

Age Minimums in the Sport of Women's Artistic Gymnastics

Jennifer Paul*

Introduction

The 2008 Beijing Olympic Games, hosted by the People's Republic of China, included outstanding performances by the female competitors in women's artistic gymnastics (WAG). True to form, the women's Chinese gymnastics team did not disappoint, boasting a gold-medal finish in the team competition and winning five individual medals.¹ However allegations that the Chinese team had ineligible members underscored China's success at the 2008 Olympics.

The Chinese women's gymnastics team was accused of including at least three members who did not meet the 16-year-old age minimum for Olympic and senior international gymnastics competitions.² The International Olympic Committee (IOC) asked the International Gymnastics Federation (FIG) to look into the age controversy further after the Olympic Games concluded, but the FIG determined that China adequately presented the committee with official government documents and passports verifying the gymnasts were all at least 16 years old.³

Age controversies have taken place since the FIG increased the minimum age requirements from 14 years of age to 15 years of age for the Olympic Games, World and Continental Championships in 1980.⁴ The 2008 Beijing Olympic gymnastic age-minimum controversy is a contemporary reminder that age minimums in women's artistic gymnastics is still a relevant issue in the sport. Subsequently, the FIG amended its 2009 Technical Regulations, requiring that all junior and senior international competitors have a license issued from the FIG Office.⁵ The FIG license is considered a "gymnastics passport," used to determine age eligibility for competitors.⁶

Prior to the licensing requirement, senior competitors' ages were determined by submitting a "valid" passport.⁷ Although age will still be determined based on passport records for licensing purposes, the hope is that this new system, regulated directly by the FIG, will establish an internal record of eligible gymnasts and their ages starting at the junior level. The

* Jennifer Paul is a J.D. Candidate at Willamette University College of Law (May 2010).

¹ Beijing Associated Press, *IOC to Investigate Ages of China's Gymnasts*, Aug. 21, 2008, <http://www.nbcolympics.com/gymnastics/news/newsid=245550.html#ioc+investigate+chinas+gymnasts>.

² Jere Longman & Juliet Macur, *Records Say Chinese Gymnasts May Be Under Age*, July 27, 2009, available at <http://www.nytimes.com/glogin?URI=http://www.nytimes.com/2008/07/27/sports/olympics/27gymnasts.html>.

³ Lausanne (SUI), *Query regarding Age of Chinese Gymnasts*, Oct. 1, 2008, <http://www.fig-gymnastics.com/vsite/vcontent/content/transnews/0,10869,5187-187975-19728-44545-290073-17968-5233-layout187-205197-news-item,00.html>.

⁴ International Amateur Athletic Federation, *Within the International Federations*, 155 OLYMPIC REV. 513, 520 (1980). The regulations took effect in Jan. 1981.

⁵ Federation International De Gymnastique, TECHNICAL REGULATIONS 2009, Reg. 5.1-5.2, available at <http://www.fig-gymnastics.com/vsite/vnavsite/page/directory/0,10853,5187-188050-205272-nav-list,00.html>.

⁶ *Id.*

⁷ Associated Press, *FIG to Adopt Licensing System to Prove Gymnasts' Age*, Oct. 27, 2008, <http://sports.espn.go.com/oly/gymnastics/news/story?id=3667635>.

FIG believes this new system will help eliminate concerns about age fabrication long before gymnasts compete at the senior level.

In this paper, I will tackle the issue of age minimums, given the resurgence of the age minimum controversy in women's artistic gymnastics and the recent amendments to the FIG's technical rules regarding age requirements. In addition, I will explore why we have an age minimum in women's gymnastics, why the age requirement is currently set at 16 for senior international competitions, and whether the age minimum is needed. Assuming that the age minimum is a necessary requirement for the sport, and given the contemporary controversies over age fabrication, I will discuss whether enforcing an age minimum is a feasible standard for women's gymnastics.

Why Age Minimums in WAG?

Physiological Reasons:

In 1980, the FIG increased the minimum age for women's artistic gymnastics from 14 to 15 years of age in order to compete in the Olympics and the World and Continental Championships.⁸ The FIG implemented the increased age minimum to refocus the sport of gymnastics towards artistry elements rather than acrobatic-driven competitions.⁹ While gymnasts may be very capable of learning technical skills at a younger age, artistry typically can only be mastered over time. Older gymnasts add elegance and bring beauty to their routines, particularly through dance elements. Given these theories of artistic development, the express goal of the 1980 age increase was to center senior international and Olympic competition on more seasoned gymnasts to revitalize artistic elements in the sport.¹⁰

As of January 1, 1997, the FIG again raised the age of competition for Olympic competitors and senior international competitors, this time from 15 to the FIG's current age requirement of 16.¹¹ However, the purpose of the 1997 age minimum increase appears to be different than the artistic goals that drove the 1980 age increase. In fact, recent changes to the "Code of Points"—primarily its restructuring in 2006—suggest that artistry is no longer a priority for the FIG.

The "Code of Points" consist of the rules and regulations for all "international competitions under the official jurisdiction of FIG," including World Championships, Olympic Games, World Cup Games, and qualifying competitions.¹² The FIG's "Code of Points" establishes the mandatory elements in routines, designates point values for technical and artistic skills, and dictates how routines will be judged.¹³ The 2006 "Code of Points" demanded greater

⁸ International Amateur Athletic Federation, *supra* note 4.

⁹ Neil Amdur, *Rift Over Underage Gymnasts*, N.Y. TIMES, Dec. 7, 1981, at C4, available at <http://www.nytimes.com/1981/12/07/sports/rift-over-underage-gymnasts.html>.

¹⁰ *Id.*

¹¹ Federation International De Gymnastique, *supra* note 5, at Reg. 5.2.

¹² Federation International De Gymnastique, CODE OF POINTS 2009–12, preface, available at

<http://www.sportcentric.com/vsite/vnavsite/page/directory/0,10853,5187-188050-205272-nav-list,00.html>.

¹³ *Id.*

technical difficulty from the athletes and placed less value on artistry.¹⁴ For the first time, the artistic elements in routines were not counted in determining the overall difficulty of the routine, but evaluated in the execution score, which only amount to point deductions. The artistic elements had the least influence in increasing the gymnast's overall total score (or "start value").¹⁵ These changes seemed to undermine any argument the FIG could have made regarding the current age minimum and its link to achieving greater artistry in the sport.¹⁶ The current "Code of Points" reflects a general shift in the sport from an appreciation of artistry to a greater focus on athleticism.

