

Routledge Research in Sport Business and Management

GOOD GOVERNANCE IN SPORT

CRITICAL REFLECTIONS

Edited by *Arnout Geeraert and Frank van Eekeren*



Good Governance in Sport

This book fills an important gap in the sport governance literature by engaging in critical reflection on the concept of 'good governance'. It examines the theoretical perspectives that lead to different conceptualisations of governance and, therefore, to different standards for institutional quality.

It explores the different practical strategies that have been employed to achieve the implementation of good governance principles. The first part of the book aims to shed light on the complexity and nuances of good governance by examining theoretical perspectives including leadership, value, feminism, culture and systems. The second part of the book has a practical focus, concentrating on reform strategies, from compliance policies and codes of ethics to external reporting and integrity systems. Together, these studies shed important new light on how we define and understand governance, and on the limits and capabilities of different methods for inducing good governance.

With higher ethical standards demanded in sport business and management than ever before, this book is important reading for all advanced students and researchers with an interest in sport governance and sport policy, and for all sport industry professionals looking to improve their professional practice.

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Foreword

Academic alliance as an asset for change in sport

It takes one to know one.

How else would one explain that the first prominent sport leader to publicly denounce endemic corruption in international sport federations, would many years later be forced to leave his own sport presidency in disgrace? He was named responsible for decades of systemic manipulation of the anti-doping efforts in his sport, a manipulation that was spiced up with rigged elections and ‘a tyranny of cash’.

It was Tamás Aján, the Hungarian president of the International Weightlifting Federation and an Honorary IOC Member, who shocked me when on 22 February 2011, he spilled the beans in front of the EU Commissioner and around 450 top leaders from European sport and governments:

“There is no sports organisation today where the appointment to important posts would not be tainted by corruption,” was one of Aján's spectacular statements, alleging that doping control were also affected and that he could “give specific examples in any area of sport”.

A decade and countless sport corruption scandals later, it is relevant to ask how efficient the enlightenment produced by Aján proved to be. In the light of the FIFA scandals revealed shortly before, you might expect that the hundreds of sport and government officials became as shocked as I, rushing back from Budapest to immediately erase corruption.

Unfortunately, not.

It is, however, indisputable that the start of the 2010s became a turning point in the debate on sports governance. The taboos regarding the multiple threats to sports integrity were broken one by one, and the growing awareness led to global calls for better governance in sport.

Today, as all transnational institutions and the entire Olympic movement join the chorus praising good governance in sport, academics may be tempted to sing ‘mission completed’ and turn the sheet of music to play other tunes.

That would be a fatal mistake. The public discourse has changed dramatically, but the realities of sport lack behind. Almost every week brings new evidence

about corruption and flawed management in national and international sports federation. The work of improving sports governance has just begun.

At Play the Game, we take pride in having been at the forefront of the sports governance debate through our communication and conference activities, and through our partnerships with researchers worldwide—including the editors of this book and some of the authors—that led to the creation of the Sports Governance Observer tools.

Fortunately, the increased academic engagement stretches out much beyond our own circles. This book testifies to that fact, and it only represents a fraction of what academics have produced in recent years.

As an outsider to the academic world allow me to ask if the academic energy is always used in the best interest of sport and society.

Although I do understand that developing theories is necessary and attractive endeavour, it would be helpful if academics raised their interest in events on the ground. Investigative journalism is poorly resourced, public prosecutors too—and although I do not regard universities as lands of milk and honey, I think academics could add much clout by joining an alliance of under-financed researchers.

Many areas linked to sport governance are desperately in need of stronger empathy and creative theoretical thinking, just to mention a few:

- Models for reconstructing the autonomy of sport, balancing the fundamental association freedom with the need to regulate the sports industry and protect it from criminal infiltration
- Ways to secure the democratic values sport can and should embody, facing the increased engagement from authoritarian states in ownerships and major events
- Surveys and facts to replace mythology in explaining what motivates people of all ages to engage in physical activity and sport
- Best practices for preventing psychological and sexual abuse at local and national level
- Research to make investment in sports facilities and societal infrastructure movement-friendly and efficient
- Strategies to ensure more sustainable and climate-friendly sport, from the consumer level to the organisation of mega events

An obligation to help

Over the years, I have heard even brilliant academics explain how they could only criticise sport for its failures and not contribute to finding solutions. This was beyond their responsibility and would also compromise their objectivity.

I could not disagree more. Academics are, in my view, just as much a part of humanity as the rest of us, and as human beings I think we are bound by an

overall obligation to help each other and support our communities to the best of our abilities.

Besides, most academics are also dependent on public grants, and just as we demand that sport organisations take societal responsibility by arguing that they are supported by taxpayers, we can ask academic researchers to work for the public good.

Having said that, it is not possible to engage with stakeholders in the turbulent, conflict-ridden and sometimes infectious world of sport without facing ethical dilemmas and threats to scientific integrity.

To avoid compromising their credibility, researchers must show full and frequent transparency about their methodologies, their findings and their financial backing. And they must insist that this transparency is part of the contractual relations with third parties.

Any attempts to disguise the fundamental conditions of the research will weaken its impact and may even be counterproductive and nurture conspiracies.

The value of networking

For Play the Game, it has been of tremendous benefit to be able to cooperate with researchers from the very start of our activities in 1997. We have also watched how informal networks between researchers, journalists, whistle-blowers, sports leaders, athletes and other stakeholders rise at our conferences with long-term value for those involved.

Studying the governance of sport may lead to academic excellence, but neither the one nor the other are ends in themselves. But academic excellence placed in a policy-oriented context can help us towards better governance in sport.

Good governance in sport will not solve all the problems I have mentioned. But without good governance, none of the problems will be solved.

Jens Sejer Andersen is a journalist, founder and international director of Play the Game.

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This book originated at a workshop entitled ‘Good governance in sport: critical reflections’, held as part of the 27th European Association for Sport Management (EASM) Conference in Seville in 2019. We would like to thank the participants for making it an inspiring experience for all of us and EASM for helping us create a stimulating setting for this debate. The idea to organise the workshop originated when we noticed that well-intentioned good governance initiatives regularly had unintended, unexpected, or even downright negative side effects. Having been involved in a number of influential good governance projects, both of us have contributed to the legitimacy of particular institutional practices. With this, we feel, comes a responsibility to question and challenge the systems of knowledge on good governance we helped establish. Our journey into good governance in sport started ten years ago when we both participated in the Action for Good Governance in International Sports Organisations (AGGIS) project, led by Play the Game. We wish to express our warmest gratitude to Jens Sejer Andersen, Henrik Brandt, Hans Bruyninckx and the other members of the AGGIS consortium as well as to those of the follow-up National Sports Governance Observer (NSGO) project for allowing us to be part of such a congenial and inspirational group. We are also grateful to the European Union for funding both projects and to all the sport organisations involved for their cooperation and openness. We especially benefitted from the support and advice we received from NOC*NSF and Vlaamse Sportfederatie (VSF).

