Falmouth Town on a weekly basis. Meaningful sport is where competition creates the conditions for all participants to excel.

So on that basis, what are the criteria that enable such conditions? And when resources are limited, in respect of numbers of players and athletes for particular competitions, how are judgements about selection to be made? This necessitates further discussion about justice, fairness and desert.

I'm going to begin by outlining four real and exemplar cases, overseen by Sports Resolutions. I will say at the outset that all four appeals against the selection decision were upheld. I will also note that Sports Resolutions, as a legal entity, were only able to comment on the issue of procedural justice, and not whether the selection criteria were just in themselves.

The first case I will highlight is a team event whereby selection for Olympic competition was dependent on the team achieving a benchmark score at a preliminary competition. If the benchmark score was not achieved at this competition then the team would not be entered into the Olympic

Games. The preliminary competition took place over three days, the first two were qualification phases and the last day was the final ranking. Whilst the team did not achieve the required score on the first two days, they did on the third and final day. A dispute arose over when exactly the team was required to achieve the benchmark score, with the governing body arguing that it needed to be achieved over the first two days, and the team assuming that it was throughout the entire duration of the competition. The dispute arose over the ambiguity of wording within the policy document.

Case 2 was an individual sport whereby two athletes were competing for one national place. Both were already in the elite system and the governing body determined that selection would be made on the basis of the best score achieved at three competitions. However due to financial limitations, both athletes would only be funded for two of the competitions. They were not prohibited to compete at the other competition but would have to pay out of their own pocket. Athlete X was funded to compete at competition 1 and athlete Y was funded to compete at competition 2. Both athletes were funded to compete at competition 3. Both athletes decided not to compete at the non-funded competition. National selection was due to be made after competition 3.

However, competition 2 ended up being rescheduled to a date after national selection was due to have been made. In competition 3, athlete X beat athlete Y and was selected for the national team. Athlete Y appealed on the basis that she did not have the same opportunity as athlete X and was unable to get sufficient competition practice before selection was made. Notably, in the rescheduled event, athlete Y won the competition and beat the world champion. Had the event taken place as scheduled, athlete Y would have been selected for the national team. Additional information of note is that the governing body discussed moving the date for the national selection, which could have taken place with no other consequences, but decided not to.

The third case was another individual sport which consisted of various classification weight categories plus an open category which is weight unrestricted. Since weight is usually considered an advantage competing nations tend to adopt one of three strategies in their selection processes for these competitions: they either select the same fighter for both the Heavyweight and the Open Weight category; they delay the decision for the Open Weight until after the first day of Heavyweight competition to allow a fighter that has been eliminated to fight again; or they choose the best fighter for the Heavyweight category and the second best for the Open Weight. In previous competitions, the governing body's practice was for the latter option; to select the best fighter for the heavyweight category and the second best fighter for the open weight. As such, the second best fighter – athlete B - (by all objective and subjective accounts) believed that she would be very likely to be selected for the open category. The selection policy that athletes were originally given said that only injury, misconduct or a poor result would rule out selection. This policy later changed to stating that selection

would reflect the panel's opinion as to an athlete's medal hopes and later still, that selection would depend on the performance of athlete A – although she wasn't directly named - at a particular competition. Both changes in policy directly reduced athlete B's chance of selection. Athlete B appealed on the basis of unfair and changing selection policy.

The final case highlights a situation where two athletes were eligible for selection for a major competition and the coach of one of the athletes was part of the selection panel. Part of the criteria the governing body used was dependent on subjective opinion on which athlete was more likely to achieve the highest result at the major competition and which athlete had made the most improvement to date. The coach of Athlete M was part of this selection panel and there was no evidence that he made himself absent for any of the discussion in this regard.

As I said, all these appeals against the selection decisions were upheld. I will return to the detail of these cases and the reasons they were upheld later – I'm sure that you have already got your own thoughts about this. But I'm going to leave these cases for the moment to provide some theoretical basis for analysis.