While artistry was not among the FIG's named considerations for the 1997 age increase, Jackie Fie, then the president of the FIG's women's technical committee, listed the following considerations that led to the rule change: musculoskeletal development of young competitors, lengthening gymnasts' careers, preventing burnout and the need to foster a more positive image of the sport among the general public, spectators, and the media.¹⁷ While Fie's reasons for the rule change included an image-improving strategy for women's gymnastics, the main impetus for the change related to physiological concerns for the athlete.

Michel Leglise, one of the FIG's executive committee members and chair of its medical commission in Paris at the time of the 1997 rule change, stated that musculoskeletal problems were among the primary factors considered.¹⁸ Leglise stated, "The period when (gymnasts) are at the top (as competitors) is also the time when their growth is not finished, and the cartilage is not completely structured; it means a certain fragility for the articulations * * * [w]e know that one more year for maturation of the skeleton is appreciable."¹⁹

There may be good reason to believe that physical adolescence is a major cause of injury in a young gymnast. First, the growth process itself can cause an imbalance between strength and flexibility, a possible factor in injury.²⁰ Additionally, studies have shown that growth plate cartilage may be less resistant to "repetitive stress than adult articular cartilage * * * causing an increased likelihood of injury to the open epiphysis."²¹ An article in *The New England Journal of Medicine* highlighted some particularized injuries to gymnastics. The article states that gymnastics may cause the following injuries:

Repetitive stress on the developing musculoskeletal system, which has a much higher cartilage content than in adults, may cause an accumulation of minor

¹⁴ Federation International De Gymnastique, CODE OF POINTS 2005-2008, available at <http://www.sportcentric.com/vsite/vnavsite/page/directory/0,10853,5187-188050-205272-nav-list,00.html>.

¹⁵ *Id.* Instead, the technical elements heavily influenced the overall score.

¹⁶ *Id.*

¹⁷ Van Anderson, *Female Gymnasts: Older and Healthier*, 25(3) THE PHYSICIAN AND SPORTSMEDICINE 25 (March 1997).

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ D.J. Cain & K.J. Linder. *Overuse Injuries of Growing Bones: The Young Female Gymnast at Risk?* 13(12) THE PHYSICIAN AND SPORTSMEDICINE 51 (1985).

²¹ R.M. Daly et al., *Balancing the Risk of Injury to Gymnasts: How Effective are the Counter Measures?*, 35.1 BRITISH J SPORTS MED 8 (Feb 2001), citing D.J. Cain & K.J. Linder, *Overuse Injuries of Growing Bones: The Young Female Gymnast at Risk?* 13 THE PHYSICIAN AND SPORTSMEDICINE 51-64 (1985), and D.J. Caine, *Growth Plate Injury and Bone Growth: An update*, 2 PEDIATRIC EXERCISE SCIENCE, 209-29 (1990).

physical insults that can result in permanent injury or deformity. These injuries include stress fractures; growth-plate fractures; wrist and elbow injuries; spinal injuries such as scoliosis, spondylolysis, and spondylolisthesis; and reflex sympathetic dystrophy.²²

However, both of the above studies compare the maturity of the skeletal system in children to that of adults. Without empirical evidence, the studies thereby attribute a greater likelihood of injury in child gymnasts to the gymnast's vulnerable skeletal system, which is exposed to long durations of elite training.²³ These studies do not necessarily establish at what age a child's skeletal system could handle elite gymnastics training and whether the age of 16 is an appropriate benchmark for physical development. Additionally, if injury is most likely associated with many years of training, the age minimum in senior competition is ineffectual in addressing this risk because elite-level training begins at very young ages, long before a gymnast enters senior competition.²⁴

The "female-athletic-triad" has been closely associated with the sport of gymnastics.²⁵ The "female-athletic-triad" is characterized by three prongs of illness: (1) eating disorders²⁶; (2) menstrual dysfunction; and (3) physical underdevelopment (e.g., height at maturation, or stunted growth) that may lead to osteoporosis.²⁷ While data is scarce on elite gymnasts and the retardation of their development, two main studies have addressed these issues.

One such study anthropometrically analyzed 201 female gymnasts competing in the 24th World Championships (Rotterdam, 1987).²⁸ Kinanthropometry refers to the "quantitative interface between human structure and function" and is considered the "measure of man," including the relationship between movement and body size, body proportions, shape characteristics (or somatotype), body composition, maturation, and gross motor performance.²⁹ The mean age of the gymnasts studied was 16.5 years.³⁰ The gymnasts' data was compared with cross-sectioned reference data on non-athletic girls with the same mean age.³¹ The comparisons revealed that the gymnasts were considerably shorter and lighter with narrower shoulders and hips in all age groups.³² Despite being shorter on average, the gymnasts' relative leg height was not significantly different from the reference group.³³ The most significant difference between the gymnasts and the reference group was the age of attaining menarche (menstruation). At 15 years of age, 97% of the reference group had attained menarche, while only 42% of the gymnasts

²² Ian R. Tofler et al., *Physical and Emotional Problems of Elite Female Gymnasts*, 335(4) N ENG. J. MED. 281 (1996).

²³ Daly, *supra* note 21; Tofler, *supra* note 22, at 281–83.

²⁴ See *infra* discussion "Why 16 Years of Age?"

²⁵ Tofler, *supra* note 22.

²⁶ See *infra* discussion "Psychological Reasons."

²⁷ Tofler, *supra* note 22.

²⁸ Al Claessens et al., *Growth and Menarcheal Status of Elite Female Gymnasts*, 24(7) MED. SCI. SPORTS EXERC. 756 (1992).

²⁹ W.D. ROSS & M.J. MARFELL-JONES, *Kinanthropometry*, in *PHYSIOLOGICAL TESTING OF THE HIGH-PERFORMANCE ATHLETE* 233–308 (J. MacDougall et al eds., Human Kinetics 1991).

³⁰ Claessens, *supra* note 28, at 756–58.

³¹ *Id.* at 758–61.

