Will the New Figure Skating Judging System Improve Fairness at the Winter Olympics?

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Two days after the figure skating pairs scandal broke at the 2002 Salt Lake City Winter Olympic Games, the president of the International Skating Union (ISU), Ottavio Cinquanta, stated at a news conference that revisions to the system of judging in figure skating would likely take place. Past problems in figure skating judging plus the chorus of criticism surrounding this recent event provided the catalyst to immediately act on Cinquanta’s remarks. The ISU implemented a new proposed judging system at a number of elite competitions in 2003 with mixed reviews. In early June 2004, an ISU Congress was held to vote on a new judging system (NJS). International Olympic Committee (IOC) president, Jacques Rogge, addressed the Congress to encourage the delegates to restore public confidence in figure skating judging. On 9 June, the NJS was approved. The new format was implemented at selected ISU-sanctioned competitions during the 2004-2005 season and will be used at the 2006 Winter Olympic Games in Turin, Italy.

The 2002 figure skating scandal not only undermined the credibility of the sport’s judging system, but it attracted criticism against the Olympic movement itself. Enormous pressure from the media and public required that both the ISU and Olympic organizers respond quickly. At a press conference a few days after the scandal broke, Rogge told journalists he did not believe the Olympic movement was damaged because the issue was quickly resolved in a just and fair manner with the interests of athletes and the sport as foremost considerations. Whereas the rules and regulations of each Olympic sport are governed by an international federation, the IOC can and does exert substantial influence over federations to ensure each sport is organized and carried out honestly. Given this relationship, and the fact that Olympic figure skating expresses the highest standards and achievements in the sport as well as the greatest public exposure, it came as no surprise when Cinquanta announced that the scoring system and judging protocol would be re-examined. At the next and subsequent Winter Olympics, not only will figure skating be scrutinized, but

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the reputation and ideals of the Olympic movement will also be held under a microscope. It is anticipated that the NJS will have relevant and far-reaching consequences for the integrity of figure skating judging and the sport’s reception as an honest, public, athletic event.

To explore the preceding claim, the central thesis of this paper examines the extent to which the ISU’s NJS will improve fairness in Olympic judging. The study will be divided into three sections and begin by providing a brief description of the NJS. The second section will consider the nature of judging in sport, what constitutes fairness in sport judging, and distinctive characteristics of judging in figure skating. The final section will assess the descriptive account of the NJS in light of the theoretical and philosophical findings in section two.

The New ISU Judging System in Figure Skating

Over the past 75 years, the magic number 6.0 was the highest achievable score figure skaters could attain in a single competitive performance and this figure was acknowledged by spectators the world over as a symbol of perfection. However, as a result of the Salt Lake City Olympic pairs scandal being the last straw in a chain of judging problems, the traditional 6.0 standard was replaced by a NJS recently developed and adopted by the ISU. This section will outline the main features of this new system.

As one can imagine, the regulations for the new judging system are complex and very detailed, and every specific point cannot be addressed here. The following summary will focus primarily on judging procedures. It is based on on-line resources published by the ISU such as technical committee reports, communications, and press releases, as well as on-line newspaper articles.

General Changes

The NJS for figure skating determines an overall score by adding together a technical score and a program component score for short program and free-skating performances. Judges provide an assessment for every element in a given performance by assigning specific marks to each element. Members of the ISU submit annually the names of qualified and recognized judges to the ISU. They may also submit new judging officials who are known as technical specialists and technical controllers, as well as event referees.

For elite international ISU-sanctioned competitions, a random selection of 12 judges forms the judging panel. A sealed computer program randomly selects nine judges from the panel whose scores form the results. The highest and lowest scores are discarded and, therefore, scores from seven judges comprise the final result. At no time before, during, and
after the competition are the identities of the nine judges revealed, thus no one knows who actually judges the competition. In lower-level international competitions, the identity of the judges is publicized.

All data from all the judging officials are processed by computer. In fact, each judge works from a touch-screen computer with video replay capability. The judging information is encrypted and authenticated by an impartial third party and is decrypted to authorized individuals during an officials’ assessment process. An officials’ assessment commission examines the judging data to determine anomalies, repeated errors and/or biases and makes recommendations to respective technical committees. The ISU council is the body that monitors the NJS, receives input from figure skating stakeholders, and makes amendments when necessary.

