
PREFACE TO THE SECOND EDITION

The field of international sports law has been growing and changing rapidly. When the first edition of this book was published in 1988, at the end of the Cold War, political issues dominated the international sports arena. Etched in our recent memory were the terrorist attack at the 1972 Olympic Games in Munich, the reciprocal boycotts of the 1980 Games in Moscow and the 1984 Games in Los Angeles, the exclusion of entire national teams from international competition for reasons of both geopolitics and human rights, and on the plus side, ping-pong diplomacy.

In 1988 the issue of doping was emerging, but it, too, had a political cast. What mattered were suspicions about East German and Russian and other East bloc athletes and not a more general concern about the growing use of steroids everywhere, gene therapy, and other performance-enhancing agents in sports. In addition to political issues, the distinction between amateur and professional athletes still played a significant role in defining eligibility for competition. Open international competition was still novel. Human rights issues had emerged full-blown, but progress had been frustratingly slow, for example, in leveraging sports competition against apartheid in South Africa despite an embargo on participation by South African athletes in international competition. Nor had the process of international sports law come a very long way toward gender equality in international competition.

Growing commercialization of the sports arena had become visible in 1988, but was viewed more as a threat to the purity of competition that needed to be prohibited than as an inevitable development, and a source of support for athletic development and activity, that needed to be regulated. Then, in 1990, during the Asian Games in Beijing, a giant helium-filled balloon advertising M&M candies bobbed up and down over Workers Stadium. In a match apparently between nationalism and commercialism, members of the Chinese balloon cadre dedicated themselves to keeping the balloon lower to avoid competing for attention with the Chinese flag, to which Mars candy representatives promptly responded by hoisting the balloon up again so that it would fall within range of stadium television cameras. The metaphor was poignant. The lofty demands of nationalism and the rising surge of commercialism conspired to steal attention away from the sports event itself.

Today, five critical issues overshadow the international sports arena: doping, the rights of athletes and eligibility requirements, dispute resolution, corruption and subjectivity of judges and referees, and commercial matters such as ambush marketing, broadcast rights, and intellectual property law. Political issues still occur in the international arena, as in the controversy that followed the Baltimore Oriole's trip to Havana in 1999 for a game with the Cuban National Team. But

political issues are not what they used to be. For example, a women's football (soccer) match between North Korean and American teams in the United States is hardly a cause célèbre anymore.

Happily, a distinct regime of international sports law has evolved in response to the ever-changing issues. Happily, too, the old and ultimately sterile debate about whether the term "sports law," in a fully integrated sense, or "sports and the law" better describes the relationship just does not exist in the international sports arena. Despite the complexity of the constituent institutions, the regime of international sports law, though incomplete, is coherent and fully conjoined.

Change, however, is the essence of sports. Not only have the issues and legal processes changed dramatically since the first edition of this book, but the sources of the law and the elements of legal style have also evolved. The Olympic Charter has been substantially revised and reconfigured, national legislation has been recodified, and that most puzzling of authorities, *THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION*, has changed its rules. Because of the changed rules, readers will notice a compromise between old and new formats in order to provide efficient yet sufficient references to source material.

Mere mention of the *BLUEBOOK* is a reminder that this book is the product of an American pen. Although the integrity of international sports law withstands national distortion, the majority of examples and case studies in this book are those with which I am most familiar. Canadian, European, East Asian and scattered other national examples globalize the presentation, but I have rejected a surface eclecticism in favor of case studies for deeper analysis of key issues. My hope is that others will benefit from my greater focus on American jurisprudence, by way of example, just as I have appreciated commentary by writers from other legal systems that tend to emphasize football (soccer), cricket, field hockey, and other sports that are less visible in the United States. Without intending to slight the significance of the World Cup, UEFA, and other prominent institutions in the football (soccer) pantheon, for example, I gladly defer to the trenchant analysis of such topics by better-positioned scholars from other legal systems. On the other hand, I have spared readers undue attention to such American curiosities as college football, made-for-television wrestling, and surfboarding.

Several students ably assisted me in preparing this second edition: Juan Aguiar, Carlos Moncayo Castillo, Jana Drapuch, and Mary Rooklidge. Stasinos Stavrianeas offered invaluable insights and suggestions for my revision of Chapter 8, and Li Wei was an exemplary collaborator on the study of China's Sports Law in Appendix II. I am especially grateful to Kathy Marbut for her adroit skill in processing a jumbled manuscript that, at best, reflected the complexities of the legal developments it recorded. She has set new records for speed, accuracy and endurance. Any errors are mine.