³² *Id.*

³³ *Id.*

experienced menarche. By age 17 100% of the reference group had attained menarche, compared to 82% of gymnasts.³⁴

Another study looked at 15 Belgian female gymnasts for an average of 6.7 years.³⁵ The gymnasts studied were beginning-level gymnasts progressing to regional and national competition levels. The mean age of the gymnasts at the beginning of the study was 8.7 years and the mean age at the end of the study was 15.5 years.³⁶ The gymnasts trained an average of 15 hours per week. Again, the gymnasts were compared with reference data from the general population. It was found that “peak height velocity” (or the gymnasts’ major growth spurt) occurred at 12.9 years, while “peak height velocity” occurred at 11.6 in the reference girls.³⁷ The magnitude of the growth spurts were also similar between gymnasts’ (height increasing 6.8 cm/year) and the reference group (7.5 cm/year).³⁸ The researchers ultimately concluded that the gymnasts’ adolescent growth standard deviation indicated overlap with the reference sample particularly with regard to shorter-than-average height and later-maturing reference girls.³⁹ These findings arguably suggest that training in gymnastics (at least at a mean of 15 hours/week) during adolescence does not influence growth or maturation. The researchers also proposed that a selection process for the sport occurs early on, whereby smaller females generally are encouraged to participate.⁴⁰

While the studies discussed in this section are not conclusive regarding physiological harm to gymnasts and imply no correlation to age, the studies do suggest that other factors beyond age may need to be considered in assessing the physiological welfare of artistic gymnasts. Namely, the intensity and duration of training may need to be considered along with age. At the very least, it should be acknowledged that the technical demands of the sport may produce a natural selection for certain body types, and that the selection process may result in the retardation of development in gymnasts. These concerns need to be added to the discussion about the physiological health of gymnasts; age minimums standing alone do not address such concerns.

Psychological Reasons:

While physiological benefits for gymnasts—competing at ages where the athletes’ bodies are more developed—may have been the primary reason for the FIG to raise the WAG age minimum to 16 years of age, the age requirement may also bring psychological benefits to the athlete. Aurelia Nattiv, M.D., believes that increasing the age limits for elite competition in gymnastics will help give gymnasts at all levels of the sport a more realistic body image standard.⁴¹ Nattiv stated, “For years the picture of the elite gymnast was the pencil-thin, pre-

³⁴ *Id.*

³⁵ M. Thomis et al., *Adolescent Growth Spurts in Female Gymnasts*, 146 J PEDIATRICS 239, 239–44 (2005).

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Thomis, *supra* note 35, at 239–44.

⁴¹ Anderson, *supra* note 17. Dr. Nattiv is a team physician for gymnasts, assistant professor in the division of family medicine and orthopedic surgery at the University of California and the developer of the Athletic Wellness Program for USA Gymnastics.

pubertal, smaller ideal,” and she hopes that continuing to increase the age limit will help “foster healthier gymnasts.”⁴²

Gymnast Christy Henrich is one example of how gymnastics, combined with pressures to succeed, can have an immense psychological impact on young athletes. Henrich died in 1994 of multiple organ system failure, brought on by anorexia nervosa and bulimia.⁴³ A judge allegedly commented that her scores would improve with weight loss, further catalyzing the problem.⁴⁴ Henrich was an elite gymnast, narrowly missing qualifying for the Olympics in 1988 (at the age of 16) and again failing to qualify for the Olympics in 1992.⁴⁵

At the very least, there is a plausible correlation between an increased age minimum and a reduction in eating disorders. When younger gymnasts with less developed bodies compete in the same arena as older, more physically developed gymnasts, there are increased pressures on the older gymnasts to maintain a stature similar to those younger competitors. This especially may be true in gymnastics, where the traditional aesthetic involves a smaller physical frame. As evidenced by Henrich and as referenced by the first prong in the female triad, eating disorders are a serious issue that needs to be addressed in gymnastics. While increasing the age minimum for senior competition will not eliminate the problem, it is a plausible step to help minimize the progression of eating disorders in the sport.

Protecting Children from Harmful Exposure:

Another reason for the age minimum may be to prevent child exploitation that can occur in the limelight of senior international competition. For example, Dominique Moceanu competed for the 1996 U.S. Olympic Team when she was 14. She competed under the technical regulation exception, which allowed gymnasts not meeting the age requirement to compete if they eventually met the age requirement in the Olympic year.⁴⁶

As part of the 1996 U.S. women's gymnastics team—deemed “The Magnificent Seven”—Moceanu helped the team win its first team gold medal for the United States, despite competing with a stress fracture in her tibia.⁴⁷ Moceanu also won the all-around title in the 1998 Goodwill Games, and although Moceanu qualified for the 2000 U.S. Olympic trials, she was forced to withdraw due to a knee injury.⁴⁸

⁴² *Id.*

⁴³ Eric Pace, *Christy Henrich, 22, Gymnast Who Suffered From Anorexia*, N.Y. TIMES, July 28, 1994, at D24, available at <http://www.nytimes.com/1994/07/28/obituaries/christy-henrich-22-gymnast-who-suffered-from-anorexia.html?pagewanted=1>.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ Federation International De Gymnastique, TECHNICAL REGULATIONS 1996, Reg. 5.1, available at <http://www.fig-gymnastics.com/vsite/vnavsite/page/directory/0,10853,5187-188050-205272-nav-list,00.html>.

⁴⁷ *Event Final Notes*, USA Gymnastics, <http://web.archive.org/web/19971109035234/http://www.usa-gymnastics.org/events/1996/olympics/event2.html>.

⁴⁸ Selena Roberts, *Injured Moceanu Forced out of Competition*, N.Y. TIMES, Aug. 18, 2000, at D2, available at <http://www.nytimes.com/2000/08/18/sports/olympics-injured-moceanu-forced-out-of-competition.html?pagewanted=1>.

In 1998, Moceanu left home and successfully sued her parents for emancipation.⁴⁹ In addition to securing a protective order against her father, Moceanu accused him of robbing her of the millions she acquired in endorsements from participating in the Olympics and other international competitions.⁵⁰ This type of exploitation from parents, coaches, and the media, known as “achievement by proxy,” is always a concern when children achieve international and national success in any sport. Achievement by proxy is defined as a “strong parental encouragement of a potentially dangerous endeavor for the purpose of gaining fame and financial reward.”⁵¹

It is not only parents and coaches who push for the child athlete’s success; the athlete herself strives to be the best. Two-time Olympian Shannon Miller stated that it’s unfair to characterize gymnasts as “unwilling victims” of success hungry adults: “It’s a mistake to think those girls aren’t choosing to do what they want to do . . . I don’t think people give girls enough credit for knowing their own bodies.”⁵²

USA Gymnastics Chief Colarossi has also characterized the demand placed on young female gymnasts as driven by the athletes: “At the end of the day, it’s the athletes who are driving the train . . . [t]hey’re the ones going to the gym every day, raising the level of excellence. They’re the ones trying to do things that have never been done before. And when you do that, you put yourself in a position of risk.”⁵³

However, it is not the child athlete who should be “driving the train.” Rather, the child athlete may need protection from her own goals and ambitions. By barring gymnasts from senior competition and the international spotlight until age 16, gymnasts may become more mature and stand up to demanding parents and overbearing coaches (like Moceanu⁵⁴). Also, raising the age minimum will eliminate the urgency to create young elite gymnasts, disseminate adult “pushing,” and take the pressure off all parties involved. While reducing self-pressure and mitigating the unhealthy exposure of child athletes’ to parental pressures are admirable goals, it is still arguable that age minimums alone will not prove effective without additional measures.

