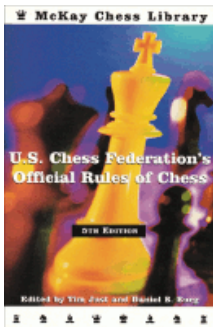




COLUMNISTS

An Arbiter's Notebook

Geurt Gijssen



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I Claim I Touched a Piece

**Question** Dear, Mr. Gijssen. I have a question about touching a piece before moving it. Sometimes you are obliged to move a piece that is under attack (say, your queen is attacked and it is only logical to move the queen). Now, there are a lot of possibilities to move the queen. Imagine that after my queen was attacked, I touched the queen, but did not move it. Furthermore, assume that after a long think I moved something else (forgetting about the attacked queen) and after the move I see my blunder. Can I take it back, because I touched the queen first? My opponent is not claiming this, but I am claiming it myself. Regards, **Ynze Mengerink (The Netherlands)**

**Answer** Your question is very interesting. I checked the Laws of Chess and I couldn't find any Article that stipulates whether a player himself can claim that a piece touched by him must be moved. Of course, the arbiter, who has seen in a **normal** game that a player has touched a piece and then played another piece, has to intervene. I refer to Article 13.1, although I know very well that some arbiters do not like to apply this Article:

*The arbiter shall see that the Laws of Chess are strictly observed.*

I can imagine the following scenario when an opponent applies your "rule" in practice. A player completes a move, and the opponent touches (immediately?) a piece and then starts to think about his next move. It is likely that the opponent will be annoyed that the player seemingly is about to reply immediately and then starts to think. I, as an arbiter, would consider this an act of distraction.

A similar case often occurs when a player completes a move and has the intention to visit the bathroom. At the moment the player raises from his chair, the opponent's hand goes to a piece, giving the impression to play it, but not touching it. The player sits down again and the opponent, instead of making a move, starts to think about his next move. It is very annoying, but nothing can be done against it.

**Question** Dear, Mr. Gijssen. My question deals with a new rule that the Catalan Chess Federation (FCE) wants to apply to its most important tournament (a Team Championship with more than 4,000 players, including GMs and IMs). As there are many matches in many different places at the same time, there are no arbiters in any match (not even in the first divisions), so they want to allow the team captains the right to claim a flag fall ("*els delegats podrà indicar la caiguda de bandera de qualsevol dels jugadors,*" which can be translated as "the captains will be able to show the fall of the flag of any of the players").

This rule is the opposite of Article 6.8 of the Laws of Chess (as well as Article 12.3a):

*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.*

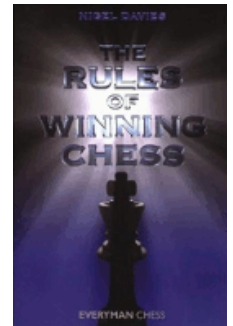
The president of the Catalonian Federation argued on his personal web-page that the rule only fills a legal vacuum, and claimed that the rule is based on Appendix D. His reasoning is that this Appendix deals with tournaments in which there is no arbiter, and that, as it says nothing on who can claim the fall of the flag, there is a legal vacuum. However, I disagree.

Unfortunately, it seems that the FCE Assembly has approved the new rule (we are awaiting for the official acts). So, taking into consideration the Preface of

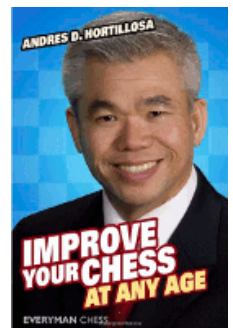
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the Laws of Chess:

*A member federation is free to introduce more detailed rules provided they:*

- a. do not conflict in any way with the official FIDE Laws of Chess, and*
- b. are limited to the territory of the federation concerned, and*
- c. are not valid for any FIDE match, championship or qualifying event, or for a FIDE title or rating tournament.*

My question is whether the new rule is compatible with the Laws of Chess or not. If not (as I think) the second question is whether the Tournament would lose its FIDE status by being played under this new rule (as I believe) or only in the case that it is applied in some games. How should FIDE be informed of this question? Best regards, **Noemí Martínez (Spain)**

**Answer** Let me simplify your question: what are the requirements to make a game "official"? In fact, what are the requirements for a game to be rated? What are the requirements for a game to be valid for a title norm? There are many requirements, but in this case I focus on the role of the arbiter. I refer to the Rating Regulations and Title Regulations. In the Rating Regulations there is no Article that stipulates an arbiter must be involved. This means that the results of the games played in the Catalan League may be sent to FIDE for rating calculations.