Technical Score Marking

Both single and pairs skating requirements contain specific basic elements like jumps, spins, and stepwork for short program and free skating performances. The short program requires eight elements and the free skating performance requires “a well balanced program of free skating elements and other linking movements.” There is also a limit to how many different elements can be executed in each performance. For example, a senior men’s free skating performance must contain eight jump elements, four spins, and two-step sequences, and there may be up to three jump combinations or jump sequences.

As far as marking technical scores in the short program and free skating performances, judges assess the elements in singles and pairs by referring to a scale of values tables. These tables identify the assigned value and adjustments for each element based on the quality of how well the element was executed. There is also a consideration for the difficulty of spin, step, spiral, and lift elements. The technical specialist determines the name and level of difficulty of the corresponding elements. There are three units of difficulty above and below a base value and this mark determines an element’s grade of execution. Technical scoring regulations also identify illegal elements and a bonus option. A bonus is given for a unique, creative movement and must be identified by the technical specialist, verified by the technical controller, and brought to the attention of the ISU secretariat.

As mentioned previously, under the NJS, every element of a skating performance is scored. In singles competition, this means that judges, technical specialists, technical controllers, and the event referee must deal with, account for, and be proficient in applying up to 214 element values in determining technical scores. Of course all these elements are not contained in any given performance, and skaters must provide an official form that indicates the content of their planned program for each competition event. Still, one gets a sense of the scope of technical scoring and what judges must attend to in their role as adjudicators.

Program Component Scoring

The program component score is one of 40 potential values for figure skating performances and refers to five areas of a skater’s or pair’s whole performance. These include skating skills, transitions, performance and execution, choreography, and interpretation. In brief, skating skills consider movement over the ice surface in relation to speed, flow, and quality of edge. Transitions refer to the linking of elements via steps and movements that enhance the performance and so elements do not appear in isolation. Performance and execution take into account bodyline, carriage, and balance to create a
pleasing appearance. The layout of the program in terms of harmony, originality, and difficulty, the distribution over the ice surface, and the use of different levels of space are considerations when it comes to choreography. Finally, interpretation assesses the outward expression of mood and the choice of music such that the elements, linking steps, and choreography are aligned to the structure of the music.13

Other NJS Features

As referred to above, each judge independently makes use of a touch screen with built-in video replay. The marks inputted by each judge are connected to a calculation computer. An electronic marks display or scoreboard projects technical scores, points for each program component, total segment score, current place within the respective segment, combined result or total points, final score, and current place overall.14

The NJS also discusses calculation procedures and adjustments and a few highlights of this protocol are warranted. The judging panel’s grade of execution score for each element is determined by a trimmed mean. This means that the highest and lowest values of the nine judges are discarded and the average of seven values are counted for each element. Jump combinations and sequences are each determined by a separate formula. The judging panel’s technical scores for all elements are totaled. In the singles free skating program, all jumps started in the second half of the performance are multiplied by a 1.1 factor to credit the even distribution of difficulty. Program component marks are calculated using the trimmed mean method and a multiplier factor for different competition categories. The factored results are then added to produce the program component score. A list of deductions for time, music, illegal elements, costume and prop, and fall violations forms another dimension of the calculation procedure.15

The total segment score (either short program or free skating performance) in a given competition is determined by adding the total technical and program component scores and subtracting any deductions. The skater or pair with the highest total segment score is deemed first, the competitor(s) with the next highest score is second and so on. If the scores of two or more skaters are tied, the higher total technical score in the short program and the higher total program component score in the free skating performance will break the tie. If these results are equal, either skaters or pairs are declared tied.

The final score of an event is determined by combining the two total segment scores. The competitor(s) with the highest final score is declared first in the event, the skater(s) with the next highest final score is second, and so on. There is also a tie-breaking mechanism at this stage and also a provision for declaring two individual skaters or pairs tied.