This is where I would like to consider the philosophy of John Rawls.

As you know, John Rawls was an American political philosopher who attempted to provide an account of justice founded on liberal principles and as a systematic alternative to utilitarianism. At the outset of his book, *A Theory of Justice*, Rawls notes that judgements about justice are often caught between two extremes: utilitarianism and intuitionism, both of which are inadequate on their own. Rawls' principles of justice are based on what he calls a 'reflective equilibrium'. This is a balance between our intuitions about the nature of justice and an ability to consider justice from a detached and impartial perspective. It is both rational and personal. Of reflective equilibrium he says,

“..it is a notion characteristic of the study of principles which govern actions shaped by self-examination... we may want to change our present considered judgments once their regulative principles are brought to light.” (p48-49)

Rawls was heavily influenced by Kant, Rousseau and Hegel and constructed a theory of justice that was premised on liberal autonomy but recognised systemic privilege, in that individual perspectives of fairness are rooted in their own advantages. Political systems are structured in a way to favour those that already succeed in them. An example of this can be seen in the way in which desert is viewed in the workplace. For example, many workplaces are structured in such a way that those that are able to rise to the top resemble those that have reached the top before, i.e. those that have good

qualifications, are able to demonstrate self-confidence and assertiveness, have extensive networks of influential people, and are able to work long hours and sacrifice other aspects of their life. In other words, it privileges those that have had wealthy parents, a private education, and as we have seen in the recent publication of gender pay gaps in workplaces, are a white male. The libertarian response is that anyone can succeed if they are both naturally talented and put the effort in; i.e. that success is based on just desert. The fact that the system works most effectively for who don't have caring commitments at home, or who haven't had to sacrifice education and extra-curricular activities because they live in low income homes, isn't considered. The perspective of success is based upon the privileged conception of how success is attained and on what principles it is deserved.

Rawls' answer to this problem was to try to eliminate the known advantages. If you do not know whether you are going to be male or female, black or white, have wealthy or poor parents, are healthy or prone to illness, or born with a disability, then the way you construct a fair society will undoubtedly change. This, Rawls' called, the veil of ignorance.

“The idea of the original position is to set up a fair procedure so that any principles agreed to will be just. The aim is to use the notion of pure procedural justice as a basis of theory. Somehow we must nullify the effects of specific contingencies which put men at odds and tempt them to exploit social and natural circumstances to their own advantage. Now in order to do this I assume that the parties are situated behind a veil of ignorance. They do not know how the various alternatives will affect their own particular case and they are obliged to evaluate principles solely on the basis of general considerations.” (p136-7)

The analogy is cutting a cake and not knowing which slice you will end up with. If I know the cake is to be divided amongst 6 people but I do not know which slice I am to get, then it is in my interest to cut the cake as evenly as possible so that even if I end up with the smallest slice, it is not going to be much smaller than the biggest slice. If I cut the cake unevenly then I may end up with barely a mouthful and thus go hungry.

Rawls also recognised that cooperation with others is a means to maximise rewards even if the reward is not equally distributed. It may therefore be the case that cooperation yields unequally distributed reward but such discrepancies are just if they enable greater reward for all than without cooperation. His central tenet is that:

“All social primary goods – liberty and opportunity, income and wealth, and the bases of self-respect – are to be distributed equally unless an unequal distribution of any or all of these goods is to the advantage of the least favoured” (p303)

The question then is how to ensure that unequal distribution is still just. Rawls' answer was that the unequal distribution of resource should be fair on the basis of rational principles; that is the criteria by which a rational person would choose if they weren't already aware of their advantages or disadvantages.