Why 16 Years of Age?

Is the age minimum of 16 really just an arbitrary number? The FIG believes that gymnasts who reach the physical and emotional maturity of 16 will see “appreciable” health benefits in elite gymnastics, leading to success for the individual athlete and for the sport of

⁴⁹ Moceanu v. Moceanu, No. 01-98-01383-CV, 1999 WL 93244 (Tex. App.–Hous. (1 Dist.) Feb. 25, 1999).

⁵⁰ Paula Parrish, *Gymnasts are Old-lympians/Golden Girls Going for Gold in Sydney*, THE COLORADO SPRINGS GAZETTE, Sept. 14, 2000, available at http://findarticles.com/p/articles/mi_qn4191/is_20000914/ai_n9976865/; Jere Longman, *Gymnast Moceanu Gets Order of Protection Against Father*, N. Y. TIMES, Dec. 1, 1998, at D1, available at <http://www.nytimes.com/1998/12/01/sports/gymnastics-gymnast-moceanu-gets-order-of-protection-against-father.html?pagewanted=1>.

⁵¹ Ian R. Tofler, et al, *Physical and Emotional Problems of Elite Female Gymnasts*. 335(4) N ENG J MED 281 (1996), referencing, Baker R., *The Demon Success*, NEW YORK TIMES, April 20, 1996, at A17.

⁵² Scott M. Reid, *Gymnasts in Pain: Out of Balance*, O.C. REG, Dec. 19, 2004, available at <http://epaper.ocregister.com/Default/Skins/OrangeCountyRegister/Client.asp?Skin=OrangeCountyRegister&AppName=2&AW=1269673638940>.

⁵³ *Id.*

⁵⁴ Moceanu, 1999 WL 93244.

gymnastics.⁵⁵ However, some in the medical field argue that if physical and psychological reasons truly are the impetus for the age minimum in elite women's gymnastics, the age minimum should be set at an even older age.

Bert R. Mandelbaum, M.D., a physician with U.S. Soccer and orthopedist with Santa Monica Orthopaedic and Sports Medicine Group, suggests that, in order to see actual benefits to the health of elite gymnasts, senior competition should begin around 17 to 18 years of age. Mandelbaum goes on to say that "gymnastics injuries are less a matter of age than of training hours . . . [a]bout half or more of the injuries occur during practice and we know that gymnasts who train more than 16 hours per week are at a higher risk of problems, including physical and psychological burnout."⁵⁶ Mandelbaum's arguments are consistent with some of the medical studies referenced earlier in this paper that suggest physical injury in gymnasts is linked to young skeletal structures and intensive training over time.⁵⁷

If the main source of injuries to gymnasts is the amount of time and intensity of training, increasing the age minimums for gymnasts at the senior level would remove some of the pressure of producing an elite gymnast at earlier ages. This decreases the intensity of practice and allows for technical development over time. Larry Nassar, D.O., medical services coordinator for USA Gymnastics, concurs: "We won't be pushing so hard for our athletes to become elite level gymnasts at such early age[s] [and this] should increase their longevity."⁵⁸

However, it may not be realistic to assume that increases in age minimums will correlate to decreased hours and training intensity. There is a widely held belief in the gymnastics world that to achieve success at an elite level training and competition must begin well before puberty.⁵⁹ This means that gymnasts who wish to pursue elite competition often begin intensive training between the ages of 5 and 6 and may train 30 to 40 hours a week throughout the year.⁶⁰ The members of the United States gymnastics team train a minimum of 40 hours per week year round under the Karolyi plan, implemented in 1999 by Bela Karolyi and continued by Martha Karolyi, the current national team coordinator.⁶¹ In contrast, the NCAA restricts training for college gymnasts to 20 hours per week for the declared season of either 144 days or 26 weeks, then eight hours per week in the offseason (and these are women sometimes four to nine years older than the national competitors).⁶²

It may be even less realistic to think age minimums will have any effect internationally when examining China's national training program. In China, children are selected based on

⁵⁵ Anderson, *supra* note 17.

⁵⁶ *Id.*

⁵⁷ See *supra* discussion "Physiological Reasons."

⁵⁸ Anderson, *supra* note 17.

⁵⁹ Daly, *supra* note 21.

⁶⁰ M. Dixon & P. Fricker, *Injuries to Elite Gymnasts over a 10 Yr.* 25(12) MED. SCI. SPORTS EXERC. 1322 (Dec. 1993).

⁶¹ Reid, *supra* note 52.

⁶² NCAA Division I Bylaw 2.14, 2009; Mike Lorenzen, *The Insiders Guide to College Gymnastics*, <http://www.collegegymnast.files.wordpress.com/2009/04/insiders-guide.ppt.html>.

physical stature to become gymnasts by the time they are six years old.⁶³ The children are plucked from their homes to live at sports schools where they train an average of six hours a day, six days a week.⁶⁴ Once in the sports program, the training regimen is enforced, regardless of skill level or age, further demonstrating a fundamental disconnect from the age minimum and training time.

International and national competitions at the junior level closely mirror the technical difficulty included in senior international and national competition. Certainly the hours of training in preparation for junior competitions also mirror the training of the senior competitors. Therefore, is age the only material difference between junior competition and senior competition?

Bela Karolyi, the U.S. national team coordinator for the 1996 and 2000 gymnastics teams, does not support age minimums. At the 2000 USA Olympic trials, Karolyi spoke out against age minimums, saying that it discriminates against younger gymnasts. He remarked that at the trials the best American gymnast, Kristal Uzelac (whose scores at the 2000 junior nationals would have ranked her third at the 2000 senior nationals) would not be at the 2000 Olympics simply because she was 14.⁶⁵ Karolyi stated, “We take away the dreams of the young ones, and we drive them from the sport . . . Why? What is the point? Why should the little ones not be able to show what they can do?”⁶⁶ Karolyi may have a legitimate argument. While gymnasts can compete in junior competitions until they are old enough for senior competition, failing to meet the age requirement may mean losing a chance at a future Olympic Games. A 14-year-old gymnast during the year of the Olympics will be 18 the next time she is eligible to compete for a spot on the Olympic team, and by then it may be too late. If the gymnast could technically qualify for the Olympics at age 14, it is highly unlikely that the gymnast will be able to maintain an Olympic level of competition for the next four years, particularly when injury is so prevalent in the sport. The current age minimum requirement rewards athletes that peak competitively at the age of 16.