After all of the competitors have completed a segment, all scores and deductions must be published. A printout called “judges’ details for each skater” is provided with all points and values from each judge without reference to the name of any specific judge. After each event, a final result is published, a roundtable discussion among the officials is held, an event report is submitted to the ISU, and an assessment of the judging, content decisions, and penalties is carried out. There is also a procedure in place to appeal the judgments of officials.16
The Nature of Sport Judging, Fairness in Judging, and the Uniqueness of Figure Skating Judging

To answer the question, what does it mean to make a judgment in sport from an official's perspective, this section will limit its analysis to decisions officials make during the course of competition. While a contest is underway, a referee, umpire, or judge in sport observes not only the general flow of play or performance, but also specific movements or actions where certain rules may or may not apply. When judgments are rendered, sport officials make public their assessment about what occurred by making calls or assigning values to a given performance. Making a call or assigning a performance value leads to particular consequences. In baseball, an umpire's call determines whether a player is out or safe. In a diving contest, a judge's score places an athlete ahead or behind fellow competitors. Russell explains that one view of officiating is that umpires, referees, and judges say nothing about whether a sport movement or action is true or false. For example, calling a strike in baseball makes a particular throw a strike even if the ball does not go over home plate in the strike zone. Officials under this view merely have the authority to make decisions in order for the game to proceed efficiently. This of course means that officials can never be wrong or make errors, and their word is final.

If one accepts the idea that officials create reality due to their authoritative role, then this leaves no opportunity to question their decisions. Dixon puts it another way, “If this is the case, no independent criterion exists by reference to which we can deem the umpire’s call to be mistaken.” Few people of course believe sport officials are immune to error. But what accounts for the fact that officials can and do make mistakes?

According to Russell, the judgments made by sports officials possess two important qualities. On the one hand, such decisions render verdicts based on the power officials hold due to their position. By their calls and assigned performance values, they do make a player safe or out, or place athletes in front or behind other contestants whether warranted or not. This is the aspect that makes their word final. On the other hand, sport officials are witnesses to states of affairs and episodes that can be described. As judges and witnesses, there is an expectation that they report accurately on what transpires in a game so their decisions are acceptable verdicts. The accuracy of their reports as descriptions however is usually where disputes most often arise. Differences of opinion in relation to the decisions of sport officials invariably lead to questions about fairness in judging.

While most people agree that sport officials can and do make bad calls and decisions, due to the influences of competitive circumstances and those involved, the underlying reasons for such judgments require careful analysis. Russell approaches this issue by introducing two views about the status of laws. One view holds that legal judgments are separate from whether or not such rulings are just, whereas another view holds that all laws inherently contain moral content. This distinction has practical implications because on the first view, the rulings of judges are usually considered final, even though one can debate the merits or demerits of the judgments. In most sports it is understood that umpires, referees, and judges will sometimes make bad calls and one simply has to live with the consequences. The officials are mainly involved in making technical decisions and applying the rules with little room for appeal. On the second view, however, a bad ruling may be so unjust that it should not be called a genuine ruling at all. In relation to sport, questioning the very notion of a call implicates the fairness of the call and the status of the umpire, referee, or judge.
With these constructs in hand, fairness in judging refers to sport officials fulfilling a primary function in their role as impartial arbiters.\textsuperscript{21} When umpires, referees and judges are no longer impartial, competent, and/or are influenced by bribes or deceit, then not only are their judgments called into question but so, too, is their status. A corrupt or incompetent official can go through the motions of making calls by virtue of their position and authority; however, standards of fairness make their judgments less than truthful and indicate a breach in fulfilling their role. Russell suggests such situations may result in dismissive judgments whereby people declare, usually in a rhetorical way, that the rulings of biased judges are not rulings at all.\textsuperscript{22} After a controversial decision, one can sometimes hear fans yell at an umpire or referee, “that’s no call!” This dismissive utterance appeals to the fact that the rulings of officials do contain moral content and that issues of justice are imbedded in such decisions. It also suggests that umpires, referees, and judges do more than just render functional and technical decisions; they sometimes make judgments to uphold or undermine moral standards and principles in a given sport.\textsuperscript{23}

The 2002 Winter Olympic Games pairs scandal offers an opportunity to inquire into the nature of figure skating judging, specifically. By now most people know the circumstances and the results of the controversy and these details will not be recounted here. Instead we will focus on the unique features of judging in figure skating and turn to a provocative analysis by Dixon.\textsuperscript{24}

The establishment of an honest victory in any sport requires a certain measure of equity and often equality on many fronts. Eligibility, equipment, playing conditions, and officiating should be equivalent or identical for all competitors. When errors are made by sport officials, either due to corruption or incompetence, this can result in a win to a less-deserving team or athlete. In other cases, a strong team can overcome the mistakes of officials and still secure victory. However the overcoming of errors does not exist in figure skating because, after the performance, the determination of victory rests completely with the judges.