Editing a collection of papers is an exercise in good governance in itself the success of which depends on a collective effort. We are indebted to a number of people whose efforts contributed to the successful preparation of this volume. Our sincere thanks goes to the authors for their insightful contributions, and to Simon Whitmore and Rebecca Connor at Routledge for endorsing and supporting the publication of this book. We also want to thank Saloua van Roeden for copy editing the chapters of this book in a very meticulous and timely manner and Malaika Schwedes for her excellent proofreading work. Our special thanks are directed to our colleagues at the School of Governance at Utrecht University in general and to our research group Sport & Society in particular. They help

create a professional academic environment in which there is room for (critical) reflection on sport as well as on each other. Arnout Geeraert also wishes to thank his colleagues at the Leuven International and European Studies (LINES) institute at KU Leuven and in particular Edith Drieskens, for her continued academic guidance and support.

*Arnout Geeraert
Frank van Eekeren*

Abbreviations

AFC	Asian Football Confederation
AGGIS	Action for Good Governance in International Sports Organisations
AGM	Annual General Meeting
ASOIF	Association of Summer Olympic International
AIS	Australian Institute of Sport
ASC	Australian Sports Commission
ASPR	Sport Australia's Annual Sports Performance Review
BIBGIS	Basic Principles of Governance in International Sport
BWF	Badminton World Federation
CAF	Confédération Africaine de Football (African Football Confederation)
CAS	Court of Arbitration for Sport
CEO	Chief Executive Officer
cf.	Confer
CSR	Corporate social responsibility
DTTB	Deutsche Tischtennis-Bund (German Table Tennis Federation)
EASM	European Association for Sport Management
EU	European Union
e.g.	Exempli grati
et al.	Et alii
FA	Football Association
FEI	Fédération Equestre Internationale (International Equestrian Federation)
FIFA	Fédération Internationale de Football (International Football Federation)
FIH	Fédération Internationale de Hockey (International Hockey Federation)
FTE	Full-time equivalent

GC	Governance Committee
GGC	Good Governance Codes
HR	Human Resource
HRM	Human Resource Management
IAAF	International Association of Athletics Federations
IBU	International Biathlon Union
i.e.	Id est
IF	International Sports Federation
IGC	Independent Governance Committee
IOC	International Olympic Committee
IPACS	International Partnership against Corruption in Sport
ISCA	International Sport and Culture Association and Transparency International
ISO	International Sport Organisation
KGP	Key Governance Principles and Basic Indicators
LINES	Leuven International and European Studies
MSGP	Mandatory Sports Governance Principle
n.d.	No date
NFF	the Nigerian Football Federation
NGB	National Governing Body of sport
NGO	Non-Governmental Organisation
NOC	National Olympic Committee
NOC*NSF	Nationaal Olympisch Comité*Nationale Sport Federatie (National Olympic Committee*National Sport Federation)
NPF Act	Not-for-profit Corporations Act
NSA	National Sport Agency
NSGB	National Sport Governing Body
NSGO	National Sports Governance Observer
NSO	National Sporting Organisation
PGG	Basic Universal Principles of Good Governance of the Olympic and Sports
SGO	Sports Governance Observer
SGP	Sports Governance Principle
SIGGS	the Support the Implementation of Good Governance in Sport
SSO	Sport Staff One
UCI	Union Cycliste Internationale (International Cycling Union)
UEFA	Union of European Football Associations
UK	United Kingdom
UN	United Nations

UNESCO	United Nations Educational, Scientific and Cultural Organization
US	United States
USA	the United States of America
USOPC	US Olympic and Paralympic Committee
USSR	Union of Soviet Socialist Republics (Soviet Union)
UWW	United World Wrestling
VSF	Vlaamse Sport Federatie
WADA	World Anti-Doping Agency
WTT	World Table Tennis



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Introduction

The need for critical reflection on good governance in sport

Arnout Geeraert

Few observers of sport governance will be surprised to see the publication of an edited volume on good governance in sport. ‘Good governance’ has indeed assumed the status of a mantra in the world of sport, even if it only recently made its way into critical debates about sport governance. In 2008, the International Olympic Committee (IOC) did much to promote the concept in sport when it introduced the ‘Basic Universal Principles of Good Governance of the Olympic and Sports Movement’ (IOC 2008). However, at that time, the quality of the governance of sport, and of sport governing bodies in particular, had already been under serious scrutiny for at least a decade. At the end of the 1990s, sport governing bodies’ lack of serious commitment to the fight against doping in sport as well as the Salt Lake City corruption scandal involving IOC officials undermined trust in sport leaders and increased calls for transparency, democracy and accountability as well as more ethical conduct (Geeraert & Drieskens 2021). A series of governance failures and corruption scandals have since galvanised these demands (Henry & Lee 2004). The most significant ones have been the highly mediatised ethical scandals enveloping *Fédération Internationale de Football Association* (FIFA) and International Association of Athletics Federations (IAAF, now ‘World Athletics’) in 2015 (Chappelet & Mrkonjic 2019).

Governmental actors and the sport world have labelled this broad agenda in terms of ‘good governance’.¹ At the international level, for instance, the European Union institutions, the Council of Europe and UNESCO have all called upon sport bodies to implement principles of good governance (e.g. Council of Europe 2016; European Parliament 2015; Parliamentary Assembly Council of Europe 2018; UNESCO 2015). The sport movement has responded to this external pressure. The IOC introduced the aforementioned Principles of Good Governance in response to increased regulatory threats by the European Union (Chappelet 2016). In 2016, following the FIFA and IAAF corruption scandals, the Association of Summer Olympic International Federations (ASOIF), an association of the 28 international sport federations that are part of the Summer Olympic Programme, introduced the ‘Key Governance Principles and Basic Indicators’ (ASOIF 2016). This attention for good governance at the international level has trickled down to

the national and local levels. Good governance policies in sport at these levels are also inspired by similar, long-standing initiatives relating to the business, culture and volunteering sectors. In sum, good governance is now firmly on the agenda of an increasing number of public and sport authorities at all levels. They are introducing codifications of principles of good governance in sport organisations as well as specific policies to induce implementation (ASOIF 2016; Chappelet & Mrkonjic 2019; EU Expert Group Good Governance 2013; Geeraert 2019; IOC 2008; Walters & Tacon 2018).