For achieving a norm in a tournament, I refer to Article 1.17 of the Title Regulations:

*The tournament shall be conducted by an International Arbiter, failing that, by a FIDE Arbiter.*

Thus, the tournament can be rated by FIDE, but the results cannot be used to achieve title norms. In my opinion, it is possible to appoint captains as arbiters, provided it is announced in advance. I agree with you that it is not an ideal situation, but it is still possible.

**Question** What happens when one of the players becomes ill in a game of chess? Say, Player A is ill, with a medical certificate: 1) Is there a possibility to offer a draw to Player B through the arbiter? 2) Is such draw a legal result without playing the game? The questions are valid, obviously, if Player B agrees to the draw. It is out of question that if Player B doesn't agree to the draw, he wins by default.

There are two points I would like clarified: Is the concept of *force majeure* contemplated in the Laws of Chess, so that the game can be suspended or annulled? Is it logical to force an ill player (with the risk of contagiousness to other players) to go to the playing hall to play five moves and make a pre-arranged draw? Best Regards, **John Mcadoo (Spain)**

**Answer** A game without moves is not a game. If a player is ill and he has no possibilities to go to the playing hall, he has to accept that the game is lost; unless, for instance, the opponent agrees to play the game in the hotel of the ill player. And, of course, the arbiter also has to agree. In the past this occurred quite often, but I do not know of any recent tournament in which it happened.

Another possibility is to postpone the game. In the past, tournament regulations allowed the arbiter to postpone the game for a maximum of four hours. It was also sometimes possible to play on free days, but the number of free days is very limited in tournaments nowadays, especially since adjourned games have been abolished.

**Question** Here is a situation that has been occurring more often these days. Player A wants to stand up while he plays chess. Player B objects to Player A standing as a distraction. Obviously there is no rule that standing is prohibited. However, if Player B states that Player A's conduct is distracting him, then that needs to be looked into. However, one can say almost anything is a distraction if they do not like it. How would you rule? **Robin J. Grochowski (USA)**

**Answer** It is impossible to give a general rule about distraction. I remember a case that took place in 1983 in the European Team Championship in Plovdiv (Bulgaria) when Tigran Petrosian (the world champion) played Radulov (Bulgaria). Radulov was standing in front of Petrosian moving his upper body from side to side. Petrosian accepted this for a while, but finally he became upset and made a gesture to Radulov to stop it. Radulov did so. It was really disturbing and I understood Petrosian very well. By the way, I was not an arbiter in this event.

I refer to the Preface of the Laws of Chess:

*Where cases are not precisely regulated by an Article of the Laws, it should be possible to reach a correct decision by studying analogous situations which are discussed in the Laws.*

**Question** Dear, Mr. Gijssen. I have a question about your response to Mr. Forbes that appeared in your November 2009 column. Mr. Forbes wrote,

"My opponent declared checkmate by Re1+ as his flag fell. It was indeed check and believing that my opponent had swindled me and delivered checkmate, I shook my opponent's hand."

You wrote in response,

"One thing is very clear: you resigned before you were aware that your opponent had overstepped the time limit."

But it is not clear to me that Mr. Forbes resigned. He shook his opponent's hand, but is that the same as resigning? He had no intention to resign – he believed that he had been mated and that the game was already over. And his opponent believed the same thing, and did not believe that he was accepting Mr. Forbes's resignation. The two of them believed that the handshake was taking place after the game, and neither one of them thought that Mr. Forbes was resigning a game in progress. How then does this handshake become a resignation?

If a handshake near the end of a game must be taken as a resignation, why must we say that Mr. Forbes was the one who was resigning? Wouldn't it be equally true to say that his opponent was resigning because his flag had fallen? Of course we know that it wasn't the opponent's intention to resign, but it wasn't Mr. Forbes' intention either.

Why wouldn't it be more correct to say that the handshake had no effect, and that Mr. Forbes' opponent simply lost the game on time? Sincerely, **Peter Kimball (USA)**

**Answer** From Mr. Forbes's letter the following paragraph is essential to understand that he really resigned:

"It was indeed check and believing that my opponent had swindled me and delivered checkmate, I shook my opponent's hand. As I only had ten seconds left, I had calculated that my king had no escape square and that it must indeed be checkmate."