Uzelac, whom Karolyi spoke highly of in 2000, retired in 2004 due to injuries. She never had the opportunity to try out for the Olympics despite qualifying for the U.S. Championships that year (where Olympic qualification occurs).⁶⁷ Uzelac won the junior U.S. National Championships in 1999, 2000, and 2001, the first and only three-time junior national champion. Despite her age ineligibility for the 2000 Olympics, Uzelac was determined to be a participant in the 2004 Olympics. In 2001, Uzelac was named to the American team for the Goodwill Games, but was replaced due to a sprained knee.⁶⁸ Uzelac debuted in senior competition in 2002 and competed at the U.S. National Championships that year, but injuries forced her to withdraw from three events on the second day of the competition. At Uzelac’s last major international meet—

⁶³ Hannah Beech, *The Price of Gold*, TIME, Aug. 9, 2004, available at <http://www.time.com/time/magazine/article/0,9171,678686,00.html>.

⁶⁴ *Id.*

⁶⁵ Parrish, *supra* note 47.

⁶⁶ *Id.*

⁶⁷ Tara Jeroloman, *Verge of the Dream: Kristal Uzelac*, INSIDE GYMNASTICS MAGAZINE, July 9, 2008, available at <http://www.insidegymnastics.com/content/show/newsarticle.aspx?articleid=358&zoneid=1>.

⁶⁸ Courtney Caress, *2001 Goodwill Games US Team Update: Orlando to Compete on Floor Exercise*, USA GYMNASTICS, Aug. 4, 2001, available at <http://www.usa-gymnastics.org/post.php?PostID=1284&prog=h>.

the 2002 Pacific Alliance Championships—she won a team gold, an individual gold medal on vault and placed third in the all-around.⁶⁹ Injuries plagued Uzelac's 2002 and 2003 seasons, leading her to take time off in 2003.⁷⁰ In 2004, while training for the Olympic qualifier, Uzelac broke her ankle and ultimately decided to train for college; she attended Penn State and competed for their women's gymnastics team.⁷¹

Uzelac's story illustrates that the age minimum in gymnastics may not ultimately be in the best interest of the athlete. Uzelac could not compete at the Olympics when she was at her peak, all because she was underage. If the goal of age minimums is to increase the longevity of a gymnast's career and displace the intensity of training over time, the age requirement failed in Uzelac's case and arguably continues to have little impact on these goals.

It is interesting to consider what would have happened if Uzelac sued the FIG for deprivation of the right to compete in the 2000 Olympics because of the FIG's age minimum. *State ex rel. Givens* summarizes the traditional sentiment of the courts' attitude toward voluntary associations:

A voluntary association may, without direction or interference by the courts, for its government, adopt a constitution, by-laws, rules and regulations which will control as to all questions of discipline, or internal policy and management, and its right to interpret and administer the same is as sacred as the right to make them.⁷²

In the context of amateur sports, the courts will review rules established by private associations that may be "arbitrary and capricious." Uzelac could argue that her disqualification was arbitrary because her ability to perform in the Olympic WAG competition had nothing to do with her age. Furthermore, she could assert that the better standard would be an individual evaluation of the physical development of the athlete in determining her ability to compete. This would be similar to Maurice Clarett's argument in *Clarett v. National Football League*.⁷³ Clarett argued that "the eligibility rules are arbitrary and that requiring him to wait another football season has nothing to do with whether he is in fact qualified for professional play."⁷⁴ However, the court responded: "But Clarett is in this respect no different from the typical worker who is confident that he or she has the skills to fill a job vacancy but does not possess the qualifications or meet the requisite criteria that have been set."⁷⁵

In light of *Clarett*, should a court hear Uzelac's arbitrary argument, the court would likely find that she freely associated with the FIG and thus is simply not eligible to compete because of the organization's rules, despite being physically qualified. Uzelac might also reference the FIG's objectives for the rule, including improved wellness of the athlete, and claim the rule is

⁶⁹ *Kristal Uzelac (USA) Competition Results*, GYMN ELECTRONIC FORUM for GYMNASTICS, Sept. 2, 2006, <http://www.gymn-forum.net/bios/women/uzelac.html>.

⁷⁰ Jeroloman, *supra* note 67.

⁷¹ *Id.*

⁷² *State ex rel. Givens v. Super. Ct. of Marion County*, 233 Ind. 235, 238 (1954).

⁷³ *Clarett v. Nat'l Football League*, 369 F.3d 124 (2d Cir. 2004), *cert. denied*, 544 U.S. 961 (2005).

⁷⁴ *Id.* at 141.

⁷⁵ *Id.*

arbitrary because the age minimum does not achieve the FIG's stated objectives. But, with the lax arbitrary standard, as long as the court can find the age minimum is a step in the right direction toward accomplishing the FIG's goals, the requirement would likely be upheld.

Is the Age Minimum a Viable Standard?

The Current Standard:

According to the FIG Technical Regulations, a participant must attain the age of 16 years to qualify for official senior WAG competitions of the FIG and for the Olympic Games.⁷⁶ The gymnast must turn 16 at some point in the year of the competition. Prior to 2009, a 15-year-old competitor could compete in the World Championships in the year immediately preceding the Olympic Games. However, this exception has been removed from the 2009 Technical Regulations.⁷⁷

An additional change to the 2009 Technical Regulations requires all junior and senior international competitors obtain a license issued from the FIG Office.⁷⁸ The new licensing regulation is a direct response to the FIG's historical problems with enforcing age minimums. The document, considered a "gymnastics passport," will be used for determining age eligibility for competitors. Prior to this licensing requirement, age was determined for senior competitors via submissions of a "valid" passport.⁷⁹ While age will still be determined based on passport records for licensing purposes, the hope is that this new system regulated directly by the FIG will establish an internal record of gymnasts' ages starting at the junior level long before senior competition. FIG President Bruno Grandi said, "We (will) follow athletes longer in their career"; the hope is that this new system will help eliminate concerns about age fabrication.⁸⁰

Historical Problems with Enforcing Age Minimums:

The 2008 Beijing age controversy surrounding team China's gymnasts is not a remarkable event for the sport of gymnastics. Although the FIG concluded that the Chinese competitors were eligible, there are other confirmed cases of age falsification throughout gymnastics history.⁸¹

For example, the Romanian National Team has repeatedly disregarded the FIG age minimums. In 2002, Daniela Silivas admitted that she competed in the 1985 World Championships at age 13 (the minimum age being 14 at the time). Her head coaches changed her birth year from 1972 to 1970 and issued her a new passport.⁸² In 1992, when the FIG age

⁷⁶ Federation International De Gymnastique, TECHNICAL REGULATIONS 2009, Reg. 5.2, available at <http://www.fig-gymnastics.com/vsite/vnavsite/page/directory/0,10853,5187-188050-205272-nav-list,00.html>.

