

## National Olympic Committees

by Pablo C. Cagnasso,

Former President of the Argentine Olympic Committee



One subject that was not dealt with at the Olympic Congress in Baden-Baden was the problem of the difficulties in the social and natural relations between the Olympic Committees of different countries and their respective governments.' These difficulties are caused by the name "National Olympic Committees".

The subject was debated by the Panamerican Sports Organisation (ODEPA) and the discussion was encouraged by Miguel de Capriles who, during his lifetime, was the representative of the United States of America. It was decided to replace the name "National Olympic Committees" by "American Olympic Committees".

The late Miguel de Capriles, a lawyer, always did everything in his power to avoid and overcome anything that might obscure or disturb the legal precision needed for the Olympic movement to develop smoothly; and, as his country's representative at ODEPA, he showed great interest in the use of this name which has been the cause of certain dramatic situations experienced by a number of Olympic Committees.

I dedicate this article to the memory of Miguel de Capriles, in homage to his desire to try and simplify the running of Olympic Committees.

I had hoped that this problem would be dealt with at the Congress but, noting on the day before last that it had not been discussed, I decided to put my name on the list of speakers. The list was unfortunately closed, there was no time left. This article is an attempt to make good this omission.

The problem is caused by the fact that in several countries the law limits the use of the word "national" exclusively to organisations controlled directly by the government and strictly prohibits its use by individuals or non-state organisations.

In Argentina, these provisions are included in the regulations that have been in force since 25th May 1934 (Decree No. 42,366) completed by Decree N°. 85, 056 dated 24th June 1936 stipulating: "The prohibition of the use of the word national by individuals... agricultural,

manufacturing and commercial companies... that are not recognised as such..."

This legal provision, which is in force in several countries, authorises the government officials responsible for sport to interfere in the NOC's affairs just because of the presence of the word "national" in this name used throughout the world.

And, using as justification the recognised fact that the idea of "nation" comes before that of "state", the officials are quite convinced of the correctness of their reasoning, when in fact they are mistaking the container for the contents and are limiting the nation to the state.

The fact that the word "nationalisation" is used to denote the operation by which a state acquires a private company and turns it into a "national" one seems to confirm officials in the belief that they are in their right.

Obviously using the word "National" to qualify "Olympic Committees" favours this interpretation on the part of the officials, who are thus quite sure that they are the sole possessors of the truth.

Everything I have just written is a matter of incontrovertible fact confirmed beyond any doubt by serious legal cases. Thus, certain government officials have interfered in the affairs of their Olympic Committee by dismissing certain executives, and the Executive Board of the International Olympic Committee has had to intervene in order to settle the dispute, without however getting to the root of the matter by solving the difficulty that is the real reason for the dispute.

In all these cases, we are up against the following insoluble problem : how to determine the limits of the rights of officials, while at the same time reconciling the freedom and independence of the Olympic Committee with the right of the State to exert its authority.

As a result of all these incidents, we draw this conclusion : the name "National Olympic Com-

mittee" is not a credible one for "Olympic Committees".

But it exists. It is difficult therefore to make government officials in certain countries, and in those of Latin America in particular, understand that in the field of sport the Olympic Committees do not come directly under state control and that they need to keep their liberty in order to do their job properly.

As far as the Spanish language is concerned, the use of the word "National" in the Olympic movement, is the literal translation of the French. Now, in several Latin American countries, the precise meaning of the word is not the same as in French, according to the ordinary everyday use of the words "nation" and "country".

The concept of "nation" belongs to political law and the nation is a constituent part of the modern state. From this it is deduced that everything that is "national" comes directly under the government of the nation.

In French, the concept of "pays" ("country") comes from the Latin "pagensis", or "pagus" with its very wide meanings; it can be used in the sense of territory, people, jurisdiction, region, etc.

In view of the fact that the usual, incorrect use of the word "national" to denote the "Olympic Committee" of a country is not advisable, we could simply say the "Olympic Committee of such and such a country" or, following the suggestion of Miguel de Capriles "Olympic Committee" without the use of any qualifying word so as to avoid the arguments used by officials to justify their intrusion and their interference in the affairs of the Olympic Committees of their country.

If we were to adopt the term "Olympic Committee of such and such a country", we would only be using an expression similar to those already commonly used in fields other than sport. For example, in commercial terminology, the expression "country of origin" denotes the place of production or conversion of goods; the expression "country of provenance" indicates the place from which the product has been dispatched even if it has not been manufactured there; in military parlance, the expression "to live off the country" means that the conquering troops get their food from the inhabitants of the occupied territory, etc.

If, in order to denote Olympic Committees, we

were to adopt a similar form of expression, it would be a first step towards removing the difficulty that gives rise to controversy. It would also help promote the indispensable good relations that ought to exist between the Olympic Committees and their respective governments.

In my opinion, it is not only in the name of the Olympic Committees but in everything relating to the Olympic movement that the word "national" should as far as possible be avoided; the proof of this lies in the fact that we say "Olympic Games of the city of..." and not of the country to which this town belongs. The decision to use the name of the city and not of the country in the designation of the Games was taken in order to contribute to international brotherhood, the friendly ties between peoples, as well as greater cooperation and more positive results.

When Pierre de Coubertin revived the Olympic Games, his main ambition was in fact to restore the three goals pursued by the Ancient Greeks, i.e.:

- a) to make young people physically stronger and more resistant so as to be able to cope more effectively with the hazards of health and the vicissitudes of life;
- b) to create certain habits of behaviour among young people, through the enthusiasm, passion, interest and fascination roused by sports competitions. To teach them in this way to follow a noble and virtuous line of conduct in a context of cordial human relations;
- c) to strengthen world brotherhood as symbolised by the five interlacing rings representing the five continents, without any discrimination as to religious beliefs or ideologies.

Pierre de Coubertin made no allusion to the particularities of countries. That is why not only their names but everything concerning them and everything relating to what is national, far from constituting the main part of the Olympic movement is only accessory or secondary.

I hope that these comments, written in thinking of Miguel de Capriles, will help to deal with and to solve the problem in question and that they will be thought worthy of the consideration of the International Olympic Committee.

P. C. C.