

**What is new in the world of Olympic sports nowadays?**

(Are we living in the final hours of Olympism?)

**Clouds on the sky of the Olympic Movement's future**

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### **Abstract**

Almost 130 years ago, on June 23, 1894, Dimitrios Vikélas and the French educator, historian and sports leader Pierre de Coubertin founded the International Olympic Committee (IOC). Coubertin first became secretary general and later president of the Committee. In a poem entitled “Ode to sport” written under a pseudonym in 1912, he expressed in the language of poetry the expectations that we can still find - more or less - in the text of the Olympic charter.

I wonder what the sports leader Coubertin would say if he could visit the 2023 Olympic Games in Paris and see the “citius, altius, fortius” requirements are being pushed into the background by the non-sports aspects of daily politics? Would he have revised his position that “And you are fair, Sport”, yes! People often struggle for understanding and justice in vain, because if you are not with them, they discover it with you. Or is it fair that the IOC discriminates against certain nations (only one or two out of about forty) because of war conflicts? Yes, war is terrible, but what does the IOC have to do with it? As if the Olympic movement is competent in these matters! This can only happen because, unfortunately, Coubertin’s vision also becomes doubtful: O Sport, you are Peace! You promote happy relations between people, bringing them together in their shared devotion to a strength which is controlled, organized and self-disciplined. Yet the Ode threatens fraudsters with punishment: “He who, with some shameful trick, manages to deceive his fellow competitors feels guilty to his very core and lives in fear of the ignominious epithet which shall forever be attached to his name should his trickery be discovered.” Like in my previous articles, in this study, I classified the attacks on the universal values of sport into five groups (rings of five): doping, cheating, illegal spot betting, match-fixing and gender hacking. In this paper, without claiming to be complete, I only picked out a few counterexamples of the violation of the most important principles of Coubertin! And finally, here is the most astonishing question: Could the baron speak at all, or could he just mumble to himself because of today’s all-powerful political correctness? Overall, one should wonder if political correctness – although with benevolent intentions – may ruin the Olympic movement.

### **Keywords**

Olympic chart, Ode of Sport, doping, cheating, match-fixing, gender hacking, equal opportunity, political correctness

## Introduction

Competitive sport is characterized by the requirement of a level playing field, the aim of which is to achieve the best victory among equals by comparing the physical and mental performance of competitors. In my study, I have included, by way of illustration and without claiming to be exhaustive, a few counterexamples of just the most important principles of Pierre de Coubertin, one of the founding members of the International Olympic Committee (IOC) and serving as its president from 1896 to 1925. Starting with equality of opportunity and continuing with non-discrimination and political neutrality.

I would like to make it clear that the cases mentioned in the study are not exhaustive, as I have been following the various types of cheating in professional sports for twenty years and have realized that somebody must speak up. Thus, in this paper, I will list a few examples, in which it becomes clear that we are drifting dangerously far away from the original intention of the founder of the modern Olympic movement.

## Methods

- critical analysis of world sports events,
- analysis of case studies,
- observation,
- empirical methods
- analysis of sport literature

## Main Part

In my study, I summarize the threats that are destroying the purity of competitive sports. Such as:

- 1) “traditional” attacks on sporting values (doping, cheating, such as e.g. match-fixing)
- 2) non-traditional attacks, like over-politicization of sport (almost all sports federation and association leaders are politicians);
- 3) supremacy of money power over sporting values; (exaggerated ‘primaries’ in some sports)
- 4) inequality of opportunity - precisely through gender hacking
- 5) constant presence of (both positive and negative) discrimination.
- 6) requirement of political neutrality, prohibition of political exclusions
- 7) “the magic seven” (all these cannot even be discussed because of the requirements of political correctness).

From the above points of view, let us consider why Olympic spirit today cannot be the same as it was in the ancient Olympic Games or at the beginning of the modern Olympic Games.