⁷⁷ *Id.*

⁷⁸ *Id.* at Reg. 5.1.

⁷⁹ Marlen Garcia, *More Age Monitoring, Smaller Squad Size Ahead for Gymnastics*, USA TODAY, Aug. 8, 2008, available at http://www.usatoday.com/sports/olympics/beijing/gymnastics/2008-08-09-FIG-age_N.htm.

⁸⁰ *Id.*

⁸¹ FIG Office, *Query Regarding Age of Chinese Gymnasts*, Oct. 1, 2008, <http://www.fig-gymnastics.com/vsite/vcontent/content/transnews/0,10869,5187-187975-19728-44545-290073-17968-5233-layout187-205197-news-item,00.html>.

⁸² Daniela Silivas, *Former Romanian National Team Member (1984-1989)*, PROSPORT, July 30, 2002, available at <http://www.worldgymrank.com/IOC04.html>.

minimum was 15, Gina Gogean's age was changed, allowing her to compete as a 14-year-old.⁸³ In 1994, Alexandra Marinescu's passport was altered to allow her to compete while underage. Romanian Gymnastics Chief Nicolae Vieru admitted to *ProSport* (a Romanian newspaper) that the falsification occurred: "Changing the ages was a worldwide practice . . . [w]e copied this from others."⁸⁴

Accusations have also been directed at the former Soviet Union. However, none of these accounts were officially confirmed.⁸⁵ Olga Bicherova, 1981 World all-around champion, is one of the most disputed cases of age falsification. However, the Soviets produced valid passports to verify that she was eligible for the 1981 World Championships.⁸⁶

North Korea has officially been in violation of the age minimums and is currently one of the only teams sanctioned by the FIG for age falsification. The FIG determined that North Korea falsified Kim Gwang Suk's passport on three separate occasions between 1987 and 1993.⁸⁷ It is estimated that Suk competed at the 1989 World Championships at age 11 or 12.⁸⁸ The FIG penalized the North Korean team by suspending the team from competition at the 1993 Birmingham World Championships.⁸⁹

China also has been accused of violating the WAG age minimums. As mentioned earlier, the 2008 Beijing gymnastics team was accused of having underage gymnasts—accusations eventually dispelled upon further investigation by the FIG.⁹⁰ More recently, China has been under investigation for the age falsification of two WAG team members, Dong Fangxiao and Yang Yun, at the 2000 Sydney Olympic Games.⁹¹

In a 2007 interview on China's state-run television, Yang admitted to competing underage at the Sydney Olympics, stating she was "only 14 years old" at the time.⁹² A Hunan Province sports administration report confirmed Yang's statement.⁹³ Additionally, it is alleged that Dong's documents for the 2000 Olympics would have made her 14 years old during the competition.⁹⁴ In June 2009, the FIG decided to pursue the investigation into the alleged age

⁸³ *Romanian Gymnasts Faked Age to Compete*, BBC NEWS, May 2, 2002, <http://news.bbc.co.uk/2/hi/europe/1964264.stm>.

⁸⁴ *Id.*; *Romania Admits to Falsifying Gymnasts' Ages*, CBC Sports, May 1, 2002, <http://www.cbc.ca/sports/story/2002/05/01/romania020501.html#at>.

⁸⁵ Amdur, *supra* note 9.

⁸⁶ Vitali Melik-Karamov, *Olga Bicherova: The Youngest Champion*, SOVIET LIFE, Sept. 1982, available at <http://www.gymn-forum.net/Articles/SL-Biche.html>.

⁸⁷ Christopher Clarey, *Gold Medalist and His Team May be Barred From Olympic Games: Last Chance for a North Korean Athlete*, N.Y. TIMES, Apr. 19, 1996, available at <http://www.nytimes.com/1996/04/19/sports/19iht-gym.t.html?pagewanted=1>.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ Juliet Macur, *Ruling Backs Chinese Gymnasts*, N.Y. TIMES, Oct. 1, 2008, at D1, available at <http://www.nytimes.com/2008/10/02/sports/olympics/02gymnastics.html>.

⁹¹ *Id.*

⁹² *Id.*

⁹³ Juliet Macur, *Teeny-Tiny Matter of Age for China's Gymnasts*, N.Y. TIMES, Aug. 9, 2008, at SP6, available at <http://www.nytimes.com/2008/08/10/sports/olympics/10age.html>.

⁹⁴ Macur, *supra* note 90.

falsification.⁹⁵ The FIG Executive Committee, after seeking legal advice, determined that the statute of limitations had not run on the 2000 Sydney case, and that the FIG was the appropriate body for pursuing the investigation.⁹⁶

The Executive Committee appointed a Disciplinary Commission, consisting of three people: Chairman Mr. Rached Gharbi (from Tunisia), Ms. Margarida Dias Ferreira (Portugal), and Mr. Marc Schoenmaekers (Belgium).⁹⁷ Should the Disciplinary Committee find that China used underage gymnasts in 2000, possible punishments include suspensions in future competitions or stripping the competitors of their medals.⁹⁸ While the Disciplinary Commission was charged with bringing a decision to the Executive Committee in late September 2009, the investigation was postponed. As of late February 2010, the Disciplinary Commission submitted its final report to the International Olympic Committee.⁹⁹ The Commission found Fangxiao was underage at the Sydney Games, but found the evidence inconclusive as to Yang's age during the 2000 Olympics.¹⁰⁰ As a result, the FIG has "'cancelled' all of Fangxiao's results from the 2000 Sydney Games and recommended that the International Olympic Committee strip the Chinese of their medal" (China won a team bronze at the Sydney Games).¹⁰¹ The IOC is currently taking the FIG recommendations under advisement.¹⁰² The 2000 Sydney age controversy began to receive media attention around the same time as the 2008 Beijing age incident. At that time, the IOC encouraged the FIG to investigate the Sydney issue further.¹⁰³ Additionally, the FIG's Secretary General, Andrew Gueisbuhler, stated in fall 2008 that "the world should know that this is a moral and ethical question, and we will not take this lightly."¹⁰⁴

Yet, it took the FIG almost a year to organize an official body to investigate the Sydney age falsification. Meanwhile, China went on to compete in the 41st Artistic Gymnastics World Championships in London.¹⁰⁵ Chinese team members medaled in the individual competition; Zou Kai earned silver on the floor exercise, while He Kexin earned gold on the uneven bars.¹⁰⁶ While all members on China's 2009 World Championship team were eligible, the drawn-out investigation by the FIG Disciplinary Commission failed to send a strong message to national gymnastic teams that age requirements are taken seriously. In fact, the FIG's approach to regulating age minimums has not been aggressive over the years. Despite multiple gymnasts openly admitting to competing as underage competitors and recounting details to the media of

⁹⁵ FIG Office, *FIG Continues its Investigations—Gymnast age at the 2000 Olympic Games in Sydney*, June 23, 2009, <http://www.fig-gymnastics.com/vsite/vcontent/content/transnews/0,10869,5187-187975-19728-44545-297866-17968-5233-layout188-205197-news-item,00.html>.

