

## Summary of doctoral dissertation

**Title of the dissertation:** "The principle of fair play in sports law"

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The aim of this doctoral dissertation is to analyze the normative status of the fair play principle. So far, the principle of fair play has been perceived primarily as a set of ethical and moral norms created for the needs of sports competition. The principle in question is characterized by such ethical values as, among others: honest conduct, equal opportunities, avoiding fraud and peaceful competition.

The principle of fair play in professional sports is implemented mainly on the basis of generally accepted competition rules. Moreover, the shape of fair play includes accepted customs and good practices present in sports (e.g. interrupting a given game in order to help a competitor or striving to win within the limits of applicable regulations).

The principle of fair play is not only related to events taking place in sports arenas. It is a whole series of moral attitudes cultivated both in everyday life and during a specific sports game. A person who follows the principle of fair play should be characterized by high ethical qualities, regardless of the type of job or social status. Moreover, not only players, but also all participants of the sports economic sector (e.g. coaches, activists and fans) are obliged to comply with the fair play principle. The principle of fair play, which has the above-mentioned ethical virtues, was called for the purposes of the dissertation the principle of fair play in the sense of the spirit of sport.

Unfortunately, due to the widespread globalization of professional sports, the principle of fair play is gradually being devalued. The above is influenced by the social transformations of sport. This sector of the economy is currently a perfectly functioning legal and administrative machine. The above field generates huge revenues and increasingly functions as a good marketing product, which is not without influence on political and social pressures. All these elements make moral values no longer so important. On the other hand, if athletes stopped

following the basic rules of competition, it would be impossible to carry out any competitive process. Therefore, this principle still remains important for the essence of mutual competition.

The monopolistic nature of sports federations, as well as the regulatory specificity of sports law, result in more and more legal problems in the area of professional sports. This is due to the multimetric nature of sports law (i.e. mixing private law sports regulations with common law). The sphere of legal problems related to the social field of sport concerns both issues directly related to competition (e.g. the legal status of an athlete or a sports club, the problem of the impartiality of a sports arbitrator of an arbitration court) and sports-related issues (e.g. the right to an athlete's image).

Due to the specific regulatory order of sports law and the mounting legal problems in professional sports, space should be allocated to apply the principle of fair play in the normative sphere. The principle of fair play in the sense of the spirit of sport is transformed into the principle of fair play in the normative sense, in particular when a player or a sports club breaks sports rules. In this type of situation, the entity accused of breaking the competition rules may be punished for its behavior or has the opportunity to prove its innocence. Moreover, the principle of fair play in normative terms is realized in the form of some sports rulings of arbitration courts and European courts. It is also activated by actions taken by representatives of the world of sports, aimed at eliminating discriminatory regulations (e.g. the case of ice skater Claudia Pechstein v. Switzerland).

The principle of fair play in normative terms can be an antidote to various problems of sports law. Therefore, the choice of the topic of the doctoral dissertation seems to be justified.

The work consists of an introduction, four chapters and concluding remarks. The first chapter concerns the history of sports and the rules of sports competition. The second chapter is related to the issues of the principle of fair play and the principle of equity. The third chapter is devoted to the definition and structure of both sports law and the principle of fair play in sports law. The last chapter of the work analyzes the principle of fair play from a normative perspective. The analysis in question is carried out through the prism of legal and sports regulations, both at the level of legislation created by sports federations and generally applicable regulations.