Despite its salience in sport policies and governance discourse, good governance in sport remains a somewhat underexplored research topic (Parent & Hoye 2018). This book engages in critical reflection on good governance in sport in two ways. First, it seeks to outline and critically reflect on key theoretical perspectives that lead to different conceptualisations and prescriptions of governance. Second, it aims to question and challenge different practical strategies that have been employed to achieve the implementation of good governance principles in sport organisations. In doing so, it aims to take a first step towards filling important gaps in the sport governance literature.

Identifying the knowledge gaps

There is, of course, nothing inherently wrong with the recent trend towards improving the quality of governance in sport. Introducing good governance policies in a sector that is traditionally rooted in amateurism and autonomy can help ensure private governance for the common good (Chappelet 2010; Geeraert 2020). For instance, scholars argue that the governance structures of international sport organisations have important deficits, which prevent these private bodies from dealing effectively with public issues like corruption, environmental sustainability, match-fixing and doping (Forster 2016; Geeraert & Gauthier 2018; Henry & Lee 2004; Katwala 2000; Pieth 2014). In addition, their lack of democratic structures has been a major source of conflict, as stakeholders have increasingly been seeking legal redress to ensure their rights. Recent academic reports demonstrate empirically that a significant number of sport organisations operating at both the international and national levels have serious deficiencies indeed, in terms of transparency, democracy and internal accountability (Chappelet & Mrkonjic 2013; Geeraert 2015, 2018a, 2018b).

However, preliminary evidence indicates that good governance initiatives in sport may produce sub-optimal or downright negative outcomes such as cosmetic reforms without substantial change, organisational disruption, excessive administrative burdens, flawed knowledge systems, misguided enforcement policies and misinformed shaming or legitimating of governance practices (e.g. Chappelet 2017; Geeraert 2018a, 2019; Parent & Hoye 2018; Pieth 2014). At the heart of this problem lie three knowledge gaps relating to conceptual vagueness, unclear implementation rationale and unclear impact of good governance strategies.

Conceptual vagueness

First, significant uncertainty follows from the conceptual vagueness of ‘governance’ and ‘good governance’. A review of governance conceptualisations proves a kaleidoscopic experience, as they provide for “an endless number of contextual interpretations” (Ansell & Torfing 2016, p. 4). In a broad, descriptive sense, governance can be understood as any pattern of ordered rule (Meuleman 2008). More specifically, governance encompasses politics (i.e. power relations and actor constellations), polity (i.e. the institutional setting) as well as policies (i.e. the modes and substance of political steering) (Treib, Bähr & Falkner 2007). It thus comprises structures, processes as well as policy content. ‘Good’ governance, then, refers to a normative framework that allows for judging structures, processes and/or policy content and outcomes. The qualifying prefix ‘good’ indeed implies that good governance frameworks are both employed as a benchmark for evaluating governance and as a prescriptive standard for governance. Yet because governance can refer to many different elements of ordered rule, so can good governance.

Conceptualisations and codifications of good governance in fact emerge from different academic traditions and societal sectors. Though normative thinking about governance dates back several centuries, contemporary codifications emerged under the rubric of ‘corporate governance’ in the corporate sector, where, in the wake of corporate failures, insights from micro-economics informed institutional designs that were initially aimed at protecting shareholder investment (Cobbaut & Lenoble 2003). In the sphere of public governance, scholarly interest in institutional design coincided with a growing awareness that solid (public) institutions—referred to as good governance—are a precondition for (economic) development (Gisselquist 2012). The term good governance gained further steam when, at the end of the Cold War, it became more acceptable to promote the implementation of democratic principles in societies across the world (Woods 1999). Standards of good governance have since been developed for a wide range of polities and organisations that operate at the international, national and local levels, and in different sectors (Aguilera & Cuervo-Cazurra 2009; Gisselquist 2014). They are commonly rooted in abstract principles such as accountability, transparency, effectiveness, efficiency and ethical behaviour. Particularly within the context of public governance and member-based organisations, they include principles of democratic governance such as participation, deliberation, open and competitive elections and equity and diversity.

Codifications and indicators of good governance in sport draw on this diverse landscape (Chappelet & Mrkonjic 2019; Geeraert 2018b). As they are often introduced to prevent (financial) wrongdoings and increase effectiveness, they are particularly inspired by corporate governance principles (Chappelet & Mrkonjic 2019). Nevertheless, because sport bodies also exercise state-like (i.e. executive, legislative and judicial) functions, are member-based and benefit from public funding, they additionally face pressure to implement principles of good governance that apply to the public and voluntary sectors. The diverse and broad range of good governance

principles that apply to sport organisations breeds considerable confusion. Adding to this confusion, the specific elements of governance that are associated with these principles not only pertain to institutional input, processes and output, they can also subsume structural, cultural and personal factors. Consequently, though some form of consensus has emerged around the importance of transparency and democracy, there is no single accepted framework for good governance in sport. Different scholars and authorities propose different key principles and advance different criteria for implementation and measurement (Chappelet & Mrkonjic 2019).

Unclear implementation rationale

A second, and related, knowledge gap concerns the uncertainty about the rationale for implementing particular principles of good governance. Sport federations, their stakeholders and sport authorities, as well as public authorities are not only unsure about what constitutes good governance, they are often even unaware of what it can achieve and, thus, why sport federations should implement it in the first place. Chappelet and Mrkonjic (2019, p. 11) lament that most existing frameworks of good governance in sport “do not explain why they chose certain principles and not others, where these principles came from, and why they are set out in the way they are”. In other words, it is unclear when and why governance principles qualify as ‘good’.

A useful distinction can be made between instrumental and moral rationales for implementing specific governance principles. The instrumental rationale sees good governance as a means towards achieving a desired end, such as enhancing effectiveness or resistance to corruption. This appears to be the dominant approach, for instance, with regard to international sport federations, where implementing good governance is primarily encouraged to reduce the risk of corruption and mismanagement (ASOIF 2016; Council of Europe 2016; European Parliament 2015). However, the linearity of the relationship between particular elements of good governance and their impact on sport organisations is often unclear. Parent and Hoye (2018) indeed find that very little research has been conducted on the actual impact of principles of good governance in sport organisations. Thus, on one hand, public and sport authorities at different levels increasingly regard good governance as some kind of panacea to deal with sport’s multiple and diverse failures of governance (Henry & Lee 2004). On the other hand, the proliferation of good governance codifications and policies can better be understood as a tendency to prescribe medicines without a clear diagnosis and without knowledge about possible side effects. Misunderstanding the relationship between means and ends can result in both, resistance to implement particular principles and unanticipated (negative) effects (Geeraert 2019; Parent & Hoye 2018).