*“Traditional” attacks (doping, cheating, match-fixing and illegal sports betting)*

a) Doping substances and methods emerged in the 20th century, dictated not by sporting ambitions but by the challenges of technology. The innovations of space research should not be evaluated on the performance of ordinary people, but in areas where the limits of human performance can be explored. These questions

were not even on the table at the beginning of the 20th century, so, naturally, there was no demand for dealing with them.

b) Baron Coubertin already condemned cheating, both in his poem and during his presidency of the Olympic Committee. Unfortunately, new forms of cheating emerged as amateurism took a back seat at the Olympics and sponsorship pressure on athletes became more and more predominant.

c) Match-fixing is a form of cheating that goes hand in hand with gambling games that try to predict sporting results, such as TOTO, bingo, betting mix, etc. The manipulation of results, mafia-style cheating, has led to the enrichment of many. Results-rigging techniques, characterized by bribery, threats and extortion, almost ushered in the next innovation.

d) illegal sports betting, which also involved tax evasion (which meant that illegal sports betting had a brief period of contamination in the world of sport).

*Non-traditional attacks, like over-politicization of top sport*

To increase the prestige of elite sports, political and financial power is beginning to penetrate management (in Hungary, for example, almost all sports federations are now headed by professional politicians).

*Non-traditional attacks, like proliferation of money power*

There is a big rivalry between sports equipment manufacturers. They try to win certain sports for themselves. The world championships that are highly watched on television are subject to a great deal of economic influence because of the advertising revenue (the backing powers that have so far only tried to influence the world economy (Bilderberg group, Back Rock, etc.)

*Inequality of opportunity*

I wonder what Coubertin would say about same-sex marriage, the use of mind-altering drugs, and the fact that homosexual helpers instead of the family “sensitize” the youth to accept otherness? Would he revise his position on that O Sport, you are Beauty! You are the architect of that edifice which is the human body, and which can become abject or sublime according to whether it is defiled by vile passions or improved through healthy exertion! Would he find Maria Mutola, Casper Semenya, Halba Diouf, Austin Killips, Glenique Frank (and you could list twenty more) beautiful competitors in the ladies’ competition? I wonder what the historian Coubertin would say if he could take part in prestigious political forums where seemingly sensible people debate such nonsense for a huge sum of money as whether men should have the right to have children. Let’s see just some examples of several sports branches.

a) Athletics

The European Court of Human Rights in Strasbourg has ruled in favour of the two-time Olympic champion South African athlete Caster Semenya, who appealed against the rejection of his claim by the International Court of Arbitration for Sport (CAS) and the Swiss Federal Court. At the heart of the case was the fact that

athletes of different sexes were required by the World Athletics Federation to take medication to reduce their high testosterone levels. The rationale for this obligation is quite clear: to ensure a level playing field. The women's 800m gold medallist from London and Rio had sought to have the CAS decision to uphold the World Athletics Federation's differences in sex development (DSD) regulations overturned by the Court of Arbitration for Sport in Switzerland. The Federation ruled in 2018 that women athletes with high testosterone levels could not compete in the 400, 800 and 1500 meters, and could only compete if they had their hormone levels limited by medication. Semenya is said to be "suffering" from hyperandrogenism, which in biological terms is diagnosed when the activity of male hormones in the body rises above normal levels. One of the main symptoms is higher than normal testosterone levels. This hormone increases muscle mass, strength, and haemoglobin levels, which affect stamina.

Caster Semenya is in fact a woman, but this fact did not stop her from marrying Violet Raseboya. The European Court of Human Rights ruled that the 32-year-old athlete, who refused to submit to the new rules, had been "repeatedly discriminated against".

Caster Semenya, although supposedly a woman, was interestingly able to have a child. The existence of the child his wife gave birth to, suggests that the athlete who is so successful in women's events is biologically male or in politically correct words: "assigned male at birth". The federation has already indicated that it will not change the ominous regulation but is urging the Swiss government to take the case to the Grand Chamber of the European Court of Human Rights for a final decision.

