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This issue brief discusses the debate surrounding Rule 50 of the Olympic Charter and athletes' right to protest emphasizing the current importance of the matter concerning the recently concluded Tokyo 2021 Games. First, it discusses those who argue for the rule such as the president of the International Olympic Committee (IOC), the IOC itself, and athletes such as Feyisa Lilesa, Gwen Berry, and Race Imboden. Next, the brief turns to the cases against Rule 50 with an examination of scholarship on the matter as well as two case studies of Lilesa, and Berry/Imboden. These case studies examine three instances of protest over two different IOC sanctioned events. The issue brief then pivots to an examination of the idea of athletes' protest from a communications perspective with a look into nonverbal demonstration. Finally, the paper provides a possible explanation for the Olympics' long-standing commitment to Rule 50 through the intersection of Coakley's Great Sport Myth and the Myth of Sport's Autonomy.

Keywords

Rule 50, Olympics, Olympic charter, International Olympic Committee, Athlete protest, Athlete rights

Publication Statement

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Rule 50 and its Discontents: Athletes' Right to Protest

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Abstract

This issue brief discusses the debate surrounding Rule 50 of the Olympic Charter and athletes' right to protest emphasizing the current importance of the matter concerning the recently concluded Tokyo 2021 Games. First, it discusses those who argue for the rule such as the president of the International Olympic Committee (IOC), the IOC itself, and athletes such as Feyisa Lilesa, Gwen Berry, and Race Imboden. Next, the brief turns to the cases against Rule 50 with an examination of scholarship on the matter as well as two case studies of Lilesa, and Berry/Imboden. These case studies examine three instances of protest over two different IOC sanctioned events. The issue brief then pivots to an examination of the idea of athletes' protest from a communications perspective with a look into nonverbal demonstration. Finally, the paper provides a possible explanation for the Olympics' long-standing commitment to Rule 50 through the intersection of Coakley's Great Sport Myth and the Myth of Sport's Autonomy.

1 INTRODUCTION

The history of political activism at the Olympic Games is a long and contentious one. The Olympics have placed a focus on the values that the games uphold since Baron de Coubertin founded them in the 1896. He once said that athletes who competed in the Olympics should be "imbued with a sense of the moral grandeur of the games"¹. Part of this "moral grandeur" is the separation of politics and the Olympics. This tenet of the Olympic ethical code is perhaps one of its most infamous and polarizing rules. Rule 50 of the Olympic Charter states that, "No kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas"². The Olympics insist that the focus of the games must be on "athletes' performances, sport, and the international unity and harmony that the Olympic Movement seeks to advance"². However, many athletes, both past and present, have used the stage that the Olympics gives them to demonstrate for the causes that they believe in. These efforts have often been met with harsh penalties and this is where the discontent lies.

In the lead-up to the 2021 Tokyo Summer Olympic Games, the debate around Rule 50 and athletes' right to protest became fiery with prominent figures like the International Olympic Committee (IOC) president Thomas Bach stepping up to defend it and some academics and athletes calling for amendment or abolishment. This issue brief presents the contemporary debate around Rule 50, several case studies of athlete protest, an examination from a communications perspective dis-

secting nonverbal protest, and possible explanations for the IOC's strict adherence to the rule.

2 THE CURRENT DEBATE ON RULE 50 – THOSE IN FAVOR

Thomas Bach has been one of the fiercest defenders of Rule 50. In an editorial he wrote for *The Guardian*, he maintains that through the Olympic Games "we are all equal" and that there is a certain "magic" around the games that is compromised by political demonstration such as boycotts. When Bach was a boy, he saw African athletes in despair at finding out they had to return home because of a last-minute boycott of the games. The magic that he refers to comes from the values that the Olympics strive toward such as inclusivity, equality, and peace³. Unsurprisingly, Bach's views are completely synchronized with the explanation that the IOC gives for their unwavering faith in Rule 50 to provide the best possible experience for the countries, their athletes, and the fans. They believe that it is paramount that "sport is neutral and must be separate from political, religious or any other type of interference" and that a respect for diversity of differing views or values is achieved through this segregation of sport and politics². Also, while there are athletes who have protested or desired to protest at the Olympics, there are other findings that suggest that many of them agree with Bach and the IOC. In a study done for the IOC by the Australian Olympic Committee in 2020, only around 19 percent of the respondents felt that self-expression

would be appropriate in any circumstance and more than 80 percent agreed that protest during events at the games would be detrimental to the athlete's experience and/or performance⁴.