It is even possible that Mr. Forbes said something to congratulate his opponent. To me this case is clear, but I understand your remarks. Shaking hands is not considered a resignation of the game. I mentioned before that the way a player resigns is not clearly written in the Laws of Chess. An arbiter and the players are absolutely sure that a player resigns when there is written evidence.

A long time ago I had the following case and I learned something from it:

A game was adjourned. One of the players came to me and told me that his opponent had offered him a draw and that he accepted. I knew this player quite well and I knew that he was very reliable. The next day, at the start of the adjournment session, the opponent came to me and asked me where the

board was located for his game. I answered that the player had accepted his draw offer. "Are you able to prove that I offered a draw?" was his reaction. I couldn't and had no choice and waited for one hour, hoping that the player would arrive. In the meantime, I asked the opponent his opinion of the position. "100% a draw," he replied. After one hour I declared the game won for the present player. The only thing I was able to do was to reimburse the losing player, from my own pocket, the amount of money he lost through this game.

A few years ago I heard an amusing story. A player, having a lost position, shook his opponent's hand. The opponent was a little bit astonished and asked the player what it meant: draw or resigning. The player's answer was, "Well, I suddenly remembered that we did not shake hands before the game; therefore, I do it now."

**Question** This is more of a comment. For USCF-rated events in our local club, we make the following announcement each week:

"We have a no-hovering rule. It is absolutely forbidden to have one's hand over the board, touching the pieces or doing anything ... unless your clock is running. You cannot move a piece on your opponent's time. Penalties shall be a warning, then a time adjustment, then a forfeit."

In our local club, we believe that mad time scrambles where players move their pieces while the other person's clock is running not only are improper ... but they can be avoided entirely by rules and announcements that tell players their rights and seek to change the culture that seems to think such tactics are OK.

I strongly believe that FIDE should adopt a similar measure - that it should be considered an etiquette violation to move a piece before your clock is running. It violates the spirit of why there is a clock in the first place (which is to provide a time period in which to make one's moves).

In answer to a recent question where Player A had 50+ minutes and Player B had 20 seconds, and Player A made his move but had not yet pressed his clock while Player B moved instantly without waiting for a clock press - our local rule would allow Player A to complain to the TD. Player B would be admonished for not following the announced rules. And yes, Player B should sit there for a reasonable period of time - doing nothing - until his clock (his time) is running. That is part of the agony of time pressure.

I would make an exception if it appeared that Player A simply forgot to press the clock - waiting a minute or two for him to notice is good sportsmanship. That is why what we call "hovering" is more an etiquette violation than a strict rule violation. But moving instantly? On the opponent's time? That is poor sportsmanship and forbidden in our club. It simply is wrong to teach generations of players that it is OK to move on the opponent's time. **Eric C. Johnson (USA)**

**Answer** Thank you for your comment. I am ready to believe that you created an ideal situation in your club. Nevertheless, I have some doubts. Especially in Blitz games it is almost impossible to observe the real sequence of what is happening. I have still one question. You write,

"And yes, Player B should sit there for a reasonable period of time - doing nothing - until his clock (his time) is running. That is part of the agony of time pressure."

What is reasonable: one minute, five minutes?

I remember a case in which a very well-known grandmaster had a lost position against an IM. The IM had about one minute left and the GM more than thirty minutes. It was the GM's move. He "thought" about his next move for twenty-six minutes, until he had only four minutes left, and was not obligated to record the moves. From that point he started to play as in a Blitz game and won finally the game.

**Question** Dear Geurt, I have a follow-up comment on your answer to Siebren Westra. You stated,

"If Black offered a draw, and they shook hands to confirm the agreement, and then White noticed the flag fall, the draw stands. For this I refer to part of Article 6.8 of the Laws of Chess:

"A flag is considered to have fallen when either player has made a valid claim to that effect.

"This means that the flag has "officially" fallen at the moment of the claim and not at the moment it really occurred."

I think the last sentence has to be discussed and I would like to share my thought and the reason behind it.

First of all, in the given example, 5.2c clearly states that the game is a draw. The further discussion after White noticed the flag fall (I, as well as you, assume this was after the handshake) will be covered by 6.9, which explains one has lost in case all necessary moves were not made "in time." Both players should have a consensus in this point. In this situation, however, one of the exceptions in 6.9 will overrule 6.9, thus again 5.2c.