Focusing on means rather than ends, instrumentalist approaches to good governance do not provide insights in the moral desirability of good governance principles. The moral rationale, in contrast, regards implementing good governance as an end in itself because it is ‘the right thing to do’ when related principles reflect applicable moral values. But what values should principles of

good governance reflect? The classic juxtaposition between the cosmopolitanist/universalist and communitarianist/contextualist approaches to moral values serves as a useful heuristic. Cosmopolitanists argue that existing universally valid norms should apply to all human beings, regardless of context (Fukuyama 1991; Rawls 1971). This implies that where principles of good governance reflect universal values, they should be implemented regardless of the particular cultural context. Stressing the importance of tradition and social context for establishing values and norms, however, communitarianists/contextualists argue that our moral judgement should be shaped by and negotiated in specific communities (MacIntyre 1984; Walzer 1983). According to this approach, principles of good governance should therefore reflect the moral consensus that exists in the cultural context in which they are implemented. The fact that most principles associated with good governance (in sport) emerge from a Western-Liberal context is therefore seen as problematical (Hyden, Court & Mease 2004).

Ultimately, the (implicit) choice between the cosmopolitan and communitarian approach has important policy consequences. It is, however, not a neutral one as it is informed by political ideology. The sport governance literature falls short of providing insight into the moral grounds for promoting particular principles of good governance and the consequences thereof. There is nonetheless a tendency towards universalism with regard to good governance in sport. The IOC refers to ‘universal’ principles of good governance (Ghadami & Henry 2015), and the International Partnership against Corruption in Sport (IPACS), a cooperation between governmental actors and sport bodies, recently issued 50 recommendations to serve as a common standard of governance in sport (IPACS 2020). It is unclear what universal values these principles reflect and, thus, why they are morally appropriate. Moreover, echoing a communitarianist argumentation, Ghadami and Henry (2015, p. 991) even question the universality of the IOC’s ‘universal’ principles and stress the importance of “allowing the expression or realization of local political and cultural priorities”. This raises new questions about the formation of local values and how they would translate into principles of good governance in sport.

Unclear impact

A third and final gap in our knowledge about good governance in sport pertains to the governance effects of different reform strategies. Put simply, just as there is ambiguity about the meaning, justification and implications of principles of good governance, there is uncertainty about the effects of means and methods employed by public and private actors to achieve the implementation of principles of good governance in sport. A distinction can be made between external and internal practices. Regarding the former, NGOs, academics, public authorities and sport organisations aim to induce and guide the implementation of good governance by sport organisations through a range of specific actions. These can be summed up by the generic concepts of external monitoring and assessment, self-regulation, education, enforcement and consultancy. Scholars have only recently started to

question some of these strategies, including compliance strategies (Geeraert 2019) and codifications of good governance (Chappelet & Mrkonjic 2019). With regard to internal practices, sport organisations are increasingly engaging in organisational practices associated with principles of good governance. They establish specialised bodies and functions and implement specific processes, procedures and codes of conduct (e.g. De Waegeneer, Devisch & Willem 2017). Yet, given both their relatively recent introduction and the idiosyncrasies of the sport sector, much is still unknown about the challenges and dilemmas as well as the undesired consequences that are inherent to all these undertakings (Parent & Hoye 2018).

Scope and content of the book

Two broad yet fundamental questions emerge from the above. First, what constitutes good governance in sport and what are the instrumental and moral justifications for implementing it? Second, what are the challenges, dilemmas and risks associated with both inducing and guiding the implementation of good governance in sport and implementing specific practices in sport organisations? Aiming to take the first steps to address these questions in a systematic manner, this book brings together practitioners and academics to outline and critically reflect on theoretical perspectives on good governance in sport as well as current good governance policies. It thus presents itself in two parts.

Part I is theory-driven. It offers critical reflections on different **theoretical perspectives on good governance**. In doing so, it aims to shed light on the complexity and nuances of good governance. It thereby takes the first step to fill knowledge gaps in the meanings and justifications of good governance in sport.

In Chapter 2, Arnout Geeraert argues that the majority of the principles of good governance in sport implicitly build on the core assumption of the rational choice approach to social theory, which argues that instrumental rationality drives individual behaviour. His critical examination of the approach and its implications for good governance in sport reveals that it holds significant benefits in terms of clarity and simplification. This makes the approach attractive for those who implement good governance with the aim of achieving specific organisational outcomes. At the same time, however, the rational bias in codifications of good governance in sport may lead to over-confidence in rules and structures to prevent wrongdoing, to over-regulation and distrust, and to neglect of moral, ideational and personal aspects of governance.

In Chapter 3, Maarten van Bottenburg shifts the angle of vision away from internal characteristics of organisations and organisations in isolation. Drawing on figurational sociology, his systemic perspective emphasises that interdependencies and power relations between organisations within the transnational sport governance system are co-determining as well as a condition for good governance. This implies that governance failures in sport are not merely caused by individuals or individual organisations who do not follow the principles of governance. Instead, more attention should be paid to the way sport is organised and governed as a system.

In Chapter 4, Frank van Eekeren examines the relationship between good governance and public values. His analysis discerns three perspectives on good governance in sport. The first sees good governance as a means to create public value through organisational and partnership processes. The second regards good governance as public value and, thus, an end in itself. The third and final perspective considers good governance a process of managing tensions between (public) values. What the three perspectives have in common is a communitarian/contextualist understanding of (public) values as a relative, evolving and culturally defined aspiration. In other words, what constitutes good governance depends on cultural context and is more about processes than formal rules and procedures.

In Chapter 5, Inge Claringbould, Annelies Knoppers and Ramon Spaaij also challenge cosmopolitanist/universalist perspectives on good governance in sport. Employing two particular feminist approaches, they both call into question the neutrality of knowledge and science and present an alternative to exclusionary notions of 'good governance'. On one hand, they emphasise dialogical relations as essential for gaining insight into the heterogeneity of knowledge through critical self-reflection on personal positionality and understanding multiple points of view. On the other hand, they propose 'ethics of care' as an underlying 'value of doing' in governance practices. This implies that, instead of focusing on self-interest and strategy, those involved in 'doing' governance should base their action on the care for others in a broad sense.

In Chapter 6, Leonie Heres examines the underexplored role of leadership, and especially *ethical* leadership in good governance in sport. Focusing on ideational as well as personal aspects of governance, she makes the case that codifications of good governance must be accompanied by ethical leadership, if they are to effectively and sustainably safeguard the moral values and norms of sports, both on and off the field. Effective ethical leadership in sports requires visible role modelling, two-way communication about ethics, and consistent and just reinforcement of norms and values.

In Chapter 7, Vassil Girginov makes the case that organisational culture is a key yet neglected aspect of governance of sport organisations. He interrogates the relationship between good governance and organisational culture, questions the current culture of codification of governance and explores how organisational culture is employed as a means for achieving effectiveness. His reflection challenges the cosmopolitanist/universalist approach to good governance, since it fails to recognise that organisations constitute mini societies that are grounded in their own ideologies, beliefs and values. Dialogue is therefore necessary to ensure that abstract principles of good governance are operationalised in accordance with different (organisational) cultures.