Another distinguishing characteristic of figure skating, like other judged sport performances, refers to the assessment of aesthetic qualities. Some sports today allow video replay to review and correct the bad or mistaken calls of officials. Identifying judges’ errors in sports like figure skating that involve comparative aesthetic judgments is much more difficult. It is far more challenging to demonstrate that a skater or pair is superior artistically in relation to their respective competitors. This is not necessarily the case in terms of the criteria for technical superiority. Competitors with similar artistic merits who skate with no falls or dramatic changes to their program more often than not score better than those who do fall or alter their elements. Here it may be more obvious who is the better skater or pair and observers may have good reason to question the judges’ decisions if technical skills are not scored higher.

Even though comparative assessments of technical merit may be easier to carry out than those of aesthetic qualities, Dixon points out that figure skating judgments are not judgment calls in a conventional sense.\textsuperscript{25} When officials make judgment calls in many sports, these usually refer to decisions about describable events like whether or not a ball is fair or a player is offside. Replays often confirm if the umpire or referee is right or wrong. In some sports, a correction can be made or the game is played in protest and, in other sports, play merely continues. Technical and aesthetic judgments in figure skating, however, are unlike most judgment calls in sport because they are evaluations and not merely reports. Whereas
judgments can be shown to be wrong about technical merit more easily than artistic worth, these decision areas are assessments rather than reports.

The final point Dixon makes about figure skating judging is its heavy reliance on the discretion of the judges which, in turn, increases the opportunities for unfair results either due to corruption or incompetence. Interestingly, he also sees this dimension as a strength of figure skating. Sports with aesthetic appeal need to rely on the assessments of judges when compared to many sports that simply have functional requirements, like putting balls in baskets and cups, to know who is superior. Still, the fact that figure skaters cannot overcome and are more vulnerable to the errors and biases of officials is an inherent weakness of the sport. In the last section, we will discuss the ISU’s NJS in light of the findings above and draw several conclusions as to whether or not the new protocol improves fairness in judging.

**The NJS and Improvements Toward Fairness in Judging**

It is beyond the scope of this paper to survey and critique all or even a majority of what has been written about the pros and cons of the ISU’s NJS as expressed by various sport and grassroots organizations and press reports. For the past two years, there has been significant controversy surrounding the ISU reforms in figure skating judging. Some criticisms are legitimate and others are polemical. It is also not the intention here to comment in a substantial way on the computational and statistical limitations, strengths, and weaknesses of the NJS. These details may be helpful to determine internal flaws and benefits but they refer more to technical matters rather than issues of fairness in judging.

To answer the question whether or not the NJS improves fairness in judging we will appeal to a philosophical argument about the nature of judgments in sport generally. The strategy here will be to elucidate a theory which invokes a defensible principle so that reasoned positions can be made when confronted with disputes in sport. This approach is developed in the same work referred to above by Dixon who is an advocate of a theory called interpretivism. He expands the concept of interpretivism to show that it is best grounded in realism which, in turn, supports the notion of realism in sport. Sporting realism, according to Dixon, is a plausible construct to determine if rule changes in sport can be justified coherently and demonstrate improvement.