3 THE CURRENT DEBATE ON RULE 50 – THOSE AGAINST

The two largest sources of challenge to Rule 50 come from academics and athletes themselves. This section will focus mainly on academic writings on the topic. Athletes' perspectives will be explored through case studies later in the brief. Sports scholars have taken several different approaches to the issue of athletes' rights to protest. These approaches include an examination of preexisting scholarship, a look at the intersection of the rights of indigenous people and Rule 50, and insight into the inconsistency of the IOC itself in enforcing the rule.

First, Cathal Kilcline, a former researcher for the EU commission and noted sports scholar, writes about the body of work on sports protests and finds that there is a pervasive philosophy that sport is or at least should be apolitical. He demonstrates through his analysis of other scholars' work that this idea is a "mirage", that this mirage vanishes when athletes do protest which is why the protest is often met with hostility directly after it happens⁵. Kilcline finds that sports protest can indeed have a lasting impact as there have been some examples of some "moral visions" being "articulated and contested through sport"⁵. The most important thing to highlight from this article is that there is a common idea that sport is apolitical and that this idea is propagated by the "dominant power holders in sport" (i.e., the IOC)⁵.

Second, one of the more intriguing ideas from sports scholarship comes from Christine O'Bonsawin, an Associate Professor of History and Indigenous Studies for the University of Victoria. She argues that Rule 50 "categorically sustains the illegal mission of colonizing settler governments that attempt to rule over Indigenous people and their lands"⁶. She argues that the Olympics offer a grand stage for protest and that Rule 50 is a way for traditional colonial powers to maintain their hegemony over indigenous peoples⁶. She concludes that many still tout sports as a great equalizer, which has put it in a position to fly under the consequences of political agendas/conflicts but also presents an opportunity for colonial powers to continue to oppress indigenous people⁶. O'Bonsawin's article presents one of the most damning cases against Rule 50, as she contends that not only is the rule infringing upon individual rights but that it is a more sinister tool to assert colonial powers control over indigenous people in an era when that kind of racist totalitarianism is perceived by most of the world as evil.

Finally, Stanis Elsborg a Senior analyst and head of conference of Play the Game, a sports think tank, run by the Danish Institute for Sports Studies, adds to the body of work around Rule 50. His 2020 article argues that the IOC has been inconsistent in their enforcement of Rule 50 regarding athletes versus the host nations themselves⁷. He cites the IOC's "blind eye" to the political symbols that Russia included in its domestic broadcast of the games and the "national narrative that glorified the Czarist and Soviet-era" which the Russian government crafted as a prime example of this hypocrisy⁷. He goes on to speak about similar phenomena in the Beijing and London games and contrasts those with the harsh reaction to Tommie Smith and John Carlos raising Black Power fists at the 1968 Mexico City games⁷. The hypocritical enforcement of Rule 50 adds even more power to O'Bonsawin's theory about the rights of indigenous peoples because it presents the IOC as a friend to countries which in many cases are the colonial powers themselves rather than the individual athletes.



Figure 1. John Carlos and Tommie Smith, 1968⁸

The common thread throughout the literature surrounding athletes' right to protest and Rule 50 is the authors focus on athletes' agency versus the Olympics themselves. Kilcline approaches this by affirming that an athlete's protest can be impactful⁵. O'Bonsawin's piece touches on agency by highlighting the Olympic's attempts to take away athletes' agency, especially indigenous athletes through the perpetuation of colonial hegemony⁶. Elsborg highlights a similar attempt at the deprivation of athletes' agency through hypocritical selective enforcement of Rule 50⁷. Examining the litera-

ture surrounding athletes' right to protest is necessary to provide context on the issue. To fully understand the situation, however, this context must be paired with an examination of the athletes themselves and the protests that they have carried out.

4 CASE STUDIES IN ATHLETE PROTEST

Feyisa Lilesa is an Ethiopian marathon runner who took the silver medal in the 2016 Rio Olympic games. He is part of the Oromo people who are Ethiopia's largest ethnic nation. The Oromo and Ethiopia's government have clashed around the planned annexation of Oromo land. Ethiopia's government has been accused of using violence against those Oromo who opposed the annexation and "hundreds have been killed, many of them children ..." Lilesa used the massive stage of the 2016 Rio Olympics to advocate for the plight of his people. As he approached the finish line of the marathon with the thousands of spectators bearing witness to his monumental accomplishment of a Silver medal, he raised his arms and crossed them at the wrist, clenching his hands in fists. This is "an Oromo gesture of defiance." This defiant act resulted in his exile from Ethiopia⁹.