You mentioned a flag is "officially" fallen at the moment of the claim and not at the moment it really occurred. I think this is a little bit unclear. Assume the following (real!) example:

Player A and Player B are playing a long game. While thinking on move forty, Player B's time was over and he did not make all necessary moves in time. Both players recognized this fact. However, and surprisingly, Player A did not claim this fact at that point in time, nor did Player B. Player B went ahead and made his fortieth move and each player then made their forty-first move. After that Player A claimed that the flag had fallen on move forty! Because they had a consensus that the time forfeit was on move forty, the game was won by Player A due to 6.9.

In my opinion this is fully covered by 6.9. Of course, usually Player B would argue he made all his moves in time and that he run out of time on move forty-one. Hence, there would be no consensus and therefore one cannot prove this fact – thus leading the game to continue. But in this case both players agreed the time of Player A expired on move forty and I see no reason why a claim is not allowed to be shifted in time (again, except in case of the exceptions mentioned in 6.9 and if a consensus about the time exceeding on move forty). One has to split "proving" and "the fact itself."

If your argument ("the flag has 'officially' fallen at the moment of the claim") is true, we had a problem in this case. Therefore, I think my argument is more accurate. If you think differently, please let me know. Best regards, **Markus Wilke (Germany)**

**Answer** Yes, unfortunately I have still a different opinion. You mention that they reached consensus after they made move forty-one. Would you still have the same opinion if they agreed at move forty-eight that a player overstepped the time limit at move forty? I am afraid that we will have some problems allowing players to reach consensus about what happened some moves prior. I don't mean illegal moves, but explicitly the matter mentioned in your letter.

**Question** Thank you for your answers in your December column. You are absolutely right, my two examples were fictitious. The reason is this. In Finland we have this Blitz rule: A player can take back his illegal move before stopping his clock. So this happened: I made an illegal move and then I took it back. Meanwhile my opponent made his move. Then I made a legal move and after that I stopped my clock. Now I can use this rule against those players who make their moves very fast as happened in my examples. I am very sorry that I didn't tell you this. What is your opinion about this kind of blitz rule? Now I can make a trap: I make an illegal move on purpose. What is your opinion? Can this be used in Moscow, Paris, Berlin, London, New York, or in the Netherlands? The whole point was this: How to "punish" those

players who use my time on my clock when they make their moves? I have never used this trick in Finland. **Osmo Kähönen (Helsinki)**

**Answer** As far as I can see, there is simply a loophole in the Finnish rule. It should be mentioned that a player may take back his illegal move and the situation before that illegal move should be restored. I like also to mention that the clock times should be adjusted. In my opinion all these corrections can be quite complicated. Therefore, this "Finnish" rule, provided it really exists, is not very useful. The Blitz Rules in the FIDE Laws of Chess are more practical.

**Question** Dear, Mr. Gijssen. I have some comments regarding your last column: What to do in blitz when there is K+N vs. K+N or something similar? Of course, only in games without increment this problem occurs. In my lectures I try to explain the situation. Let us apply the Preface of the Laws of Chess:

*The Laws of Chess cannot cover all possible situations that may arise during a game, nor can they regulate all administrative questions. Where cases are not precisely regulated by an Article of the Laws, it should be possible to reach a correct decision by studying analogous situations which are discussed in the Laws. The Laws assume that arbiters have the necessary competence, sound judgement and absolute objectivity. Too detailed a rule might deprive the arbiter of his freedom of judgement and thus prevent him from finding the solution to a problem dictated by fairness, logic and special factors.*

I refer also to Article 12.1:

*The players shall take no action that will bring the game of chess into disrepute.*

Now, before the start of a blitz tournament, I explain my understanding of what "disrepute" means. If a player proposes a draw in position like K+N vs. K+N or something similar, and his opponent does not accept a draw, a player may stop the clocks and bring my attention to this situation. And there is a big chance that I accept this claim and the result would be not 1-0 but 0-1. So both players take a risk for their results. I cannot insist that this solution is perfect, but it is better than some.

I hate the sentence "the rules of a competition may specify that players cannot agree to a draw ... without the consent of the arbiter." From one side, FIDE officials say that the IOC dislikes that chess is the only sport where two players can come to agreement for a draw. From the other side, the same officials created a worse situation by involving the arbiter in such negotiations. Your examples of games from the Tal Memorial showed how clever players find solutions in such situations. When I am in such a position, I give my consent to the players. **Igor Vereshagin (Russia)**

**Answer** I would like only to comment on the first part of your letter regarding Blitz games. As long as the event is not a FIDE match, championship or qualifying event, a FIDE title or rating tournament, an organizer has the possibility to establish his own regulations, provided that it is communicated in due time to the players and not just before the start of the tournament. This means your suggestion is acceptable.

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