



COLUMNISTS

An Arbiter's Notebook

Geurt Gijssen



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When is an Illegal Move Illegal?

As of July 1, 2009 the new rules to the Laws of Chess are in effect. The rules are sent to all chess federations and also published on the Internet. Players, arbiters or other interested parties can download them in English by going to [www.fide.com](#), and, on the main page under FIDE News, click on Laws of Chess, then “download.”

Question Hello Geurt, I know that the new rules have come into force on July 1, but as of July 3 there is not even a hint of change at the FIDE website. Now the Dutch laws don't come into force until they are properly published. What is the procedure with FIDE laws? If there is no such procedure, shouldn't there be one?

If anyone arrives late, but within an hour, at his board, and the tournament organizer hasn't explicitly stated that he uses the '0 minutes default time,' can that person rightly claim the old rules are still in force? I trust you when you explain the new rules, but how could others be sure that it's not just your personal opinion or interpretation? **Frits Fritschy (The Netherlands)**

Answer It was a clear failure that the new Laws of Chess not were published on the Internet on July 1, 2009, although they were sent to FIDE in time. As far as I know there is no FIDE procedure similar to what you mentioned in connection with the publication of any regulation. However, I agree with you that there should be an Article that states the new regulations can only be applied after proper publication. There only exists the following: suppose a tournament began on June 30, 2009, when the old regulations were in force. These regulations would then be applicable for the remaining rounds of the tournament, even though the new rules took effect on July, 1.

Question Dear Geurt, In your [February 2009](#) column, you have an answer to a question with which I disagree. That is very rare and thus worth a comment.

Dear Geurt, as arbiter of a section at an under-9 junior tournament, I was called over to settle a dispute. The black king (Player A) was on the back rank. White played Qc8, which would have been mate. Player A claimed the white queen had been on a7 and so Qa7-c8 was an illegal move. Player B claimed the queen was on c7. Player A insisted the game continue with Qb8 check, which gave his king a flight square. I suspected Player A of cheating, but had no proof. Neither player was recording the moves. I allowed the game to continue, and in the end Player A was checkmated. Obviously the moral of the story is that players should record their moves to avoid this. However, in this case, what action, if any, would you have taken? Regards, **Sam Wheeler (England)**

I believe it is analogous to the situation where Player A moves and Player B claims that A touched another piece, which A denies. I say that I can only rule on the position in front of me and that would have been with the queen on c8. I then tell Player A that, if another opponent complains, then I might make a different decision. Nobody has ever argued. **Stewart Reuben (UK)**

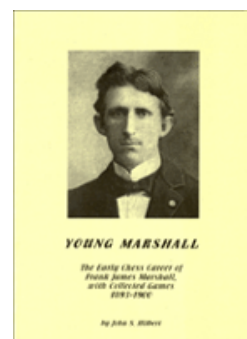
Answer Dear Stewart, I understand your point, although in this specific situation in which a checkmate was produced I like to be extra careful. Another point in favor of your opinion is that the arbiter suspected Player A, whose king was checkmated, of cheating. And sometimes it is good to follow your intuition.

Question Dear Geurt, allow me to ask your help for a situation that occurred at the Torino Olympiad where I was Senior Arbiter. It also quite frequently happens in school and youth tournaments. In a match, a player accused his opponent of touching a piece, moving it to another square, and then taking back his move. The accused player completely denied that he touched one of his pieces and then moved a different piece. The team captain of the protesting player supported his player, of course. However, the match arbiter was not an eyewitness and therefore I could not count on his opinion. Since the game and the match result depended on my final decision, and considering that I had no valid evidence in hand, and that the accused player had no logical motivation to move the supposed touched piece, I rejected the claim as invalid and accepted the opponent's move. The protesting player lost the game and signed the

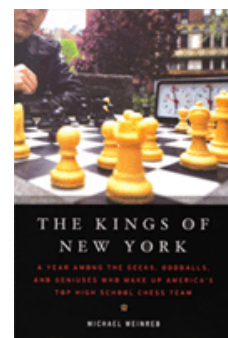
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score sheet accepting the result, but his team captain submitted an appeal that was ultimately rejected by the Appeals Committee. By the way, can the arbiter's decision take into account statements from spectators or other eyewitnesses? **Viron Tsorbatzoglou (Greece)**

Answer I remember this case very well and we agreed that in the absence of any evidence the protest must be rejected. Immediately after I learned about the case, I went to the room where the games were stored, hoping that the "original(?)" move was accepted, but there was no evidence. Furthermore, I would like to add that the protest of the team captain was submitted the next day and not within two hours after the finish of the round as it should have been.