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ Macur, *supra* note 90.

⁹⁹ Nancy Armour, *Investigation: 1 Chinese Gymnast Underage in 2000*, ASSOC. PRESS, Feb. 26, 2010, available at <http://abcnews.go.com/Sports/wireStory?id=9960921>.

¹⁰⁰ Armour, *supra* note 99.

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ Macur, *supra* note 90.

¹⁰⁴ *Id.*

¹⁰⁵ FIG Office, *China Back on the Podium—41st Artistic Gymnastics World Championships London (GBR)*, October 13–18, 2009, Oct. 17, 2009, <http://www.fig-gymnastics.com/vsite/vnavsite/page/directory/0,10853,5187-188444-205666-nav-list,00.html>.

¹⁰⁶ *Id.*

government age falsification, the FIG has done little to retroactively pursue investigations of these accounts. Only North Korea and China have been sanctioned for age violations, despite multiple accounts of the practice from other countries.¹⁰⁷

The long history of age falsification in gymnastics, coupled with the history of successful underage gymnasts, may further perpetuate age fabrication. If countries continue to have immense success competing at the senior level with underage gymnasts, that success may serve as a carrot to encourage nations and gymnasts to find new ways to circumvent the age minimum. Also, many underage gymnasts have successfully competed without injury at the senior level, further undermining the theory behind the age minimum. The FIG's apparent inability to enforce age minimums, and the actual success of gymnasts competing while underage, leads to the question of whether age minimums are viable.

Viability of the Age Requirement:

Given the FIG's lax approach to enforcing its age minimums and the protracted investigation into the 2000 Sydney Olympic Games controversy, the age minimum requirement does not seem to be a feasible regulation. When government documents could be manipulated (in countries like China) and the FIG refuses to cross-reference passports with birth certificates, age falsification is easy to achieve.¹⁰⁸

While many Western and European countries appear to be self-regulating when it comes to age minimums, the apparent disregard of the rule by other nations continuously undermines the regulation. The FIG's pattern of non-enforcement throughout the years generates an apathetic attitude among seemingly compliant national competitors. For example, in the face of the 2008 Beijing age controversy, American competitor Alicia Sacramone made the following statement, "There's nothing we can do about it, so why worry?"¹⁰⁹ Additionally, Marta Karolyi said, "It [the age minimum] just causes problems, and you can't prove if someone is following the rules or not," she said, "It causes too many problems."¹¹⁰

It doesn't seem possible for the age minimum rule to hold water without the strong enforcement of the FIG. Although the new licensing plan may make it more challenging for countries to engage in age falsification, it will still be possible to identify key prospects and manipulate their ages earlier in the athletes' careers. As long as gymnastics places an emphasis on technical difficulty over artistry,¹¹¹ and the belief remains that younger, lighter, and more naïve gymnasts are more capable of fearlessly meeting those technical demands,¹¹² age minimums will continue to be violated.

Conclusion

While concerns over the potential physical and physiological harms for young female gymnasts, the desire to protect young athletes from injury, disorders and the potentially

¹⁰⁷ Clarey, *supra* note 87.

¹⁰⁸ Juliet Macur, *Olympics Board Seeks Inquiry into Age of Chinese Gymnasts*, N.Y. TIMES, Aug 22, 2008, available at <http://www.nytimes.com/2008/08/22/sports/22iht-OLYAGE.4.15556341.html>.

¹⁰⁹ Macur, *supra* note 108.

¹¹⁰ *Id.*

¹¹¹ Federation International De Gymnastique, *supra* note 14.

¹¹² Anderson, *supra* note 17.

overzealous drive of parents, coaches and the athletes themselves are admirable ends, it remains a question whether age minimums constitute a viable means. The age minimum may have some merit in furthering wellness goals for the female gymnast, but it is likely that additional modifications to the sport will need to be executed to realize meaningful change. When junior competition closely mirrors senior competition, potentially making the age regulation all but an arbitrary number, the age minimum has little effect in protecting the health of the athlete. Additionally, the FIG's lack of aggressiveness in enforcing the age requirements makes the rule's effect on senior international competition *de minimis*.

The FIG has not made a formal statement regarding what steps the Disciplinary Commission has taken in its more extensive investigations of age falsification—namely, the cases of North Korea and the 2000 Chinese Olympic Team. However, it seems safe to say that scientific age testing is not being employed, and arguably would not be helpful. Dr. David Sinclair, a pathologist at Harvard Medical School, studies the aging process in animals and people. He said, “There are many possible methods to determine age, but they are not very accurate. The error is about two years.”¹¹³ The most accurate age test is called the “Complex Method.”¹¹⁴ The “Complex Method” reviews five weighted factors, including an analysis of the following: (1) the pubic bone which smoothes overtime; (2) imaging of the femur or thigh bone, which loses density over time; and (3) dental wearing and an examination of the fusing process of the cranium.¹¹⁵ Genetic and biochemical tests have also proved to be inaccurate in determining age at the molecular level.¹¹⁶

The current age tests, with two-year margins of error, will not be helpful in the age controversy where age falsification is commonly employed to fabricate one-year or two-year age differences. Additionally, given the early onset of bone wear in young female gymnasts, the age tests may prove to be even more inaccurate. For example, U.S. elite gymnast Diane Park recalled her doctor consulting with three other doctors on her spinal X-ray. The other doctors did not know Park or her age and estimated the spinal image to be that of an individual in her 60s.¹¹⁷ Park was 18.¹¹⁸

The error in scientific age tests only reinforces the complications with implementing an age minimum in gymnastics. Furthermore, even if the “Complex Method” were precisely accurate in predicting age, the invasive procedures used to determine age may violate athletes' privacy rights. Despite the privacy concern, athletes freely associate with an organization and thereby voluntarily subject themselves to the organization's standard for determining eligibility.

The high risks associated with gymnastics must be balanced with rules providing safety for the children that participate in it. Given the FIG's stated reason for increasing the age minimum in 1997 (musculoskeletal development of young competitors, lengthening gymnasts careers, preventing burnout and the need to foster a more positive image of the sport among the

¹¹³ Alice Park, *Can Science Tell a Gymnast's Age?*, TIME, Aug. 23, 2008, available at <http://www.time.com/time/world/article/0,8599,1835485,00.html>.

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ Reid, *supra* note 52.