At the very least then, there appears to be a duty to ensure the nearest perfect procedure of distributive justice. All else being equal, resources should be divided up equally. The problem however, is as we have noted, all is not equal. In sport, for instance, we believe that the best competitor should win, or alternatively, the best athlete should be selected. But how do we determine on what basis we determine the best. Sigmund Loland has done significant work in this area identifying thin and thick conceptions of justice in sport. Thin conceptions assume that everyone is equal to begin with and therefore as long as the procedural rules of sport are equally applied, the ranking of competitors on outcome is just. Thick conceptions of justice, as you can guess, are much more complex since they attempt to tease out relevant inequalities between competitors to ensure these can be rectified and that all individuals benefit as a result. Thick conceptions of justice place various weightings on different underlying values and principles.

Let us return then to our initial four cases.

Case 1 is slightly different to the others since it is not a case of one athlete or team being selected over another. It is a threshold test whereby if a team meets a threshold it will be selected, if it doesn't it will not. The key issue in this case is the clarity and transparency of the threshold. By all accounts, proper procedure in following the selection criteria was applied. The issue with this case however is that there was ambiguity over a particular term used in the selection criteria, that even those drawing up the criteria were unclear about. To put some meat on the bones and give you more detail about this case; this was concerning selection for a home Olympics whereby the host nation was offered a place to compete whatever the standard of the team. The host nation set their own threshold for selection since they wanted to ensure that their team was competitive (and not embarrassed) and also, and probably more important, it would require the allocation of resources in terms of funding. Returning to Rawls the question then is, would allocating these resources mean that everyone was better off? And this is arguably where the threshold comes in. If the team was to meet this threshold, it was judged that the overall benefit for everyone would increase – i.e. that it worth allocating the additional resource. I realise that this judgment requires further work in respect of the calculations, i.e. who is 'everyone' and how the threshold was determined, but it could be a possible Rawlsian argument from which the threshold can be seen to be just. The reason that this case was upheld however, was about the clarity of the procedure. This case does not seem to be about an inherent bias or prejudice, unless

you consider a bias for sporting excellence, but rather the problem arose from a lack of clarity. And whilst there may always be ambiguities about particular concepts or terms, it would be reasonable to suggest in future cases that opportunity is afforded for those involved to discuss the selection criteria so that any potential ambiguities are identified and clarified. In Loland's analysis of fair play, he notes the importance of reflective dialogue to ensure the moral norms on which fair play is based is negotiated and clarified.

The second case may be where a veil of ignorance can be more fruitfully applied. On the face of it, both athletes were afforded equal opportunity to compete, albeit at different competitions. However, the fact that one competition was postponed eliminated the equal opportunity. Had both athletes and selectors known beforehand that one competition was going to be cancelled, but that they didn't know which one, arguably they would have put in place mitigated processes. As it happened, the governing body could have changed the date at which they met to choose selection until after the postponed competition, but they chose not to. Under a veil of ignorance, whereby all parties did not know their roles, I would argue that they would have made different decisions. The other aspect to this is that although in theory both athletes were given equal opportunity to be selected, the fact that they were allowed to attend all the competitions if they self-funded, highlights a disparity of opportunity. Had one athlete had the means to do so, she would have been provided with an additional opportunity to compete. Like case 1, this also requires a degree of foresight and reflective consideration about possible outcomes. The initial conditions were arguably procedurally just, in that all competitors were afforded equal opportunity, however, the influence of luck and chance affecting the outcome should have been minimised to a greater extent.

Case 3 is a complex case with many variables. Essentially the appeal against non-selection was upheld due to changing selection criteria that went against precedent, and interestingly, in the light of recent media stories in other sports, that the NGB put its medal target above the mental wellbeing of their athletes. All athletes want to be given a fair opportunity for selection in their sport and from my experience, they have a desire to be given objective and impartial information about what they have to do to increase their chances of selection. In this case, Athlete B accepted that she was not as good as athlete A but believed that she had a good opportunity for selection based on previous selection practices and the initial selection criteria she had been given. However, these criteria kept changing and although both athletes were having to respond to these changes, the changes were tipping the advantage to athlete A and against athlete B. Under a veil of ignorance, not knowing our role or position in this case, we would undoubtedly feel such practice was unjust. Constructing a selection system under a veil of ignorance, at the very least, means making sure that the criteria are clear, consistent and duly followed.