Finally, to answer your question, the arbiter has to do his best to find out what really happened. For example, in the Amber Tournaments (Rapid and Blindfold) all rapid games are recorded on video. In case of an incident, I watch the tapes and, if necessary, use them to make a decision. I remember a case where a player claimed that his opponent touched a piece and played another one, and when the two players and I watched the tape the opponent resigned immediately.

Question Dear Geurt, regarding the question about tie-break criteria in you [April 2009](#) column, I have some proposals that may be complex but fairer than just considering unplayed games drawn.

Whenever you have to do something with the unplayed game, you scale it from all the played games of the player, considering it drawn only if he had no games played. For example, let's say that a player played five white games (+2=2-1), two black games (+1=1-0), and has two games unplayed. The number of points he earns should normally be two (for bye or forfeiture) and I do not change it. His number of black games should be scaled: 2 out of 7 is the same as 2.57 out of 9. Points as black? 1.5 out of 7 is about 1.93 out of 9. Wins as black? 1.29. His opponents' Buchholz? Since he scored 4.5 out of 7 he would've scored 5.79 out of 9. His Buchholz for unplayed games? His unplayed game is also his opponent's unplayed game. The only difference is in case of bye.

The Bye can be treated as a specific opponent who always loses, never prefers any particular color, etc. I did this trick in my Swiss pairing program, but it seems to be totally unfair, so I would count a Bye as an average opponent of those this player really played against. The disadvantage is that you would have to prepare for Buchholz scores like 26.63, but computers should handle it. Another advantage is that in the last round calculations would be even more complex than nowadays and top players would have to play their best. Best regards, **Wojciech Pietrzak (Poland)**

Answer Before I answer your question, I would like to publish the opinion of the Dutch arbiter **Wim van Beersum (Groningen)**. In my opinion it is also very interesting and worthy of discussion.

For treating results by default in a Swiss tournament there are two points of view

- a) For the player himself who gets a result by default
- b) For the opponents in other rounds of the player who gets a result by default
- a) The new style Buchholz uses a virtual opponent to calculate the Buchholz score for a result by default.

A virtual opponent has the same points at the beginning of the round and the result by default is treated as a normal result, so a loss by default is a win for the virtual opponent and vice versa. For each next round the virtual opponent gains half a point.

- b) For reducing the consequence for the opponents when calculating Buchholz, extra weight is added to the player's score in case of a result by default. The extra weight only has value for the opponents, not for the absent player himself.

The extra weight is half a point for each loss by default and minus half a point for each win by default, so the extra weight may be negative. As a consequence, a player leaving the tournament will get half a point extra weight for each absent round. To calculate Buchholz for the absent player himself, the system of the virtual opponents is used.

When an absent player starts playing again, his extra weight is brought to zero by half a point for each round playing again. The reason is that by playing, a player will find his right position in the ranking again.

There have been many discussions regarding the calculation of unplayed

games. I am convinced that it is impossible to find a system that satisfies everyone. Both systems have to be tested. But one thing is clear: the pairings must be transparent. Each arbiter who works in a Swiss tournament must be able to explain the pairings, even when they are made by a computer. I will send the proposals to the Swiss Pairings Committee of FIDE for discussion during the next congress.