Let's take a look at a disappointed sprinter: transgender athlete Halba Diouf was particularly offended by the decision of the World Athletics Federation not to allow her to compete as a woman at the Paris Olympics, even though "she" – despite her XY chromosome make-up – feels distinctly female.

Glenique (Glen) Frank, winner of the 2023 London Marathon, also feels like a woman, despite his being biologically male. But at least he dared to apologise to the real women he beat, admitting that he had merely taken advantage of a loophole in the new UK Athletics Association race rules.

The incident, of course, had a huge repercussion. British marathon runner Mara Yamauchi, for example, strongly condemned the madness of allowing men to compete alongside women, saying that although she was the world number two, she was aware that nearly 1,300 men were capable of better results than her, just because they were men. It is also true that nearly fourteen thousand actual females have been disadvantaged by those who switch genders in the hope of winning more easily.

For this reason, Yamauchi suggested that all athletes who have passed male puberty should not be allowed to compete in women's events. (This position is remarkably close to my own as women should be women until the end of their careers, namely those athletes who started their sporting careers as men should finish it as men.)

#### b) Cycling

I could mention the case of Austin Killips against the International Cycling Union (UCI) (The athlete in question is known to be transgender). He won stage 5 of the Tour of GILA in the USA. He won the gold medal in June 2023 and after his (her) winning, the UCI banned her from competing in the women's

category in cycling. The UCI stated that it is unfair and against equal chances for a transgender cyclist to participate in the women's category in cycling. The decision was based upon equal treatment in sport and the final decision helps keep traditional values of sport in order.

#### c) Weightlifting

In 2021, New Zealand's Laurel Hubbard, the most outspoken personality at the Tokyo Olympics in the women's +87kg weightlifting category, will take to the podium. She was originally born male but had surgery to become female, becoming the first transgender athlete in Olympic history - since the International Olympic Committee gave her permission to compete. In 2012, he realized that he was born male but felt female, so he had the operation, a decision he made after his continued failure to achieve a high score in the male category. He competed in weightlifting, but his results were not enough to qualify for important weightlifting events. His breakthrough came when he started non-conversion surgery in 2012. In 2017 Hubbard began competing again, now licensed to compete in the women's category in the United States. Laurel Hubbard, who had previously been unranked in "her" sport, suddenly broke through the ranks by competing as a woman, rather than a man. Hubbard's appearance caused a huge stir. Because Hubbard's sex-change operation (politically correct: gender-affirming procedure) did not change her body or her muscles: she did not become weaker.

#### d) Chess

In 2023, the International Chess Federation (FIDE) decided that only chess players with the XX chromosome could compete in women's chess tournaments.

#### e) Swimming

The International Swimming Federation (FINA), at its extraordinary congress in Budapest on 20 June 2022, attended by International Olympic Committee (IOC) President Thomas Bach, proposed the creation of a new category for transgender athletes in competitive sports, including mass and amateur sport, after months of scientific, legal and social preparation. The proposal, made at the FINA Forum, is of major importance for the integrity of competitive sport, as the possibility of gender reassignment can become a breeding ground for fraud.

*Finally, let's see a brief summary that fits in the gender topic*

1950: The International Amateur Athletic Federations (IAAF) requires compulsory sex testing for female athletes, and in July of this year a month before the European Championships in Belgium, the athletes were tested in their own country.

1966: At the European Athletics Championships, suspicions were raised that the best female athletes in the Soviet Union and Eastern Europe are in fact, men.

1968: testing was introduced at the Olympics: athletes who underwent unnecessary surgery (female genital mutilation, sterilization) had even psychological damage, with changes in hormone levels leading to a sexual

identity crisis, humiliation in public and private life, and even social isolation in some athletes, leading to depression and sometimes suicide. At that time, it was still possible to talk about it (to find a solution to the problem)!