Part II is practice-driven. Focusing on questioning and challenging **policies and practices**, this section aims to clarify the limits and opportunities of different practices for both inducing and implementing good governance. Consequently, this part takes the first step towards enhancing knowledge and understanding of good governance policies and practices in sport. It presents itself in two sections.

Chapters 8–10 are written by insiders who have been involved in good governance reforms in sport federations. They have been asked to write their reflections in narrative style. Chapters 11–18 provide academic reflections on good governance policies.

In Chapter 8, Kate Corkery and Geoff Schoenberg engage in a critical reflection on the approaches and methods Sport Australia has implemented to guide and induce good governance in sport federations. Drawing on their experiences and observations as senior staff members, they provide a unique practitioner perspective on the successes and failures of Sport Australia's relatively long-standing good governance policies. In particular, they identify a number of lessons. These include the importance of the change process, centring compliance on outcomes and development, complementing policy with support and education and ensuring that any policy is consistent and easily accessible. This shows that designing and implementing good governance policy should be a joint process that requires constant interaction and adjustment.

In Chapter 9, Rowland Jack draws on his 17 years of professional experience to question and challenge the role of consultants in achieving good governance in sport bodies. He argues that the traditional consultancy model can be a highly effective reform strategy. Yet, a combination of external pressure on the organisation and internal will for change can further increase the likelihood of significant reform. Consultants also face a number of risks. They can be assigned a scope of work that allows limited opportunity for improving governance or go too far to accommodate a client's wishes in the conclusions reached. Jack argues that these risks can be reduced when consultants are commissioned not by the sport body itself but by an external organisation to which it is accountable.

In Chapter 10, Miguel Maduro and Joseph H.H. Weiler critically reflect on the 2016 FIFA governance reforms. Drawing on their experience as Chair and Member of the Governance Committee, they narrate some episodes that demonstrate that the dominant culture at FIFA was stronger than the formal institutional safeguards put in place by the governance reforms. Their contribution alerts us to the limits of both self-regulation and a rule-based approach to good governance. It also seriously questions FIFA's ability to reform itself.

In Chapter 11, Michel van Slobbe confronts one assumption that underpins indicators and codes of good governance in sport: that enhancing diversity will by itself increase the performance of boards. Drawing on the concept of the 'established and outsiders' advanced by Norbert Elias and John Scotson, he analyses the power dynamics related to the enforced transition towards an ethnically mixed club board. This in-depth case study paradoxically reveals how enforced diversity may ultimately not lead to an ethnically mixed board, when the formerly 'established' board members no longer feel at home and all key positions end up in the hands of the former 'outsiders'. While these findings do not question diversity as a principle of good governance as such, they demonstrate that intervening in the social composition of sport governance can have the unintended effect of triggering us–them divisions as well as deteriorating social relations.

In Chapter 12, Arnout Geeraert explores the opportunities and limits of assessing good governance through indicators. Employing the concepts of validity and reliability, he demonstrates that the methodological dilemmas and tensions inherent to the construction of governance indicators also apply to indicators of good governance in sport. His brief case study of the National Sports Governance Observer indicators reveals that even when deliberate attention is paid to validity and reliability, necessary trade-offs with functionality and inescapable subjectivity render governance indicators inherently flawed. These inherent shortcomings of governance indicators should inspire a critical attitude towards the use of governance indicators and the interpretation of governance indices. Though measuring good governance can be meaningful, openness about contingent methodological choices is required to provide insight into the meaning and implications of indicator and index scores.

In Chapter 13, Lisa Kihl challenges the effectiveness of good governance strategies in sport for their piecemeal and lack of holistic approach. Instead, she proposes an alternative, systemic approach to safeguarding integrity within national sport governing bodies. Promoting integrity, tackling integrity violations and minimising integrity risks require a sport integrity system comprised of actors, internal components (integrity management) and external accountability components (regulatory and social environments). It furthermore requires coordination, capacity building and ongoing evaluation of the effectiveness of the system as a whole as well as its individual components. This approach opens a range of opportunities for research into integrity systems, including mapping different systemic configurations, assessing the performance of specific systems and exploring the instruments that make up an effective integrity management infrastructure.

In Chapter 14, Milena Parent, Russell Hoye, Marijke Taks, Michael L. Naraine and Benoît Séguin challenge the tendency to present a one-size-fits-all approach in good governance codifications, arguing that there is no one ideal type of good governance for all sport organisations. Through a case study of Canadian national sport organisations, they build the case for an empirical approach to determine key governance guidelines/indicators that build on ideal types of sport organisations. It consists of using a cluster approach that allows deriving good governance principles from real data rather than theory. This allows for considering the scale and context of the specific sport organisations of interest.

In Chapter 15, Ian Henry presents a critical reflection on the transferability of Western principles and values in the governance of sport. Emphasising that modernity is not a homogeneous phenomenon, he questions the inevitability of the emulation by the non-west of 'progress' achieved and enjoyed within sport governance in the West. Because local features persist in aspects of governance that have undergone 'modernisation', subtle formal differences exist in different local contexts, which are modern but not uniform. The author contends that, rather than imposing definitive sport governance principles per se, there is therefore greater promise in promoting agreement concerning the processes through which such principles should be decided.

In Chapter 16, Bram Constandt and Annick Willem critically examine the adoption of codes of ethics by sport organisations. This practice constitutes a core principle in most frameworks for good governance in sport and, as such, is increasingly adopted by sport organisations of all kinds to prevent and counteract unethical behaviour. Building on an extensive literature study, they outline the do's (i.e. points of attention) and don'ts (i.e. pitfalls) of creating, implementing and enforcing codes of ethics in sport organisations. Through a case study of FIFA, they demonstrate how ethical leadership and external controls and pressures are required to fully translate the policies of a code of ethics into the actual practices of a sport organisation.

In Chapter 17, Richard Tacon and Geoff Walters focus on the current trend towards codification of governance in sport by examining what happens when national sport federations formally adopt codes of governance. They find that code adoption constitutes 'external legitimacy work', in that board of sport federations initially decide to adopt codes of governance as a means of demonstrating credibility to external stakeholders. The risk is, then, that a focus on formal adoption and compliance will prevail over a substantive approach that seeks to embed principles. Moreover, by seeking legitimacy from funders and commercial sponsors by appearing more 'business-like' in their governance arrangements, sport federations risk alienating many of their (grassroots) members. The authors conclude that a 'tricky balance' must be struck between obtaining external legitimacy by adopting a code of good governance and avoiding divisions within the existing structures of sports, which can ultimately harm organisational effectiveness.

