

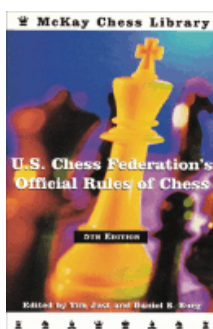


COLUMNISTS

An Arbiter's Notebook

Geurt Gijssen

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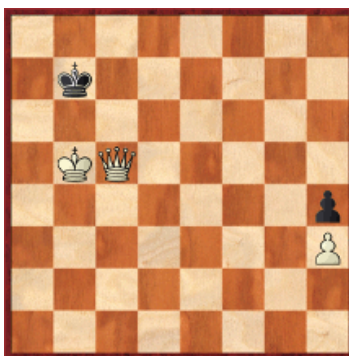
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Do we need to change the Laws of Chess?

Question 1 Dear, Mr. Gijssen. Regarding your answer to Mr. Günther van den Bergh from your [June 2010 column](#), I do believe that we need to change Article 5.1.b of the Laws of Chess. There are at least three other cases in which the actual wording causes problems.

1. A player stalemates with a legal move without realising it. This move is so threatening (mate in one), that the opponent resigns without realising the stalemate.
2. A player checkmates with a legal move without realising it and subsequently resigns at a later stage of the game.
3. A player who has been notified by the arbiter that he has won on time resigns the game.

Cases one and two were dealt with by the FIDE rules committee in the 1970s and it was decided that the resignation is not valid. Both checkmate and stalemate immediately ends the game, so there is no longer a game in progress that can be resigned. Case three came about in a seminar for beginning arbiters. In the following position, White has been pushing the black king towards the a8-corner with a newly promoted queen. Clearly, White is trying to win by normal means.



[FEN "8/1k6/8/1KQ5/7p/7P/8/8"]

White overstepped the time limit. At this point, both players thought that this was a draw according to Article 6.9, because black cannot possibly mate. Of course, the players are completely wrong. The arbiter interfered and declared the game lost for White. The players then pointed out that the position is impossible to win by normal means for Black. The arbiter correctly indicated that a claim based on Article 10.2 can only be made before the flag fall. Finally, Black said, "I have been clearly beaten over the board; my victory is unsportsmanlike and brings the game of chess into disrepute, so I resign." The question for the lecturer (I) was "would you accept this resignation." My answer was that the game is over at the moment that the arbiter has observed the flag fall and declared White lost on time according to Article 6.9. At the moment of the resignation, there is no longer a game in progress, so there is nothing that could be resigned. Although I understand that Black may be ashamed to win a lost position, as an arbiter, I do not know what a lost position is.

Of course, cases one and two occur only with children and novice players. It is easy to modify Article 5.1.b to cope with all cases:

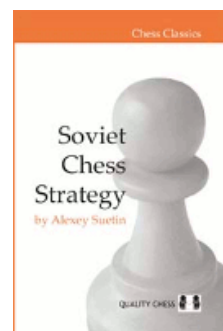
Unless the game has already been concluded in some other way, the game is won by the player whose opponent declares he resigns. This immediately ends the game.

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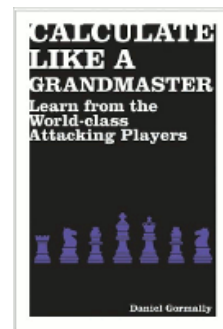
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The following clarification should be placed somewhere in the Laws:

In applying Article 5.1b and 9.1.b.1, a game is considered to be concluded

a. in case of Article 6.9, at the moment that the arbiter has noticed the flag fall or at the moment of a valid claim to that effect by a player (see Article 6.8), whichever comes first.

b. In all other cases, at the precise moment of the game termination according to the Laws of Chess. Whether or not the players realise the termination of the game is irrelevant.

Question 2 A player who becomes aware of a violation made by his opponent or by himself or of an irregularity (for example, a malfunctioning or improperly programmed clock) must claim it as soon as he becomes aware of the situation. Deliberately delaying a claim with the intention of obtaining an advantage is not permitted and apart from the penalties described at Article 13.4, the arbiter is allowed to deny the claim, even if it is a valid claim.