Case 4 is clear in relation to a conflict of interests. The coach of athlete M was on the selection panel and athlete M was selected. In the detail of the case, it was apparent that as part of the selection discussion, athlete M's coach was able to advocate for his athlete, an advantage that other athletes did not have. Again, under a veil of ignorance, would this arrangement be considered just? Arguably not. To quote Rawls: "we must nullify the effects of specific contingencies which put men at odds and tempt them to exploit social and natural circumstances to their own advantage." In this case, the coach of athlete M was able to exploit the circumstances to his, and his athlete's, advantage. Again, to eliminate this advantage, under a veil of ignorance, we should ensure all athletes are treated equally in relation to their selection opportunities. At the very least, this would mean that there would be equity amongst all the coaches input to selection. Either all coaches should be able to advocate for their athlete or none should.

The difficulty however, may be in practice, since those with the most expertise in determining desert for a selection spots are the coaches, and therefore this expertise needs to be represented on the selection panel. This is more so the case for sports where objective selection criteria are less apparent. For linear, quantifiable sports, such as swimming or running, it may be easier to make selection decisions based on performance. If, all things are equal (and I will caveat that for the moment), two athletes have attended the same competitions, then on the basis of Rawls' philosophy it is arguably just to state that the athlete that has the fastest mean time over these competitions is the one who will be selected. The difficulty however is when more nuanced or subjective judgements need to be made that are less quantifiable. Even in linear sports a coach may be called upon to give her thoughts about the recent performance of athletes.

If we return to case 2 for instance, athlete Y argued that her results had been improving whilst her rival's had been deteriorating. This was born out in the rescheduled competition where she came first, beating the current world champion. Changes in recent performances may well need to be considered, if for example, two athletes had the same mean time for performances across a number of competitions, but one of them had been steadily improving whilst the other's performance is deteriorating.

A response to this may be to say that this also needs to be reflected in the selection criteria, such that the selection criteria reads: an athlete will be selected on the basis of their mean time across competitions X, Y and Z but also will be weighted towards improvement over deterioration of performance. However, as Wittgenstein and more recently, Graham McFee have pointed out, a rule will never cover all eventualities. On the basis of this then, and in the spirit of Rawls' reflective equilibrium, under a veil of ignorance we may construct a system whereby those with expertise are able to provide a degree of subjective judgement. The important thing however is that this judgement

is as free from bias or a conflict of interest as possible. In case 4 then, it would be reasonable to suggest that a means for ensuring equal opportunity for all athletes under consideration for selection is provided.

There has surprisingly not been much empirical work on the perception of justice in selection decisions in sport which is a problem considering the rise in legal appeals as the professional nature of sport increases. I will outline two papers specifically looking at the nature of selection procedures in sport. Both papers seem to support, certainly my experience in coaching, but also our general intuitions about perceptions of fairness. The first paper is Stevenson in 1989 who carried out in-depth interviews on 60 athletes and their coaches (it doesn't specify how many coaches) and asked them about their perceptions of selection in sport. The results support the notion that athletes want objective and tangible criteria that is relevant to their sporting performance, i.e. that it should not be about how they tie their hair or whether they went out drinking last week. Equally, athletes believed the selection decisions should eliminate favouritism, i.e. that if a coach likes you, you will be selected. If I had more time I would want to discuss the recent controversy over whether the Irish rugby players that were acquitted of rape should now be eligible to play for their club and country again. Both sides of the argument have taken out full page advertisements in the local papers arguing for or against the relevance of behaviour and character in relation to selection decisions.