1992: the International Federation of Athletics Federations stopped sex screening all athletes, but retained the possibility to test them in case of suspicion

1996: the IOC at the World Conference on Women's Health passed a resolution to end the current process of gender screening during the Olympic Games. (chromosome testing was last carried out at the Atlanta Olympics).

1999: the IOC Executive Board voted to end the practice of gender testing in June 1999

2009: Caster Semenya underwent mandatory gender testing at the request of the IAAF, the consequence was the introduction of testosterone testing to identify such cases,

The IOC encouraged the national committees to investigate any discrepancy in gender characteristics.

2012: the IOC published a policy on female hyperandrogenism, stating that the IOC does not intend to define gender, only to identify circumstances in which an athlete (due to hormonal characteristics) will not be eligible to compete in the 2012 Olympic Games. In the event that an athlete is declared unfit to compete in the women's category, the athlete is eligible to compete as a male athlete, provided that he/she qualifies for the men's competition in the sport.

2015: the IOC held a meeting to discuss both transgender and hyperandrogenism policies, stating in relation to transgender athletes that they should not be excluded from competing in the sport and that transgender athletes, if they are identified as females, may compete in this category provided their testosterone levels are below 10 nanomoles per litre for at least 12 months prior to competition. (Requiring surgical anatomical alterations as a requirement for participation is considered a violation of human rights. However, sport is part of social inclusion for some transgender people, but the sporting community is divided on this issue.

Testing have several issues: testing initially took the form of physical examinations, then evolved into chromosome (XX or XY) and later testosterone level testing, i.e. comparing levels of key sex hormones with different reference ranges. The problem is that the differences in the subcellular and organ level pairings of pre- and postnatal physical development mean that some people are not clearly female or male (e.g. SRY gene is located on a different chromosome, people with two X chromosomes may develop hormonally or phenotypically as males, while people with X and Y chromosomes may develop hormonally or phenotypically as females; the chromosome test is inadequate for gender identification of some ethnic groups, the testosterone test is also demeaning, unnecessary and discriminatory for many people the definition of hyperandrogenism also does not protect privacy, it requires unnecessary treatment for competitors, if they want to compete, and may increase testing, while the rate of total androgen insensitivity syndrome in high-performance female athletes is much higher than in the general population (one in 20,000-50,000 people, compared to one in 429 among elite athletes).

2021: at the postponed Tokyo Summer Olympic Games already 9 (nine) transgender athletes competed in women's events.

*The prohibition of discrimination*

When we recall the “pure sport” of the Olympic Charter dreamed of in 1912 and still declared by the IOC today, it is only because in the meantime the space outside sport, our whole philosophy of life, has changed and is unfortunately in the wrong direction. If we were to take stock of the reasons that make the idea of a pure Olympics impossible in the 21st century, we could list several. One of them is the prohibition of discrimination. Klaus Vieweg and his co-author point this out in their study. He also points out that the Olympic Charter prohibits all forms of discrimination in the fundamental Olympic principles. The variety of these discriminatory techniques is limited only by the imagination, the list is almost endless, ranging from gender to sporting preferences. Vieweg and his co-author very presciently indicate that “Although it is to be hoped that the list covers the majority of grounds for discrimination, the list should not be considered exhaustive”.

I have recently written about similar damaging conditions. It is not even a list, because the phenomenon is obvious: the atypical wants to replace the typical. The deviant the normal. Fortunately, there are some refreshing exceptions when the athlete admits he cheated and apologizes. A typical example is the case of Glenique Frank - a transgender runner - who, while competing in the women’s category of the London Marathon 2023, beat more than 14,000 women, admitted she was “not a woman” and offered to return the medal “she” had received for her performance.

Although all forms of discrimination are prohibited in general in the Olympic Charter, I could list many examples of violations of this requirement, just to refer to the IOC recommendations in the wake of the unfortunate Russian-Ukrainian war. According to the recommendations of the Executive Board of the International Olympic Committee (IOC), athletes with Russian and Belarusian passports (citizenship) may compete in international sporting events only as individual - neutral - competitors. Why? Because of the Russian-Ukrainian war? Unfortunately, we see that the flames of war have already flared up elsewhere. But what does this have to do with elite sports? This leads us to the requirement of political neutrality, as mentioned in point 3, which is so solemnly and solemnly enshrined in the Olympic Charter.