The following three cases have been brought to my attention:

Case one - one of the players is aware that at move forty, the clock did not add the time properly. He says nothing and if the opponent oversteps first, he will remain silent. Only if he oversteps or if he is near overstepping, will the player claim the problem.

Case two - a player who knows that he has completed an illegal move makes a sacrifice to attack the opponent's castled position. If the attack is successful, he remains silent. If the attack is unsuccessful, he will call his own illegal move and the game will be reverted to a position prior to his sacrifice. By delaying his own claim, the player has gained the ability to play for a win without taking any risk.

Case three - this is possible only in unsupervised rapid play. In the following diagram, White has the move. Clearly, the position is illegal because the black king is in check.



[FEN "2q5/5pkp/pb4p1/2p5/Q7/1P5P/PB3PP1/6K1"]

After thinking about it, White decide not to claim the illegal move, instead he plays Qe8. When Black replies Qxe8, White claims an illegal move. The black queen is lost after any legal Black move. After Qe8, the black queen is lost even if Black notices the check and avoids playing an illegal move. This win does not look legitimate, but White did not break any rule. According to A.4.c, nothing wrong has occurred because previous illegal moves cannot be corrected. Furthermore, for rapid play, it is not possible to bring the game back to a previous position, although this would be a fair solution in this case. In my opinion, if we want to penalise White, the only opportunity is Article 12.1, but the player will certainly claim that since he has broken no rule (what he did is permitted under A.4.c), his behaviour cannot bring the game into disrepute. Perhaps we need to add a third exception to A.4.c:

The arbiter may interfere and even revert the game to a previous position if a player tries to gain an advantage from his intentional omission to claim an opponent's illegal move.

Question 3 I know that Progressive Score has been eliminated as a tie-break. Could you please explain why? It is not clear from the minutes on the FIDE website. **Pierre Dénomée (Canada)**

Answer 1 I agree that anything that happens after a game finishes by stalemate or checkmate is irrelevant. The only problem is the moment this stalemate or checkmate was discovered. What to do, if, for instance, after the finish of the tournament and prize giving the original finish was discovered? In my opinion, in such cases the result stands in the tournament table, but for rating calculations the original and correct result should count. And what to do with norms based on the wrong result, which was discovered months or even years after the tournament? We have to deal with this problem very carefully. Therefore, I prefer to discuss it with the chairman of the Qualification Commission of FIDE. By the way, I am in favour with the addition you propose to Article 5.1.b.

Regarding the case of a player who wished to resign after his opponent overstepped the time limit in a winning position, I agree that the result stands if the arbiter noticed the flag fall.

Answer 2 These cases are very interesting; however, they have one element in common. You assume that a player was cheating his opponent. It is an assumption, but how to prove that it is cheating? Even if you are absolutely convinced, it is, in my opinion, impossible to penalize. Therefore, I am not in favour of your proposal, because it doesn't work.

Answer 3 Many tie-break systems are dubious, but Progressive Score most certainly is. Suppose two players played in a tournament against the same players and achieved the same result against each of the opponents. In this case the order in which the two players did play against the opponents is decisive for the final standings. What do you think? Is this fair?

Question Dear, Mr. Gijssen. During a tournament game (normal rate of play) one player's cell phone produced a sound of receiving messages. The arbiter immediately awarded a full point to the opponent. However, the victor requested that the game continue, as he does not to win in such a way. The arbiter said the game finished as soon as the cell phone produced a sound and the opponent will get the full point even if he wishes to continue. Is the arbiter right? **FM Md. Taibur Rahman (Bangladesh)**

Answer I refer to Article 12.2.b of the Laws of Chess:

Without the permission of the arbiter a player is forbidden to have a mobile phone or other electronic means of communication in the playing venue, unless they are completely switched off. If any such device produces a sound, the player shall lose the game. The opponent shall win. However, if the opponent cannot win the game by any series of legal moves, his score shall be a draw.

As you can see, it is written that the offending player will lose the game. The opponent's wishes do not factor in the decision.

Question Dear, Mr. Gijssen. I have a question about an illegal move in a rapid game. We have a tournament with sixty players and one arbiter (so no supervision of play). The rate of play is 20 minutes KO. Say the following position arose. White had one minute and Black two minutes.