The other paper is a 2012 article by Badbury and Forsyth who investigated whether human resource practices for selecting job candidates could be beneficial for athlete selection. They also note the rise of selection disputes, notably in New Zealand, and argue that more needs to be done to reduce the likelihood of disputes arising. Again, they note that many selection decisions seem to be made in relation to (what is seen as) non-relevant aspects, such as being outspoken, or having views that are politically sensitive. To overcome these issues, Badbury and Forsyth suggest that Human Resource Management practice (HRM) should be implemented. The components of which are job analysis, job description, person specifications, job selection and performance appraisal. They suggest that such an approach could be used in sports where quantification of results is less a factor, such as in team sports. And therefore, position specific criteria can be drawn up, including what role or function an individual is to play within a team, as well as the skills or attributes they are expected to possess. The difficulty, as noted, is whether it is possible to draw up a list of relevant criteria but they have attempted to do so based on their interviews with coaches. They found that in general coaches made limited use of formalised selection procedures or criteria and that some coaches felt that transparency of criteria was a hindrance rather than a help, since the more transparent criteria, the more likely it would be that it would lead to litigation. Nevertheless, when coaches were asked to rank their top three criteria for athlete selection, they focused upon performance, followed by attitude and physical fitness. The use of 'gut feel' also came up frequently in the conversations but not when participants were asked to rank

their criteria. The reason for this may be due to the knowledge that this is a pure subjective judgement that cannot be written into objective selection criteria – and therefore there is some participant bias that affects the validity of this research. Badbury and Forsyth also noted that contrary to good HRM practices, athletes were often not told about the process of trials, i.e. what they were expected to do in trial situations, until the trial was taking place. Badbury and Forsyth also note that ‘anecdotal evidence suggests that many coaches seemingly expect athletes to understand intuitively what the selection criteria are, however, anecdotal evidence also suggests that many athletes do not.’ (p17)

So far, all the cases considered have assumed that the athletes are equal to begin with. The appeals against non-selection were successful because of procedural problems. In effect, they work from Loland’s thin conception of justice. This takes no account of the original positions that athletes find themselves in, something that I noted at the beginning. Let me draw your attention to a quote by Richard Bailey and Martin Toms (2010), from Alun and Carwyn’s book ‘The Ethics of Sports Coaching’. Bailey and Toms highlight the unjust nature of youth talent identification:

“if you are lucky enough to have a particular suite of genetic predispositions, that means you are able to move, react and process information significantly better than your peers, and if you have wealthy, supportive parents who send you to a certain type of school, and if that school happens to have high-quality and committed teachers who excel in coaching your sport and high-quality facilities in which you can train, and if you live near an appropriate club or facility that can support you outside of school hours, and if you are fortunate enough to have a more supportive group of siblings and friends, and if you are a boy, you are much more likely to achieve sporting success than if you lack, through no fault of your own, these social advantages.” (p156)

Under a veil of ignorance would we construct such a system? Arguably not. Is it a surprise that a disproportionate percentage of our Olympic athletes have gone to private schools and have relatively privileged backgrounds? The system maintains the status quo of known structural advantages.

When I knew that I was going to be delivering this talk, I mentioned it to the players I coach and I received a message from a young 18 year old. She said her parents had re-mortgaged their house so she could attend the top college to play rugby; that she feels embarrassed and ashamed she finds it difficult to pay for kit and travel, and avoids any social events. She knows what sacrifices her parents have made but feels the pressure all the more acutely. And this is to play a sport whereby purely for the fact of being female, she’s got next to no chance of making a living, no matter how good she is.

Bailey and Toms cite seven different factors at play, and there are arguably others. A just system would be one in which these factors would be minimised and opportunities for success maximised. A thick account of justice that recognises and eliminates these advantages is a much wider political discussion that I would love to go into but unfortunately I do not have time to go in to now. Perhaps it is something that will come up in our later discussions.