In Chapter 18, Michael Mrkonjic draws attention to the emergence of multiple newly associated functions within the sports system as a result of the implementation of good governance principles. He demonstrates that they can be executive or managerial and strategic or operational and can be integrated into different organisational units. Effectively performing these functions requires specific and general, technical or social competencies. By outlining types of governance structures and functions as well as the associated management competencies, the author takes the first step towards developing a skills-based approach to good governance in sport that benefits scholars as well as practitioners.

Finally, in the closing chapter of this volume, Frank van Eekeren reflects on ten years of research into good governance in sport. Systematically exploring the ontological–epistemological positions that underpin the contributions in this book, he lays out the path for the research field to move from puberty into adulthood by means of five concrete recommendations.

Note

1. Following Chappelet (2011) and Chappelet and Mrkonjic (2013), some sport governance scholars refer to 'better governance' because no organisation is governed perfectly. We are sympathetic to these arguments yet stick to the term good governance since it has universal appeal and is recognisable to both the wider academic community and lay audiences.

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Part I

Critical reflections on theoretical perspectives



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A rational choice perspective on good governance in sport

The necessity of rules of the game

Arnout Geeraert

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

James Madison, Federalist no. 51 (1788)

Introduction

James Madison would not have been surprised by the continuing relevance of his above quote in defence of the adoption of the United States constitution. True, the self-interested behaviour exposed by some political leaders is so blatant that it seems to defy even the constitutional safeguards that are meant to control it. But Madison would argue that even the noblest of leaders are no angels simply by virtue of their humanity. As such, when delegated authority, they must be controlled in order to prevent abuses and ensure proper institutional cooperation.

At the heart of Madison's famous quote lies a pessimistic view of human nature: individuals are self-interested and therefore must be constrained in their execution of authority. This is done by institutional rules and in order to protect the interests of the collective (Petracca 1991). This line of thinking is characteristic to what has later become known as the rational choice approach to institutions. The core rational choice assumption is that, because human nature is essentially self-interested, individuals rank their goals and choose the behavioural route that they expect maximises their utility in terms of power and/or welfare gains (Weingast 2002). However, institutions can be designed to discourage self-interested behaviour (Petracca 1991; Snidal 2013). They thus function as "rules of the game" that ensure delegated authority in service of the common interest (North 1990, p. 3).

The rational choice approach has had a strong impact on the design of different types of institutions including sport organisations. Emerging from classical micro-economics, it naturally underpins the bulk of governance mechanisms that have been introduced under the rubric of ‘corporate governance’ to prevent corporate wrongdoings (Cobbaut & Lenoble 2003; Jensen & Mecking 1976). But the approach has also directly influenced the design of political institutions (Petracca 1991; Weingast 2002) and, more recently, non-profit organisations (Hopt & Von Hippel 2010). Particularly in the past decade, rational choice assumptions have also wiggled their way into debates about good governance in sport organisations. On one hand, corruption scandals in international sport organisations have increased demands for institutional constraints on corrupted sport officials. The European Parliament, for instance, has called “upon all sports governing bodies to commit to good governance practices [...] in order to reduce the risk of falling victim to corruption” (European Parliament 2015). The Council of Europe likewise holds that “[t]he mainstreaming of good governance principles in the management of sports bodies is seen as an appropriate way to prevent and mitigate unethical behaviours including corruption” (Council of Europe 2016). On the other hand, the principles enshrined in codes and indicators of good governance in sport organisations are often (implicitly) inspired by rational choice assumptions. They are often derived from corporate governance, when they focus on preventing wrongdoings, and political governance, when they centre on balancing authority.

The strong influence of rational choice on principles of good governance in sport organisations is not problematical per se. The approach holds many benefits, including theoretical clarity and analytical parsimony (Snidal 2013). Yet all social theories make reductionist assumptions in order to deal with the complexities of social life. Rational choice assumptions are always “true” “by logical derivation” in an abstract theoretical setting (Snidal 2013, p. 94). However, their validity, when applied to real-world situations, has been seriously questioned (Marnet 2007; Pollack 2006). Functioning as a coloured “lens”, moreover, any social theory highlights certain aspects of reality while downplaying others (Dunne, Kurki & Smith 2010, p. 27). While rational choice scholars indeed do not claim to paint a complete picture of reality (Pollack 2006; Snidal 2013), the dominance of the approach entails that good governance policies have an implicit rational bias and, thus, tend to overlook important (cognitive–ideational) aspects of human behaviour and social interaction. The problem is that practitioners do not always understand the benefits and limits of rational choice assumptions. They are often even unaware of the influence of the rational choice approach on principles of good governance (Petracca 1991). The consequential risk is that well-intentioned good governance policies inspired by rational choice thinking might very well have a negative impact on the governance and output of sport organisations.

Taking up the task to reflect critically on the opportunities and limits of the rational choice approach to good governance in sport organisations, the chapter continues as follows: The second section explores the core assumptions of the

rational choice approach and their relevance for good governance. The subsequent section demonstrates how these assumptions explain the importance of three dimensions of good governance that are at the heart of the debate in sport: transparency, democracy and accountability. The fourth section centres on the benefits and limits of the approach for achieving good governance. The final section summarises the discussion and offers practical advice for both scholars and practitioners.

Rational choice and good governance

This section first outlines the key assumptions about human behaviour that are common to the rational choice approach to social theory. Subsequently, it explains how institutions structure behaviour by providing incentives and constraints for self-interested individuals and how these insights influence conceptions of good governance.

The core assumptions of the rational choice approach

Rational choice is not a substantive theory in that it does not make causal claims about specific variables. Rather, it has been considered “a broad approach to social theory” (Pollack 2006, p. 31) or, similarly, “an approach to social inquiry” (Jupille, Caporaso & Checkel 2003, p. 11). The main characteristic of the approach is a set of assumptions about human nature or, more specifically, assumptions “about what motivates the individual” (Pettracca 1991, p. 294). Though there is remarkable diversity among rational choice analyses, most share a general assumption of instrumental rationality. This means that individuals use the available information to rank available courses of action following a rational estimation of expected outcomes. Subsequently, they choose the course of action that best achieves their objectives. Put simply, “individuals want things, and they act in such a way as best to obtain what they want (to the best that they can discern this and subject to the constraints they face)” (Jupille, Caporaso & Checkel 2003, p. 12). This implies that human behaviour follows a ‘logic of consequences’ (March & Olsen 1989).