Those who endorse interpretivism assert that, “judgments about sport should be based in part on rationally-grounded principles about the nature and purpose of sport—whether or not the practice community or any other group happens to adhere to those principles….” Such a foundational principle proposed by Dixon and others is that victory in sport should be based primarily on the skills and performances of athletes and teams. This tenet is the basis for drawing the conclusion stated above about the inherent weakness of figure skating due to the inability of skaters to overturn decisions based solely on the discretion of judges. Another example of interpretivism is Simon’s ethic of competition, which states that sport competition at its best is ethically defensible when conceived “as a mutual quest for excellence in the intelligent and directed use of athletic skills in the face of challenge.” This ideal is held up as a standard to analyze a host of ethical problems in sport like cheating, sportspersonship, drug use, and violence. Simon, like most interpretivists, invites critics to evaluate, object, and even replace his conception, provided that a superior alternative standard is based on open, reasoned inquiry and debate. A third and final example of interpretivism is offered by Butcher and Schneider who defend the notion that fair play in sport should be grounded in respect for the game. Based on this standard the authors discuss good sport contests as ones that involve evenly-matched competitors, playing at or
near one's best, uncertainty of outcome until the end of a contest, outcomes based on relative and relevant skills, playing within the rules, and the demonstration of a high degree of skill. Butcher and Schneider also show how a reasoned debate and inquiry might unfold when there are disagreements about the application of rules.

Before turning to the NJS and the question of its improving fairness in judging, a brief word about sporting realism as an expression of interpretivism is in order. Dixon maintains that realism provides the best answer to finding independent criteria by which to examine and evaluate judgments in sport. This means that sound principles related to the nature and purpose of sport, together with other pertinent principles and factors are the best means for judging disputes in sport. Sporting realism relies on the quality of arguments to justify its claims and by its own standards allows for self-criticism. It can assess moral issues such as inequality in sport as well as nonmoral issues like the basic characteristics that make a sport what it is. Therefore moral realism is subsumed in sporting realism.

Dixon also identifies what sporting realists do not claim. First, they do not hold universal positions because the same practice may be judged appropriate in one context and may be deemed inappropriate in relevantly different circumstances. For example, equal playing time may be justified in novice youth sport but not at the professional level. Second, the application of sound moral and nonmoral principles does not guarantee ironclad answers to pressing issues in sport. Sporting realists acknowledge the complexity of many problems in sport and that resolutions are not completely satisfactory. However, they persist in critical debate to refine arguments and improve defensible views and thereby advance cogent, reasoned positions. Finally, even though sporting realists seek truth by arguing for reasonable positions, they do not claim “privileged access to this truth.” They recognize that their views may be flawed and supplanted by other positions whose principles and arguments are superior. By establishing and applying external standards independent of the status quo, sporting realists can condemn injustices like gender and racial discrimination in sport even when these practices were historically more acceptable.

Armed with this philosophical arsenal, we would like to propose a general principle about the nature and purpose of figure skating in relation to fairness in judging. We will then turn to the main features of the NJS to assess what impact it has on this general principle. Victory in competitive figure skating should be determined by impartial and competent judges who base their decisions on the merits of the performances of skaters in programs where technical execution and artistic expression are displayed. This seems like a general statement about figure skating most people would accept, but further analysis is needed. Clearly if partial and incompetent judges awarded figure skating victories this would violate our proposed general principle. This means that fairness in judging requires that judges are sufficiently educated and experienced in the sport and are unbiased and untainted by corruption in their role as adjudicators. If items other than the merits of performances were part of what judges considered, this too would be a breach of the principle. Few people would accept a judge’s decision if she gave higher scores to blue-eyed, blonde skaters. If judges placed a premium on or evaluated only technical skills or aesthetic appeal, then the full richness and wholeness of performances would not be assessed. Our principle accounts for the totality of figure skating performances as a component of fairness in judging. The preceding shows rather easily that our general principle can rationally argue against positions that undermine the nature and purpose of figure skating and fairness in judging. However, the NJS may pose greater challenges against the view being proffered here.
Critic Edmund Russell compares the old scoring system to the NJS in relation to properties of marking and placement. Marking refers to the assignment of points for various successful actions. In football, touchdowns, conversions, field goals, and safetys are assigned different points, whereas in baseball a single point is awarded each time a player successfully touches home plate. Marking also indicates which successful action has greater value than other actions. Touchdowns have greater value in relation to field goals. Placement refers to the order of finish and defines what it means to be a winner. Most placement systems add the marking points and the athlete or team with the most points is declared the winner. Some sport winners are determined on the basis of the best performance on a single day and others combine this with the best winning record in a series of competitions (e.g., the World Series).