Question At a recent tournament in Stillwater, Oklahoma, a friend of mine had a very strange pairing. With a score of 2½, he was paired up against a player with a much higher score. The director indicated he was making the pairings based upon maximizing the number of players that would get a FIDE rating, rather than the current score, and refused to make a correction. After the tournament he said he was sorry and gave my friend \$200. This stinks of bribery. What is your opinion on pairing a tournament that is USCF rated based on getting the most players FIDE rated? Is giving an entrant money after a tournament because of a poor pairing ethical? **Brandon J. (USA)**

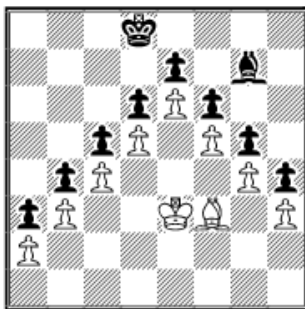
Answer From time to time I receive reports about incredible incidents and this is one of them. If the case is true, the tournament director should be suspended. By the way, I know that many Swiss tournaments are examined by a FIDE officer and if it is discovered that the pairings were changed for the benefit of one or more players, the tournament will not be rated by FIDE and title norms made in such a tournament are invalidated.

Question It happens quite often in my games that my flag falls but my opponent does not have sufficient material to checkmate my king. Can my opponent claim a win or is it a draw? In my opinion it is a draw. Am I correct? **Fred Strykers (Belgium)**

Answer I refer to Article 6.9:

Except where one of the Articles: 5.1.a, 5.1.b, 5.2.a, 5.2.b, 5.2.c applies, if a player does not complete the prescribed number of moves in the allotted time, the game is lost by the player. However, the game is drawn, if the position is such that the opponent cannot checkmate the player's king by any possible series of legal moves.

Essential for answering your question is the last sentence of this Article. One example is if the opponent of the player who oversteps the time has only a king. A second example is illustrated in the following diagram.



I am not sure if the position is legal. The main thing is to demonstrate a game position that neither player can win.

Question Dear Mr. Gijssen, my question concerns the use of electronic clocks during games with a normal time control. Many electronic clocks have an indicator that shows on which side of the clock the flag has fallen first.

Let us assume I am an arbiter and arrive at a board where both players have exceeded their time for the first part of the game. The clock clearly shows which player's flag has fallen first. I check the number of moves made and determine that only thirty-nine moves were made. The rules (as quoted before 07-01-09) state:

6.9 A flag is considered to have fallen when the arbiter observes the fact or when either player has made a valid claim to that effect.

6.12 If both flags have fallen and it is impossible to establish which flag fell first, then 1. the game shall continue if it happens in any period of the game except the last period.

Am I allowed to establish the fact that the flag of one of the players has fallen first solely based on the indicator of the clock, and rule in favor of the other player? Or do I have to ignore that indicator and – if there is no other proof as to who first exceeded his time – let the game continue? Many thanks in advance for your answer. Keep up the good work! All the best, **Marius Fränzel (Germany)**

Answer Articles 6.9 and 6.12 have not changed, except that they are now numbered 6.8 and 6.11. My answer is very simple. Yes, you may rely on the chess clock and decide that the game is lost for the player whose display shows a “–” sign.

Question Dear Mr. Gijssen, I am interested in your opinion about the following hypothetical situation. A game begins with a reversed white king and white queen and play continues **1.e4 e5 2.Bc4 d6 3.Kh5**, when Black responds **3...g6** mate. How should the arbiter decide in a normal tournament game, or in rapid or in blitz with adequate supervision of play? I think following rules should be taken into consideration:

Article 5.1

The game is won by the player who has checkmated his opponent's king. This immediately ends the game, provided that the move producing the checkmate position was a legal move.

Article 7.4

1. If during a game it is found that an illegal move has been completed, including capturing the opponent's king or failing to meet the requirements of the promotion, the position immediately before the irregularity shall be reinstated. If the position immediately before the irregularity cannot be determined, the game shall continue from the last identifiable position prior to the irregularity. The clocks shall be adjusted according to Article 6.14. Articles 4.3 and 4.6 apply to the move replacing the illegal move. The game shall then continue from this reinstated position.

2. After the action taken under Article 7.4(a), for the first two illegal moves by a player the arbiter shall give two minutes extra time to his opponent in each instance; for a third illegal move by the same player, the arbiter shall declare the game lost by this player. However, the game is drawn if the position is such that the opponent cannot checkmate the player's king by any possible series of legal moves.