The assumption of instrumental rationality stands in contrast with a ‘logic of appropriateness’, in which social norms drive behaviour (March & Olsen 1989), as well as with a ‘logic of arguing’, in which truth-seeking actors deliberate and change their preferences in accordance with the better argument (Pollack 2006; Risse 2000). It also implies that the rational choice approach is characterised by ‘methodological individualism’: it treats individuals, rather than society, as the basic units of social analysis. Nonetheless, the approach is considered particularly valuable for explaining collective behaviour, which is assumed to be shaped by the aggregation of choices made by individuals. Even if some individuals may not be motivated by instrumental rationality, rational choice scholars assume large groups to be unlikely to follow the same aversion (Tsebelis 1990, p. 34–38). In addition, rational choice work often focuses on collective agents such as organisations,

bodies within organisations, or entities within a polity rather than individuals. While aggregating individual preferences into a single collective preference is considered problematical, such collectives are commonly “anthropomorphised” in the sense that they are assigned interests and preferences and act strategically in relation to other collective agents (Jupille, Caporaso & Checkel 2003, p. 12). It thus often makes more sense to speak of ‘actors’ rather than ‘individuals’ in the context of the rational choice approach.

It should be stressed that there is considerable variation among rational choice analyses regarding the precise qualities of human nature. Most rational choice scholars have abandoned the idea of the ‘homo economicus’, who does not face constraints in information or cognition. Much rational choice work instead covers situations in which intentionally rational actors do not have (instant) access to all relevant information or face cognitive constraints in processing relevant information. In other words, most scholars implicitly or explicitly assume ‘bounded rationality’ rather than ‘hyper-rationality’ (Simon 1957). This implies that actors, while intendedly rational, are not necessarily behaving as utility maximisers. For instance, actors develop ‘beliefs’ about the expected payoffs of courses of action on the basis of the available information, but these beliefs may be wrongheaded (Geeraert & Drieskens 2021). They may also be satisfied with a sub-optimal status quo when the payoffs of alternative courses of action are (very) uncertain (Simon 1957). However, the most extreme departure from the canonical model occurs when rationality is narrowed down to mere goal-seeking behaviour and these goals are not (necessarily) aligned with self-interest (Ferejohn 1991). The latter implies that actors are not necessarily driven by a desire to maximise their own utility but may seek to fulfil even altruistic goals in an instrumental manner. Yet, according to Abell (2014, p. 320), self-interest is still “construed as a ‘natural’ assumption whereas other orientations are not”. Put simply, actors are typically assumed to have at least the *intention* to maximise their own utility in terms of power and/or welfare gains.

While seeking to maximise their utility, actors do not only face cognitive and information constraints. They are also forced to deal with the strategic and institutional setting in which they operate. When individual choice is interdependent, meaning that payoff depends on the choices made by others, actors by necessity behave strategically by factoring in the expected behaviour of others (Jupille, Caporaso & Checkel 2003; Pollack 2006). However, institutions also incentivise and constrain actors and this is the most relevant aspect for the present purpose.

The rational choice approach and institutions

While a single definition of the term does not exist, scholars’ interpretation of ‘institution’ usually depends on their research agenda (Shepsle 2006). According to Ostrom (2005, p. 3), “institutions are the prescriptions that humans use to organise all forms of repetitive and structured interactions”. In her interpretation, institutions are *rules* that structure the situation by affecting “the opportunities and constraints individuals face in any particular situation, the information they

obtain, the benefits they obtain or are excluded from, and how they reason about the situation” (Ostrom 2005, p. 3). More concisely, North (1990, p. 3) famously refers to institutions as the “rules of the game”, that is, “humanly devised constraints that shape human interaction”.

Rational choice work approaches the relationship between instrumental rationality and institutions both from an explanatory and a normative angle (Elster 1986). Regarding the former, rational choice assumptions allow predicting particular actions and consequences by “logical derivation” (Snidal 2013, p. 93). Explanatory rational choice analyses have consequently contributed to our understanding about how institutions “channel individual choices into ‘institutional equilibria’” (Hawkins et al. 2006; Pollack 2006, p. 33;). They also help to explain why particular institutions are chosen or created, assuming that they are the intentional product of strategic interaction by ‘boundedly’ rational actors (Hawkins et al. 2006).

The rational choice approach also lends itself to normative aims because its behavioural assumptions “tell us what we ought to do in order to achieve our aims as well as possible” (Elster 1986, p. 1). Focusing on means rather than ends, however, it is not a moral philosophy that tells us what these aims should be. For instance, rational choice does not dictate that we ought to decrease corruption. Yet if our chosen aim is to decrease the likelihood of corruption, an appropriate institutional design (i.e. one that alters the incentives of individuals away from corrupt practices) can logically be derived on the basis of rational choice assumptions (Rose-Ackerman 1978). In other words, rational choice allows for establishing what constitutes ‘good governance’ in terms of an institutional design that incentivises and constrains self-interested actors towards the fulfilment of some stated objective, such as decreasing corruption. In corporate governance, the (implicit) objective is often maximising economic value and, more recently, creating stakeholder and broader societal values. The broad underlying goal in public governance is mostly protecting the common interest, as difficult as it is to define.

Accordingly, rational choice analyses have provided a normative justification for certain governance mechanisms that are consequently considered ‘good governance’. The next section explores how rational choice assumptions may provide a normative justification for three key dimensions of good governance in sport.

Good governance in sport: A rational choice approach

This section starts by employing the rational choice approach to define some potential and known problems involving sport governing bodies and their officials and staff. Next, it demonstrates how institutional design can mitigate these problems. For the sake of generalisation, the elements of institutional design discussed here are treated at a high level of abstraction. The section therefore explores how the rational choice approach can explain the importance of now widely accepted dimensions of good governance: transparency, democracy and internal accountability.

The demand for rules of the game

Sport governing bodies can be said to act on behalf of a diverse range of sport stakeholders and governmental actors (Geeraert 2016). They have the authority to exercise functions on behalf of their member organisations and a range of internal stakeholders, including athletes. They also act on behalf of governments where they perform public functions by explicit or implicit delegation (Geeraert & Drieskens 2021). With the growing commercialisation and complexity of organised sport, the demand for coordination has increased, making it beneficial for stakeholders to allow sport governing bodies to expand their authority. These bodies consequently adopted a number of functions in addition to the governance of fundamental competition rules, including marketing commercial rights, making and enforcing disciplinary rules on matters such as doping and match-fixing, settling disputes and promoting social inclusion and a healthy lifestyle.

