

Stop the doping inquisition!

A plea for a new legal structure of
the industrial organization of
sports

My Plea:

(in line with the goal of this conference)

to create a new coalition with a strong international union of athletes, to realise good, modern democratic governance in the industrial organisation that sports is, nowadays.

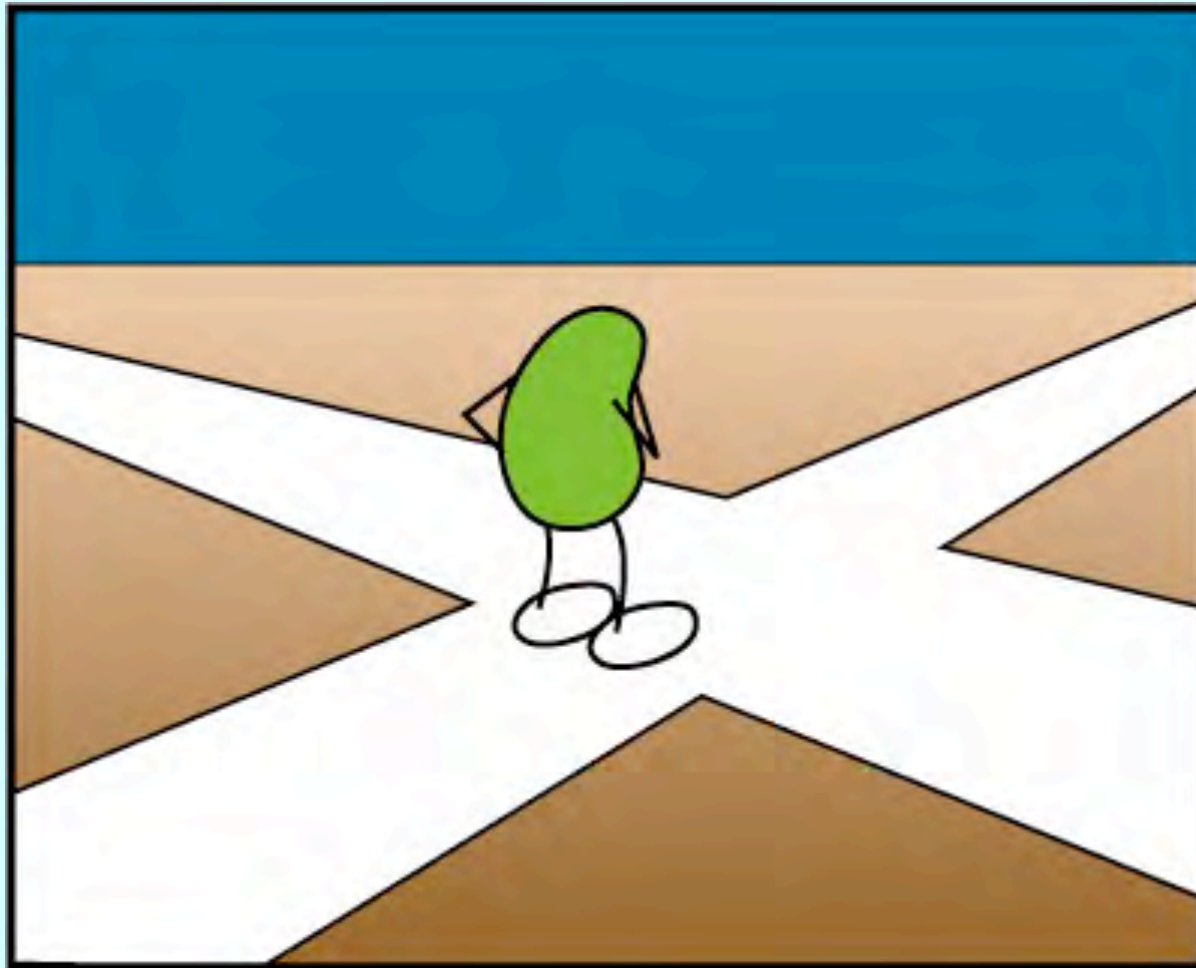
Structure of speech

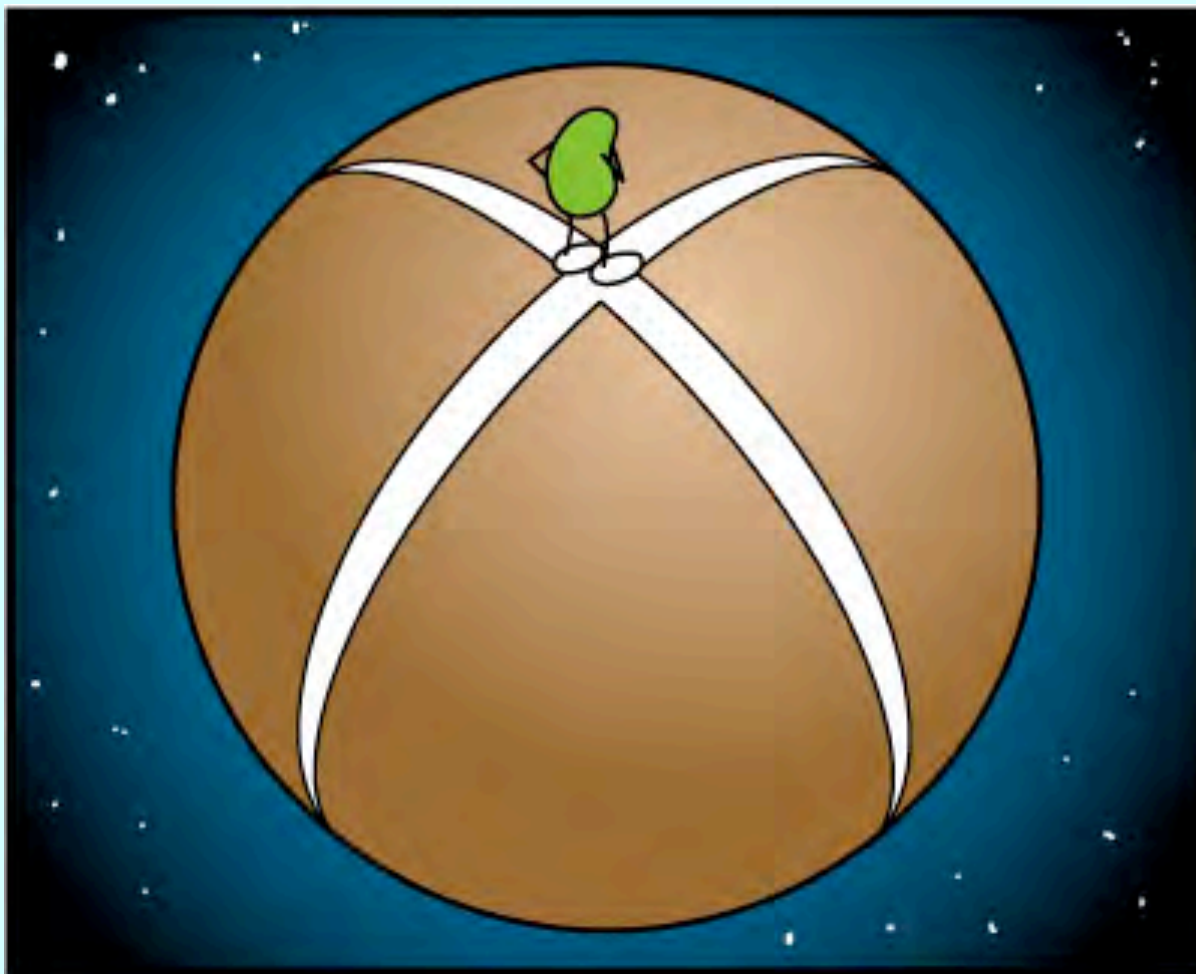
1. Introduction
2. Victories in courtrooms
3. Inquisition
4. WADA: undemocratic legal form
5. Doping hunting: image enhancing
6. Sport: industrial organization in democratic society

1. Introduction

- International basketball player
 - *Great influence on development personality*
- Social psychologist
 - *'There is better caretaking for alcoholics and drug addicts than for athletes in trouble'*
- Consultant in interdependencies
- Board member ProProf,
(Dutch union professional football players)

2. Victories in courtrooms







3. Inquisition

- Illegal entwinement of functions law maker, law enforcer and judge ('trias politica')
- Disproportionality:
 - no privacy around the world, 24/7; by definition all suspects
 - discrepancy between punishment and offence: 'Berufsverbot' (restraint of trade)
- Guilty in advance (vs. 'presumptio innocentiae')
- 'In dubio pro reo': never permitted in procedures.
- 'Ne bis in idem' (strict liability): no defense possible
- Fear to use human right: freedom of speech

4. WADA: undemocratic legal form

- WADA: private law foundation:
 - Athletes, subjects to the regulations, not directly or via representation member
 - Lack of influence of the people whose interests are affected by WADA

5. Doping Hunting: image enhancing

- ASO, UCI, IOC, Nat. Olymp. Committees, Nat. Sports organizations
- Civilians: mayor Stuttgart
- Media: ZDF

“I stand for purity, for ethics. Look at me: example and front fighter of a new pure order in sports!”

Misusing WADA-list for political succes

- National politics on drugs prohibition resulted in non-performance enhancing pharmaceuticals on the list (innocent medicines, recreational drugs, etc.)

6. Sport: industrial organization in democratic society

- ‘purity’ vs. heretics, “in the name of God”
- ‘purity’ vs. athletes, “in my private, not democratically controlled name”

Democratic societies

- Industrial organizations →
- Industrial councils:
- Membership of employers and employees
- Sports industrial organization:
- New coalition of athletes unions in co-management position, and other stakeholders
- Creating new coalitions for good governance in sport!