Article A4 of the Rapid Regulations

a) Once each player has completed three moves, no claim can be made regarding incorrect piece placement, orientation of the chessboard or clock setting. In case of reverse king and queen placement castling with this king is not allowed.

b) An illegal move is completed once the opponent's clock has been started. The opponent is then entitled to claim that the player completed an illegal move before the claimant has made his move. Only after such a claim, shall the arbiter make a ruling. However, if both Kings are in check or the promotion of a pawn is not completed, the arbiter shall intervene, if possible.

Article B3 of the Blitz Regulations

a) An illegal move is completed once the opponent's clock has been started. The opponent is entitled to claim a win before he has made his own move. However, if the opponent cannot checkmate the player's king by any possible series of legal moves, then the claimant is entitled to claim a draw before he has made his own move. Once the opponent has made his own move, an illegal move cannot be corrected unless mutually agreed without intervention of an arbiter.

Martin Mrva (Slovakia)

Answer In my opinion Article 7.1.a is also essential:

If during a game it is found that the initial position of the pieces was incorrect, the game shall be cancelled and a new game played.

It is very important that the incorrect initial position of the pieces must be discovered **during the game**. This leads to the question as to whether the game is finished after 3...g6 mate?

Based on Article 5.1, I have to answer that the game is finished.

The game is won by the player who has checkmated his opponent's king. This immediately ends the game, provided that the move producing the checkmate position was a legal move.

Apparently it is enough that only the last move, in this case 3...g6, is legal. Thus, I find it somewhat frustrating that my 2004 proposal was not accepted: checkmate ends the game, **provided all moves** are legal. In my opinion, it does not matter in what type of game (rapid, blitz, or normal) the situation occurred.

Question Dear Mr. Gijssen, I do not understand your answer to Robert Beigel's question from [June 2009](#). White played an illegal move, and before White could press his clock, Black mated him. The critical point in

your answer was that Black had played a legal move that ended the game. You stated, “the final move Rd1 is legal and the white king is checkmated. The fact that the player of the white pieces has not stopped his clock is irrelevant.” However, Article 6.8a of the Laws of Chess states that “A player must always be allowed to stop his clock. His move is not considered to be completed unless he has done so ...” Therefore, I would think that White had not completed his move, so Black’s move was illegal, and the position had to be restored to the position before White’s illegal move, with the requirement that White had to play with the same piece, if legally possible. It thus seems to me that the fact that White had not stopped his clock makes all the difference! Could you please clarify this? **Johannes J. Struijk (Denmark)**

Answer This is an old question: is one allowed to make a move before a player has stopped his own clock and started the opponent’s clock? In my opinion, it is allowed, but the player still has the right to stop his clock after his opponent has made his move. The idea behind this interpretation is that in many time trouble situations, it is almost impossible to observe whether the opponent has made the move at the moment his clock was running.

Question Dear Mr. Gijssen, in regards to your answer to Robert Beigel from [June 2009](#) about White making an illegal move and Black answering with mate. I have the impression that there is some inconsistency between Article 4.6. and 1.1.

Article 1.1. states, “A player is said to ‘have the move,’ when his opponent’s move has been ‘made.’”

Article 4.6. describes when a move has been made: “When, as a **legal move** or part of a legal move, a piece has been released on a square, it cannot then be moved to another square on this move. **The move is then considered to be made.** The move is called legal when all the relevant requirements of Article 3 have been fulfilled.”

Was the move (Ng4-e6) “made” according to 4.6? If not, then Black, according to 1.1, “had not the move.” Sincerely, **Martin Mrva (Slovakia)**

Answer This is a very interesting view on the legality of a move. I think that the first meaning of Article 1.1 is only to prevent the possibility of making more than one move in a row by the same player. In my opinion, the main intention of Article 4.6 is that a move cannot be changed after the player has released a piece on a square. You are correct that it can be discussed as to whether the move Ng4-e6 has been made, but such an illegal move must be discovered during the game, and, as with the answer above, this was not the case.

Have a question for Geurt Gijssen? Perhaps he will reply in his next [ChessCafe.com](#) column. Please include your name and country of residence.

[Yes, I have a question for Geurt!](#)

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