*The requirement of political neutrality (prohibition of political exclusions)*

Russian athletes have not even recovered from the memorable ban from the Olympic Games caused by the (alleged) doping management, and already another discrimination is in front of our eyes: namely, that Russia and Belarus will not be allowed to participate in the Olympic Games (in Paris 2024) with their national teams. In the name of political neutrality and political correctness, we cannot even think why, for example, athletes from countries that are involved in the mentioned war conflicts at any level and under any title are not subject to similar discrimination. Well, we know that this would get us nowhere, because then we would have to name certain contexts, and that would be no longer the task of Olympism. If we really think in terms of pure Olympic ideals (*citius, altius, fortius*) then the IOC cannot go on a dead end of current politics. Do not let the IOC take over the role of the United Nations!



*The political correctness: the most powerful!*

If we still have not had enough of bitter pills, let me give you the main reason why the 2024 Summer Olympics in Paris can no longer be the same as the modern Olympics dreamt of Baron Coubertin. The above complaints, which run to a few pages, should not even be mentioned, because anyone who dares to voice them will easily be labelled racist, conservative, reactionary and unaccepting of difference. It is therefore no coincidence that few in the sports law literature have addressed the problem of gender-hacking. The explanation for this is infinitely simple: those who could be author of articles about it do not dare to do so. On July 1, 2020, at the National Congress of Sports Science in Pécs, Hungary, I experienced that I was only allowed to give my presentation on gender hacking – which threatens the integrity of women's athletics competitions, – to my audience only during the coffee break. The audience, who were mostly former university students, agreed that the problem was real and needed to be addressed, but being young students, they did not want to be exposed.

During my decades of work as a sports lawyer, I have spoken out on sensitive issues in defence of the values of sports at several conferences. One of the most notable was when I analysed the best practices of Chinese anti-doping policy and pointed out that the same standards are applied to the so-called S-6 stimulant groups 10 as are applied to athletes of colour in their thirties. This is significant because the WADA (World Anti-Doping Agency) published Prohibited List, which is the basis for doping tests, did not at that time differentiate between athletes in terms of age. The S-6 stimulant group was a collection of substances which, because of their rapid degradation, could be taken very frequently by athletes even on the day before a competition without a doping offence being committed. Experience had shown that they were no longer detectable in the athletes' urine.

The Chinese “phalanstery method”, as it is called, is a practice that starts training gymnast girls in kindergarten to win Olympic gold medals. The hormonal balance of these children is therefore completely upset, which affects their sex drive. All this could be avoided by adopting a junior (JR) version, which would mean that minors would be subject to different standards than adults, for reasons of equal opportunity. (It should be noted that some relaxation has been made in this respect, so that there are now three different categories for minors, albeit not in the context I have suggested. Today I could draw attention to other dangers – if I could –, for example, to the dangers of hormone treatments, procedures that can be used to slow or even halt physical development, but the opposite also works, namely when hormone treatments are used to enhance performance. Similarly, problematic was the reception given to my proposal, made at an IASL conference in Moscow in 2011, that the Sports Law Society should not support the Olympic candidature of cities whose countries do not respect the five key international human rights provisions. (The UN Charter, the Geneva Convention against Torture and Inhuman Treatment, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the IOC Olympic truce.) It is surely no exaggeration to say that not many Olympics could have been organized if these requirements had been met.

### **Conclusions**

In this article, I only listed a few counterexamples of the violation of the most important principles of Coubertin. Thus, the question should be raised: could Baron de Coubertin speak at all, or could he just mumble to himself because of today's all-powerful political correctness? Overall, one should wonder if political correctness – although with benevolent intentions – may ruin the Olympic movement. We hope not!



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