The main point of this conceptual exercise and the above distinction is to show that changes to a sport’s marking and placement system alter the nature of the sport to some degree. For example, if baseball awarded a point for a single, two points for a double, three points for a triple, and six points for a home run, the nature and strategies in baseball would likely undergo dramatic changes and significantly alter the character of the sport. Russell contends that the point system of the NJS is a radical departure in figure skating in much the same way. The scale of values tables which assigns each element a different score, as well as a quality of execution mark, illustrates this point. Jumps are favored with the highest scores, they receive higher marks in the second half of a program, and falls from failed jumps are still awarded points. The weighting and marking of artistic and technical elements are also different. In the NJS, the winner is the skater or pair with the greatest number of earned points in a competition, and not the majority favorite as in the past.

Of the 16 comparison areas Russell examines between the old system and the NJS, two are notable and relevant to improvement when it comes to fairness in judging. One is the fact that judging in figure skating is still a subjective enterprise completely at the discretion of the judges. Whether direct or relative comparisons are made between skaters (old system) or performance decisions are compared to standards (NJS), both involve subjective judgments of trained observers. As such, Russell fails to directly acknowledge earlier comments about the inability of figure skaters to correct the errors, corrupt practices, or incompetent decisions of judges. Moreover, judgments in figure skating are not reports of describable events that can be deemed right or wrong through replay or mechanical devices. Even technical marks are evaluations of performance in figure skating even with the NJS. On this point, however, the awarding of points for falls is counter-intuitive. Common sense would lead one to believe a fall is a failure to perform a planned move and is an easy episode to verify. By awarding points for falls, the NJS encourages jumps over other technical and artistic elements and is altering the character of figure skating to some extent.

The second significant comparison area between the old scoring system and the NJS is the opportunity for biased and block judging. Russell confirms that the NJS reduces artificially raising or lowering marks of particular skaters when compared to the old system. The NJS accomplishes this through the random selection of judges and by discarding the highest and lowest marks in a given performance. Even though the NJS reduces biased and block judging, it does so at the expense of losing potentially-important information. It also cannot guarantee the complete elimination of corruption and bias among judges. Because the identity of the judges is not revealed and no one really knows who judged any given competition, rogue judges may still try to influence the results and no public accountability is required.
Turning to another critic, Bianchetti identifies and examines four deficient areas with the NJS: a) the dependence on technology, b) the introduction of a new official, c) the radical ‘code of points’ scoring system, and d) the anonymity and secret random selection of judges. The issue of technology is a concern in terms of reliability, accuracy, computer crashes, consistency, and costs. While these are important issues, solutions to most or all of these technical matters can be found over a relatively short period of time. If serious technological problems occur with the NJS and high level competitions are voided as a result, then the ISU will pay a heavy price for such disasters. The ramifications of this issue remain to be seen.

According to Bianchetti, the introduction of the technical specialist (or “caller”) opens up the potential for many more mistakes and bias. The technical specialist identifies every element, its corresponding level of difficulty, illegal and additional elements, and bonus elements. The qualifications and experience of this official are critical and her or his decisions must be virtually error-free when judging competitions. Although the caller works with an assistant and is supervised by the technical controller, there are no clear procedures for holding this judge accountable. It may be that the NJS reduces bias and block judging among the randomly-selected judges, however, if the technical specialist were corrupt this would pose a serious threat to fairness in judging. Moreover, many of the caller’s decisions are embedded in the assessments of the panel of judges and it would be difficult to detect the practices of an unscrupulous caller. The technical specialist would also review practice sessions to become familiar with the skaters’ programs. This of course may lead to bias which again would be hard to detect.

Bianchetti also finds many problems with the scale of values tables after a thorough investigation of the point system. She claims that some elements or combinations are missing from the tables, evaluation criteria are vague, point values are arbitrary, requirements for well-balanced programs are more restrictive, the weighting between technical and artistic (program component) marks are skewed, the relative importance of the short program is diminished, and the system has not been adequately tested. Bianchetti demonstrates and speculates rather convincingly that the NJS will influence a shift away from artistry and creativity toward an emphasis on the execution of technical skills. Jumps and lifts will be featured to the detriment of spins and step sequences, and there will be less incentive to be innovative and original. She is also against the points awarded for failed jumps in the NJS because skaters will attempt more difficult jumps more often without being penalized too heavily.