Nevertheless I hope that the discussion so far has shed some light on our understanding of justice in relation to deserved selection in sport. The notion of desert is something that Rawls wrestled with and recognised the complexities within. We often consider desert in to relation to three aspects. First, that by virtue of the nature of thing in-itself it deserves particular treatment. This is obviously akin to Kant's philosophy whereby by fact of being human, humans deserve to be treated with according respect: that is, as autonomous beings that have hopes, desires, fears, preferences, etc. And we should act in recognition of that fact, thus formulated in Kant's second categorical imperative, that 'we should act in such a way to treat others never merely as means to an end but always at the same time as ends.' The second is that desert should be based upon performance. This is what most of sport is premised upon in that all things being equal, victory is awarded to those that outperform their competitors. The final aspect is that of effort: that desert is dependent on the amount of effort that is given. That too fits with our sporting narratives, in that our sporting heroes are those that have faced adversity but overcome through effort and will. They may not have been as naturally talented as others but they have used their talents to the best of their ability through drive and tenacity. Whilst we might appreciate those that have incredible talent, we want the talented to also have to work hard. It is also why we often disparage gamesmanship or bending rules to an individual's advantage especially when it is seen as a short-cut to success. Yet as Rawls noted, this too is problematic.

“it seems clear that the effort a person is willing to make is influenced by his natural abilities and skills and the alternatives open up to him. The better endowed are more likely, other things equal, to strive conscientiously, and there seems to be no way to discount for their greater good fortune.” (p312)

If you're born into an environment whereby you are repeatedly discouraged from making an effort, and no reward comes of it, then why would you bother continuing to do so. On this point, and from my own political philosophy that takes the principle of liberty seriously, there must be some attempt to ensure individuals have the greatest opportunity to exercise their liberty, and this may mean some early paternalistic intervention and re-allocation of resource. It is a means for providing greater equality of opportunity despite acknowledging that that opportunity will never fully be equal. It is to return to Rawls 'reflective equilibrium' – a continuous attempt to balance between maximising utility and our intuitions about fairness.

Conclusion

As always, the more one attempts to unpick these issues, the knottier they become. Justice is important to individuals despite the fact that conceptions of justice may differ. So at the very least, it is important to ensure that there is a perception that justice is the ultimate goal. Rawls has something to offer in his analysis of justice as he attempts to negotiate a balance between impartial and objective treatment but recognises personal intuition. As a coach, I know that I will never manage to balance all the competing interests and I know that I haven't developed a complete framework on which to make these judgements about justice in selection decisions. But at least attempting to apply a veil of ignorance on the decisions we make, and allowing for reflective equilibrium, we can start to at least, point in the right direction.

Bibliography:

- Bailey, R. and Toms, M. (2011) Coaching and the ethics of youth talent identification: rethinking luck and justice. In A. Hardman and C. Jones (eds.) *The Ethics of Sports Coaching*. London: Routledge.
- Bjerk, D. (2016) In front of and behind the veil of ignorance: an analysis of motivations for redistribution. *Social Choice and Welfare*. 47(4): 791-824.
- Loland, S. (2007) Justice in Sport. *Sport, Ethics and Philosophy*. 1(1): 78-95.
- Muldoon, R., Lisciandra, C., Colyvan, M., Martini, C., Sillari, G. and Sprenger, J. (2014) Disagreement behind the veil of ignorance. *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition*. 70(2): 377-394.
- Rawls, J. (1971) *A Theory of Justice*. Oxford: Oxford University Press.
- Sheridan, H. (2007) Evaluating Technical and Technological Innovations in Sport: Why Fair Play Isn't Enough. *Journal of Sport and Social Issues*. 31(2): 179-194.
- Van Yperen, N., Van Den Bos, K., and De Graaff, D. (2005) Performance-based pay is fair, particularly when I perform better: Differential fairness perceptions of allocators and recipients. *European Journal of Social Psychology*. 35: 741-754.

Details

Emily Ryall, University of Gloucestershire, UK
eryall@glos.ac.uk