[FEN "2r5/q4p1k/6p1/p5bp/8/P5P1/IQ3PbP/3R2K1"]

The game continues **1.f4 Rc2**.

White to move, stops the clocks and calls the arbiter for a claim. He explains that he played an illegal move (by exposing his own king to attack) and pushed the clock. Black then played a move and pushed the clock. Both players agree with the last moves.

White thought that the arbiter can apply Article A.4.b., so he asks the arbiter to reinstate the position before the illegal move (Articles 4.6, 7.4.a and 7.4.b). Black thought that the arbiter must apply Article A.4.c with an illegal move in a rapid game. He believes White's claim to be incorrect according to A.4.c., and that the game must go on from the last position. What is the decision of the arbiter?

Best Regards, **Emmanuel Variniac (France)**

Answer First, let us see whether Articles A.4.b and c are relevant:

b. The arbiter shall make a ruling according to Article 4 (The act of moving the pieces), only if requested to do so by one or both players.

c. 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.

I will not quote Article 4, because it is not relevant in this case. For instance, it mentions that the player has to play with one hand, has to say j'adoube before adjusting a piece, etc. Therefore, I will focus on Article A.4.c. The easiest way to answer the question is using your own example.

White played **1.f4** and pressed his clock. He completed an illegal move. Black didn't claim the illegality of White's move and played **1...Rc2**. By playing this move, he forfeited his right to a claim. In my opinion, this is the literal application of Article A.4.c.

Now we have to discuss the actual position. In this position, the white king is attacked. So the player of the white pieces has to make a move that brings his king out of check, say, 2.Qd4 is probably a good move.

Question Geurt, I have three questions, but I am not sure if the rules differ between USCF and FIDE events.

1. If someone is using a Monroi and they make a move on the screen before they make the move on the board, what is the punishment? Isn't this cheating?
2. Can a player, on his move adjust his and his opponent's pieces?
3. If a TD is watching a game and an illegal move takes place, can or should he say something?

Thank you, **Cliff Batezel (USA)**

Answer 1 The player acting as you described may not have the intention to cheat. Nevertheless, it is forbidden, because the player has an advantage by viewing a future position. If I were the arbiter, I would issue a warning first and administer a harsher penalty for subsequent offences of the same kind, even to declare the game lost.

Answer 2 I refer to Article 4.2 of the Laws of Chess:

Provided that he first expresses his intention (for example, by saying "j'adoube" or "I adjust"), the player having the move may adjust one or more pieces on their squares.

As you can see, this Article doesn't forbid adjusting the opponent's pieces. Nevertheless, I understand that a player can be annoyed when an opponent adjusts his pieces, especially if it happens several times in the same game. Therefore, I advise, in such situations, to adjust the pieces only when it is really necessary. And, if a player foresees problems, to ask the arbiter's assistance.

Answer 3 First, let me clarify the abbreviation TD. TD means tournament director. A tournament director in the U.S. is in fact the chief arbiter. A tournament director in Europe is the person who organizes the tournament and is responsible for invitations, transportation, etc. In the U.S. he is called the tournament organizer.

Opinions on such matters differ. There are arbiters who believe that they have to wait for a claim from the opponent. And there are arbiters, I among them, who believe that they have to apply Article 13.1 of the Laws of Chess:

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

We have to apply this Article for normal, Blitz, and Rapid chess games with adequate supervision.

Question I was playing a blitz tournament in Russia. In one round my opponent had very little time on the clock, and he wanted to queen a pawn. There were queens near the board, but my opponent stopped the clocks and called the arbiter to give him the queen! Is this allowed? This gives him more time to think until the arbiter arrives and in blitz time is everything! **Vidit Gujrathi (India)**

Answer I refer to Article 6.12.d of the Laws of Chess:

If a player stops the clocks in order to seek the arbiter's assistance, the arbiter shall determine if the player had any valid reason for doing so. If it is obvious that the player had no valid reason for stopping the clocks, the player shall be penalised according to Article 13.4.

It is clear that your opponent stopped the clocks to seek the arbiter's assistance. However, it is also clear that your opponent had no reason to stop the clocks, because the queen he needed was available. Therefore, the arbiter should have penalized him. In my opinion, he should deduct some seconds from your opponent's time and add some time to your clock, because you were disturbed by your opponent's action.