Finally, Bianchetti sees the anonymous and secret random selection of judges to be a superficial attempt to curb corruption and bias among officials. Judges may still be pressured to cheat individually or in collusion, yet the cloak of secrecy will protect them with no public accountability under the NJS. The nomination and selection of judges and the internal audit or roundtable discussion after each competition provide no independent means to oversee these procedures to curb fraud and impartiality. Moreover, it is yet to be seen if the punishments for judges who cheat will be severe enough to act as deterrents. In fairness to the ISU, judges in lower-level, sanctioned competitions will be identified in the coming year. This process will be monitored and evaluated, and perhaps it will be adopted in all competitions.
Conclusion

Our guiding principle for figure skating states that victory should be determined by impartial, competent judges who base their decisions on the merits of the performances of skaters in programs where technical execution and artistic expression are displayed. We hold that this is a reasonable proposition few would dispute and that it permits us to assess whether or not the NJS improves fairness in figure skating judging.

The real issue here is deciding what are meant by “improves” and “fairness.” The ISU took concrete, some would say radical, measures to curtail the infiltration of corrupt and biased judges and to some degree the NJS will fulfill this mandate. The scoring of individual elements will be more carefully monitored and scrutinized, comparisons to standards rather than between skaters will prevail, a majority decision will no longer be applicable, and random selection and the trimmed mean will likely, though not conclusively, reduce the number of dishonest and prejudiced judges. Dixon maintains that an NJS-like system would have prevented the Salt Lake City pairs scandal because it would have been almost impossible to disguise higher marks for failed individual jumps. However this may only demonstrate that the NJS is an improvement when faced with egregious and blatant cheating, and only when dealing with technical merit. On the other hand, a weakness of such a system is that it diminishes the ability of judges to evaluate overall skating performances and places a premium on the notion that victory is merely the sum of the parts.

Like any sport where the discretion of the judges is the sole determinant of the winner, the NJS will fare no better to prevent the practices of determined unscrupulous officials. Just as randomness is built into the new system, cheating will become random. One may argue, if cheating bears no fruit, then it will desist. But sometimes this is not the way cheating works. Some cheaters do not always expect to see absolute and final favorable outcomes. On occasion they may wish to alter conditions just enough to tip the scales toward a desired result. This may not secure a guaranteed outcome all the time, but the practice may continue with the hope that cheating will bear fruit some of the time. The NJS also does not prevent judges from accepting bribes or being influenced before competitions. This, too, is a form of cheating. It is also unclear under the NJS how corruption and bias will be prevented in relation to the technical specialist. Once again, the point here is that the NJS will do no better to curb judges who are determined to cheat. In this sense, the NJS is not an improvement, and the discretion of judges remains an inherent weakness of figure skating.

The NJS is also primarily protective of judges and equates “fairness” with anonymity, randomness, and secretiveness. In other words, as long as the public are privy to cumulative scores and the identity of judges are not revealed, then no individual judge is held accountable for her or his evaluation. The ISU had to eventually condemn and censure judges and figure skating organizations in the Salt Lake City pairs debacle because the names of individuals and governing bodies were known. The public’s outcry of foul led to a demand to see fairness restored. Under the NJS, however, the public cannot connect particular judges with specific scores to assess the level of fairness and understand what the scores mean. Also, that the ISU will have scores certified and assessed in its roundtable discussion as an internal audit provides an illusion that all is fair and above board. There needs to be independent, arms-length bodies and procedures agreed to by the ISU membership to carry out these post-competition evaluations. In our estimation, revealing the identity of judges publicly and finding new detached procedures for post-competition assessments are crucial steps if the ISU seeks genuine improvements toward fairness in judging.
Finally, a related and perhaps more important question is: does the NJS improve fairness in judging in relation to the sport of figure skating? Since our guiding principle addresses the merits of performances in terms of technical execution and artistic expression, what effect does the NJS have in altering the character and purposes of figure skating? According to Russell, sport officials play a crucial role in sustaining the integrity of games. Through the interpretation of rules and the discretion they wield, umpires, referees, and judges influence whether or not the values and excellences in sport flourish. Integrity in sport refers in part to the way officials promote the realization of excellence under the precepts of fair play to bring out the best of a practice. In this regard, we agree with the critics cited above.