¹¹⁸ *Id.*

general public, spectators, and the media),¹¹⁹ some alternatives to the age requirement should be considered that might achieve similar ends.

Alternatives to the Age Minimum:

If injury in female gymnasts has been most closely associated with long training hours,¹²⁰ one alternative would be to impose training maximums on junior and senior competitors. Such training maximums could mirror that of the NCAA in college gymnastics, which restricts training for college gymnasts to 20 hours per week for the declared season of either 144 days or 26 weeks, plus eight hours per week in the offseason.¹²¹

However, maximums can be hard to enforce, as evidenced by the controversies surrounding training maximums in all sports at the NCAA collegiate level. The 2005 NCAA Presidential Task Force on the Future of Intercollegiate Athletics Student-Athlete Well-Being Subcommittee admitted that there is a lack of enforcement of the weekly training maximums and that athletes can get around the maximum by practicing at their own prerogative.¹²² Since it has been shown that NCAA athletes overcome required training maximums by voluntarily electing to train without supervision, the FIG's adoption of training maximums could eliminate the "voluntary training" option.

There is also the concern that imposed training limits could lead to more injuries. Given the great physical demands of the sport, athletes with restricted training times may not be as properly conditioned if training maximums were implemented. One five-year study of college gymnasts' injuries found that gymnasts who trained after the onset of an enforced break reported more total injuries than at any other period of time in training.¹²³ This research suggests that training maximums may not be the safest alternative without significant changes to the technical demands of WAG. Thus, instituting training maximums may require a reduced degree of technical difficulty demanded of female artistic gymnasts. This may lead to a restructuring of the "Code of Points" and shifting the focus toward artistry (a step that could be taken on its own to improve the health of gymnasts).¹²⁴ Another option would be to institute training maximums on certain age groups of competitors, limiting the intensity of training on younger groups of gymnasts while still allowing for eventual training increases over time. A graduated training schedule, paired with an age minimum, might be an effective alternative for the athlete's well-being.

¹¹⁹ Anderson, *supra* note 17.

¹²⁰ *Id.*

¹²¹ NCCA Division I Bylaw 2.14, 2009; Mike Lorenzen, *The Insiders Guide to College Gymnastics*, <http://www.collegegymnast.files.wordpress.com/2009/04/insiders-guide.ppt.html>.

¹²² NCAA Presidential Task Force on the Future of Intercollegiate Athletics student Athlete Well-Being Subcommittee, *Twenty-Hour Rule and Lack of Enforcement*, June 2005, at 1–3.

www.ncaa.org/wps/wcm/connect/a19cdf004e0b865784bff41ad6fc8b25/20hour.doc?MOD=AJPERES&CACHEID=a19cdf004e0b865784bff41ad6fc8b25.

¹²³ W.A. Sands & B.B. Shultz, *Newman AP, Women's Gymnastics Injuries. A 5-year Study*. 21 AM. J. SPORTS MED. 271, 274–75 (1993).

¹²⁴ Federation International De Gymnastique, CODE OF POINTS 2009-2012, *available at* <http://www.sportcentric.com/vsite/vnavsite/page/directory/0,10853,5187-188050-205272-nav-list,00.html>.

Enrico Casella, coach of the 2008 Italian Women's Gymnastic National Team, has suggested that the FIG remove age limits and instead institute weight classes.¹²⁵ Casella's suggestion would mean gymnasts of similar weight could compete more equally against one another. However, weight classes might negatively bring the focus of the sport back to weight, potentially increasing the risks of the "Female Athlete Triad."

While weight maximums are a potential standard, any attempt to set a weight maximum may be as arbitrary as setting an age minimum, especially given the varying weights of elite gymnasts in contemporary competition. The average weight of members of the Chinese gymnastics team in the 2008 Beijing Olympics was about 77 pounds, while the average weight of the United States Olympic team members was around 107 pounds.¹²⁶ Given the discrepancy in weights among gymnasts, it would be challenging to preserve fair competition while setting meaningful weight classes or weight maximums to benefit the health of the athlete.

A final possible alternative would be to restructure the "Code of Points" to focus more on artistry rather than demanding technical skills that require rigorous abuse to the body.¹²⁷ In the 1950s and 1960s, the senior competition was dominated by athletes in their mid-to-late twenties. At the time, the "Code of Points" centered on artistry and was largely inspired by ballet. As a result, more seasoned gymnasts found success in the sport by bringing elegance to their routines. For example, Hungarian gymnast Agnes Keleti won four individual gold medals at the 1956 Olympics at age 35.¹²⁸ Larisa Latynina, a Soviet gymnast, won three consecutive Olympic all-around medals at the age of 21, 25, and 29.¹²⁹ Latynina also became the 1958 World Champion while she was pregnant. Latynina's gymnastics career demonstrates longevity in the sport, one goal the FIG attributes to the age minimum.

Oksana Chusovitina of Germany competed at the 2008 Olympics and won an individual silver medal on vault at age 33; today, Chusovitina is the exception, not the norm.¹³⁰ The average age of Chusovitina's competitors on vault was 19.¹³¹ The gymnasts of the 1950s and 1960s suggest that, at the very least, longevity of a gymnast's career may be better served by refocusing the "Code of Points" around artistry.

Final Thoughts:

While age minimums may be a step in the right direction toward improving the health of the WAG athlete, more needs to be done in terms of enforcement and to make the age standard viable in application. The sport itself needs to be restructured if true changes are to be achieved for the athlete's well-being, including adjustments to training times and the technical requirements of the sport. While alternatives to the age minimum are speculative, if the media

¹²⁵ Macur, *supra* note 93.

¹²⁶ Juliet Macur, *Chinese Grab Gold in Gymnastics; U.S. Is Second*, NEW YORK TIMES, AUG. 13, 2008, at D3, available at <http://www.nytimes.com/2008/08/14/sports/olympics/14gymnastics.html>.

¹²⁷ Federation International De Gymnastique, *supra* note 124.

¹²⁸ Anges Keleti, *Welcome to Jews in Sports Online*, <http://www.jewsinsports.org/Olympics.asp?ID=48>.

¹²⁹ *Legends; Larisa Latynina*, INTERNATIONAL GYMNAST MAGAZINE, available at <http://web.archive.org/web/20061027054302/http://www.intlgymnast.com/legends/latynina.html>.

¹³⁰ Juliet Macur, *At 33, Gymnast Repays Help for Her Ill Son With a Silver*, N.Y. TIMES, Aug. 17, 2008, at D6, available at <http://www.nytimes.com/2008/08/18/sports/olympics/18silver.html>.

¹³¹ *Id.*

continues to put gymnastics age controversies at the forefront of international sporting competitions, changes to gymnastics are inevitable.