Another protest that garnered international attention was Gwen Berry's decision to raise a Black Power Fist and Race Imboden's decision to kneel during the national anthem for the 2019 Pan American Games (which are governed by the IOC). Both athletes were demonstrating against the racial injustice that they perceived in the United States. Berry stated, "[s]omebody has to talk about the things that are too uncomfortable to talk about. Somebody has to stand for all of the injustices that are going on in America and a president who's making it worse." They were both punished with harsh 12-month suspensions by the IOC and the United States Olympic and Paralympic Committee¹⁰. These case studies offer powerful insight into the taboo nature of protest at the Olympics. In Lilesa's case, he was banned from his own country, and in Imboden's and Berry's, they were suspended from competing in their sports for an entire year.

5 ATHLETE PROTEST FROM A COMMUNICATIONS PERSPECTIVE

One important facet of the issue of Rule 50 and athletes' right to protest to consider is a brief examination of the nature of these protests themselves. Many of the most famous protests that athletes have made, especially during the Olympics, have been nonverbal in nature as demonstrated by the case studies of Feyisa Lilesa, Gwen Berry, and Race Imboden. As O'Bonsawin mentioned, the Olympics are "inherently politicized" and provide an incredible platform for political demonstration by the athletes⁶. The fact that the Olympics are a large

platform for demonstration is important, and the type of demonstration that is endemic to the games should also be noted. Overwhelmingly, it is nonverbal protest that receives the most attention during the Olympics. This is demonstrated by all three case studies as well as the enduring picture of John Carlos and Tommie Smith who were banned from competing for the United States because of their nonverbal Black Power Fist protest at the 1968 Mexico City Games¹¹. The stage for Olympic athletes is almost solely based on their actions rather than their words. If one internalizes this idea, it is not hard to see why so many athletes have chosen to use nonverbal protest to demonstrate their beliefs. On a stage that invites them to act, when athletes stand up for what they believe in, it is the universality of action that can captivate the masses.

Nonverbal protest can be everything from a gesture to a tattoo. In the case of the Olympics, gestures such as kneeling or other symbols of defiance like the Black Power Fist have been popular among athletes. A study that examined nonverbal communication in politics by University of Heidelberg Senior Researcher Delia Dumitrescu found that nonverbal cues were important when the audience had little context to an issue¹². This makes sense in an Olympic context when athletes protest issues that are specific to their countries and are then seen by millions who would have a little context to their specific situation. The same study also contended that nonverbal information had the most effect "on politically relevant attitudinal and behavioral outcomes" when this information was disseminated by itself without any other messages on the matter¹². This phenomenon ostensibly leads to athletes' nonverbal protests being successful because their protests are both non-vocal and presented without any other political context or information.

6 A DEEPER LOOK AT THE OLYMPICS' ATTACHMENT TO RULE 50

One possible explanation for the IOC's strict adherence to Rule 50 comes from the intersection of Coakley's Great Sport Myth and the myth of sport's autonomy mentioned in the Routledge Handbook of Sports and Politics. Coakley's Great Sport Myth is the idea that there is a pervasive myth in sports that sport is inherently good or pure; this myth is often extended to say that this inherent goodness is transmitted to the athletes and fans, and also that "sport inevitably leads to community development"¹³. The myth of sports autonomy is the idea that the global sports elites (i.e., the IOC or FIFA) perpetuate the thought that "sport and politics do not or, at the very least, should not mix"¹⁴. At the nexus of these two myths, it is possible to conclude that sport transcends politics. It is possible that the IOC has arrived at this conclusion through a belief or at least

a desire to propagate the belief in the aforementioned sports myths. If this is indeed the case, then it is clear why the IOC would adhere so strictly to Rule 50; if politics were to enter the Olympics through protest, then the inherent goodness and purity of the games would be compromised. This theory explains the harsh reactions to athletes such as John Carlos, Tommie Smith, and Gwen Berry among many others.

7 CONCLUSION

Today's Olympic context is fraught with the rise of social issues such as the Black Lives Matter Movement, the plight of the Oromo people, the rights for indigenous people everywhere, and the desire of athletes to stand up for what they believe in. The Olympics take a staunch line against protest with their Rule 50 in an attempt to keep the pinnacle of international sports competition apolitical. IOC President Thomas Bach's desires to keep politics out of the Olympics and to keep the "magic" alive contrasted with athletes like Feyisa Lilesa, Gwen Berry, and Race Imboden emulating protests like John Carlos and Tommie Smith, is an issue that can no longer be ignored³. Based on the literature examined, although the Olympics will try to fight as long as it can to maintain Rule 50, this issue brief contends that pressure from athletes and scholars alike will force some sort of change to accommodate protest. Rule 50 must reckon with its discontents.

8 EDITOR'S NOTES

This article was peer-reviewed.

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