The shift of emphasis toward technical skills and jumps, the lack of balance in programs, and substantial points for failed jumps are some features in the NJS that will create a radical departure in figure skating performances. Skaters will manipulate their programs to meet the new judging requirements, rather than develop their skills and excellences toward the values and purposes of the sport. In figure skating, judges should encourage that all facets of the sport be acknowledged and given the opportunity to thrive. Now one can argue that judges and skaters are constrained by the scoring system they are given and really have no impact on the integrity of the sport. This argument, however, is fallacious.

Skaters and judges, as well as the public, can demand that the ISU adopt a scoring system that allows figure skating to build upon previous best practices to enhance future performances. The development of the NJS should have been transparent enough and included debate among all its stakeholders in relation to the values and purposes of figure skating, and not just be protective of judges. And even though the NJS has been approved by the ISU, there should be an ongoing review process to monitor the impact the NJS will have on the integrity of figure skating. Issues like anonymity, transparency, and accountability still need to be seriously addressed. Here is where the concept of sporting realism is useful. The NJS may not improve fairness in judging in a relevant and strong sense, but a critical, reasoned debate about its effectiveness must unfold if figure skating competitions are to be perceived as fair and credible public athletic events.

If the arguments presented here are coherent and reasonable, the figure skating competitions at the 2006 Turin Winter Olympic Games will likely be the first real test to see if the NJS renews this important perception. These Games are the premier venue to showcase elite figure skating on a global scale. Few in the audience the world over will forget the furor over the pairs figure skating competition at the 2002 Games in Salt Lake City. The figure skating community and the public at large will be watching carefully in Turin to see if the judging procedures and NJS have improved and reflect a greater sense of fairness. Although Olympic organizers have no direct involvement in reforming the rules and regulations of specific Olympic sports, they do influence international federations to conform to the ideals of the Olympic movement. If the NJS fails or its reception is lukewarm, it will likely tarnish the image and credibility of elite figure skating as well as those of the Winter Games.
WILL THE NEW OLYMPIC JUDGING SYSTEM IMPROVE FAIRNESS?

Endnotes

1 The “skategate” scandal involved the awarding of a gold medal in the free skate pairs competition to the Russian team of Elena Berezhnaya and Anton Sikharulidze over Canada’s Jamie Sale and David Pelletier on Monday, February 11, 2002. The Russian pair performed with clear technical errors and the Canadians exhibited a near flawless performance. Spectators and media pundits were shocked by the result which led to an enormous public outcry. A few days later it was discovered that French judge Marie-Reine Le Gougne was pressured by her own skating Federation to favour the Russian pair. On Friday, February 15, the ISU’s recommendation to award the Canadian pair an unprecedented second gold medal was approved by the Executive Committee of the IOC and judge Le Gougne was suspended for three years and prohibited from judging at the 2006 Winter Olympic Games in Turin, Italy. To follow the scandal as it unfolded in the media see, http://sportsillustrated.cnn.com/olympics/2002/figure_skating/


8 Ibid.

9 Ibid., p. 60.


12 Ibid.
13 Ibid.
14 Ibid.
15 Ibid.
16 Ibid.


18 Nicholas Dixon, “Canadian Figure Skaters, French Judges, and Realism in Sport,” *Journal of the Philosophy of Sport*, vol. XXX, 2003, p. 104.


20 Ibid., pp. 24-27.

21 Ibid., pp. 27-32.

22 Ibid., pp. 32-34.


24 Dixon, “Canadian Figure Skaters,” pp. 103-116.

25 Ibid., pp. 104-105.

26 Ibid., p. 108.

27 Ibid., pp. 108-110.

28 Ibid., p. 106.


31 Dixon, “Canadian Figure Skaters,” pp. 113-115.

32 Ibid., p. 114.


34 Ibid.

35 Ibid.


37 Dixon, “Canadian Figure Skaters,” p. 107.