Question Your answer to GM Korneev's question in your [June 2010 column](#) shows why players hate article 10.2. As the rule is written, the arbiter is always right, even when he is wrong. Fortunately, with the popularization of increment time controls, the rule is used less often today, but it is still hotly debated. I see two problems in its current form:

1. There is not a clear procedure to claim the draw.
2. There is not any "rule of thumb" to guide the arbiter on its final decision.

On the first point, I have seen arbiters accept a claim as correct when a player simply says the word "draw"; while some arbiters insist that a player stop the clocks and specifically request a ruling under 10.2 before taking action.

I recommend that arbiters only take action if the player, having the move, asks for a draw directly to him. Then the arbiter instructs the player to stop the clocks if he has not done so, and asks the reason for the claim. Any answer such as "it is a dead draw," "I cannot lose this," "my opponent is only trying to win on time," etc. is met with the confirmation question, "So, you are claiming a draw because your opponent cannot win by normal means?" The player agrees, and the first hurdle is cleared. Now to the second point.

There is no consensus on when to give the claimed draw. Some arbiters would award the draw in a middlegame position when one side is a clear pawn up; another may award the draw only in the most extreme cases. With the current rule, both are always correct.

The USCF has a similar rule, and I like the way they express it. The arbiter awards the draw if a C Player (Elo 1500) can be expected to hold the draw against a GM. Of course, it is very subjective, but at least it is a guideline to help the arbiter to make a decision. I see some equivalence in "cannot win by normal means" to "even a GM cannot win against a C Player." I understand that the Laws of Chess cannot include such rules of thumb, but we should promote it as a recommendation to the arbiters.

About GM Korneev's position, it is clear that Black cannot win that position by normal means. Given the question asked, it looks like the arbiter would only give the draw if Black were patently trying to abuse the time trouble regardless of the position on the board. This is wrong in my opinion. I would accept the draw claim, and I am sure you would defend my decision as much as the opposite one, because both decisions are within the rules. Regards, **IA Eduardo Saucedo (Mexico)**

Answer There are some elements of Article 10.2 that you do not mention. Therefore, I refer to Article 10.2.a and b:

a. If the arbiter agrees the opponent is making no effort to win the game by normal means, or that it is not possible to win by normal means, then he shall declare the game drawn. Otherwise he shall postpone his decision or reject the claim.

b. If the arbiter postpones his decision, the opponent may be awarded two extra minutes and the game shall continue, if possible in the presence of an arbiter. The arbiter shall declare the final result later in the game or as soon as possible after a flag has fallen. He shall declare the game drawn if he agrees that the final position cannot be won by normal means, or that the opponent was not making sufficient attempts to win by normal means.

I will point out an often overlooked possibility in this situation, which is to postpone the decision of awarding the claimed draw. Very important is that Article 10.2.b states clearly that the arbiter shall, if possible, observe the continuation of the game. In this case, he has the possibility to decide correctly, because he sees whether the opponent is making sufficient attempts to win the game. Apparently the position is not the most important item, but how the opponent continues the game. I miss this in your statement.

Another case is when the opponent cannot win by normal means. In my opinion, there are two different types:

1. The opponent cannot win because he has insufficient material to checkmate the player's king. This is covered in 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.

2. The position is such that neither player can win the game. This is covered in Article 9.6:

The game is drawn when a position is reached from which a checkmate cannot occur by any possible series of legal moves. This immediately ends the game, provided that the move producing this position was legal.

It looks as if I disagree with you, but in general this is not the case. I am also very happy that a greater number of rapid and blitz games are played with a time increment, which forbids the application of Article 10.2. I agree that the way in which the draw is claimed can be very unclear. Your examples are accurate and I like your proposed remedy.

Finally, regarding your remark about GM Korneev's claim. As a matter of fact, it is very difficult to define the meaning of "by normal means." I agree that GM Korneev's position is very good, even winning. But does it mean that the opponent cannot win the game? We have to be very careful with Article 10.2. We can never ignore that the clock is a relevant element in a chess game.

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