The rational choice approach holds that, though delegation of authority to a central body might entail functional gains, it always comes at a cost as well. More specifically, it predicts that a sport governing body will minimise its efforts on behalf of its stakeholders or pursue its own interests at the expense of its stakeholders when it has both *motive* and *opportunity* to do so (Hawkins et al. 2006, p. 8). Regarding motive, there are at least four reasons why the preferences of the sport governing body and its stakeholders may not always coincide. First, officials and key staff may be well-intentioned but, given bounded rationality, lack the information and knowledge required to implement effective policies on behalf of their principals. The rational choice approach, however, assumes that individuals are self-interested and thus do not always have their stakeholders' best interest at heart. For instance, and this is the second reason, officials and staff simply may not want to invest the time and effort required to search for, deliberate, and implement effective policies. Third, anticipating relatively higher benefits, they may also be incentivised to serve the interests of one particular stakeholder or group of stakeholders at the expense of the common interest (Mattli & Büthe 2005). Sport governing bodies indeed face diverging demands from a large and diverse group of stakeholders. To illustrate, a common charge levelled against international sport governing bodies, in particular, is the prioritising of commercial interests above the public interest (Geeraert & Drieskens 2021). Fourth, officials and key staff may be motivated by their own material interests. The litany of corruption scandals in international sport governance indeed demonstrates that sport governing bodies' accumulation of wealth and authority provides an incentive for sport officials to either use money to obtain power or use (decision-making) authority to obtain money (cf. Huntington 2002).

With regard to opportunity, stakeholders do not have the same access to information as officials and key staff. These information asymmetries provide opportunity for the latter to engage in behaviour that is undesired by their stakeholders (Hawkins et al. 2006). For instance, stakeholders may simply be unaware of ongoing corruption in the sport governing body. Of course, they can be expected

to control the sport governing body when its behaviour diverges too far from their preferences. Governments can, for instance, control sport governing bodies through laws and increased oversight and sport stakeholders can form advocacy groups or seek recourse before public courts (Geeraert & Drieskens 2015). However, all these measures are quite costly, as they require time and effort.

A more cost-effective option for stakeholders is to 'optimise' the institutional design of sport governing bodies. Institutions may alter the expected costs or benefits of a particular course of action. The goal is, then, to implement rules that increase the expected costs of undesired behaviour for the decision-makers and key staff in these bodies. If effective, the stakeholders need not invest a great deal of resources to actively control the sport governing body and its key institutional actors: institutions will function as 'rules of the game' and constrain and incentivise behaviour. This explains why pushing for institutional reform following failures of governance in sport is such an attractive strategy for governments and stakeholders. It allows them to continue to benefit from the functional gains of delegating authority while reducing the time and effort necessary to control the sport governing body. After all, the more institutions adequately constrain and incentivise the behaviour of officials and key staff, the less need there is for external control. The following explores how implementing three dimensions of good governance might alter the incentives in self-interested sport governing bodies (i.e. collective agents) to that effect.

Transparency

The first dimension concerns transparency. Transparency refers to rules and practices that ensure that information is made available about an actor "allowing other actors to monitor the workings or performance of this actor" (Meijer 2014, p. 511). In practice, it entails establishing (statutory) reporting requirements and a stable practice of reporting on strategy, operations, budget and finance in a timely and comprehensible fashion (Meijer 2014).

The major benefit of transparency is the decrease of information asymmetries between the sport governing body and its stakeholders so that there is less opportunity to conceal undesired behaviour (McCubbins & Schwartz 1984). Transparency thus has an important accountability function: it increases the likelihood of experiencing negative consequences in the case of undesired behaviour. In relation to corruption, for instance, it decreases the likelihood that unethical behaviour will go unnoticed (Rose-Ackerman 1978). The availability of information indeed allows stakeholders and third parties such as NGOs, the media and individual whistle blowers to detect wrongdoings or the potential for such (McCubbins & Schwartz 1984).

More generally, however, the likelihood of experiencing negative consequences motivates individuals to perform their tasks to the best of their abilities (Bovens 2007). Indeed, transparency may lead to sanctions such as disciplinary measures or failure to win re-election for officials, but it can also function as an effective

standalone sanction because it can lead to public shaming. Finally, transparency increases trust because it decreases uncertainty about governing activities and policy processes (Meijer 2014).

Democracy

The meaning of democracy, the second dimension, is subject to endless debates about meaning and definition. In line with the literature on representative, participatory and deliberative democracy, the notion of democracy here entails a system of rules that establishes competition (electoral competition between political alternatives), participation (affected actors' influence over collective decisions) and deliberation (fair and open debates). While this literature focuses on the moral desirability of related procedures, the rational choice approach provides specific instrumental arguments in favour of democratic structures. The focus is on three key mechanisms.

First, free, fair, recurrent and competitive elections provide opportunity for voters to screen and select representatives. When candidates standing for election present their skills and agendas openly and against each other, voters are provided with "reliable signals" of the underlying qualities of interest and capabilities of potential agents (Kiewiet & McCubbins 1991, p. 30). They consequently have a higher likelihood of selecting representatives that will act in their interest. Once elected, underperforming elected officials risk being voted out. This incentivises them to act in line with their constituents' interests (Fearon 1999). Elections thus perform an accountability function as they make governing elites "sensitive" to their constituents' judgement (Della Porta 2013, p. 8).

Second, participation entails that all significantly affected constituents have equal access to participation in decision-making processes while exclusion and marginalisation are avoided (Young 2000). The distribution of related procedural rights and powers allows internal stakeholders (such as member organisations and athletes) to monitor decision-makers, which decreases the likelihood that undesired behaviour will go unnoticed (Warren 2014). In addition, participation makes decisions more informed and, thus, more effective because stakeholders provide expert information that decision-makers themselves may not have (Smith 2009). It thus also allows for the introduction of new, important issues into debates about policies (Della Porta 2013). Finally, participation enhances stakeholder trust by decreasing uncertainty about the actions and interests of decision-makers.

Third and last, rules and practices that ensure fair and open debates with stakeholders and within the organisation increase the distribution of information (Elster 1998). An even distribution of information across all levels creates awareness of the actions of others, making it more difficult to hide or manipulate information on one hand and more likely that undesired actions provoke open disapproval or reporting on the other. Besides this accountability function, deliberation also has a positive impact on the quality of decisions as a result of information brought into the process (Della Porta 2013, p. 64).

Internal accountability

The third dimension, accountability is often defined as “a relationship between an actor and a forum, in which the actor has an obligation to explain and to justify his or her conduct, the forum can pose questions and pass judgement, and the actor may face consequences” (Bovens 2007, p. 450). This definition comprises both internal and external accountability. For the present purpose, a narrower, internal institutional perspective on accountability is adopted. It consists of two interrelated components: (1) a clear separation of executive, judicial, and supervisory powers and (2) an internal compliance system that enables independent entities to monitor decision makers’ compliance with administrative procedures and rules of conduct.

The first component, the separation of powers in the institutional structure of the organisation, rests on the premise that no person or entity by themselves retains absolute decision-making control. It dates back to the writings of Montesquieu and Locke. In political science, it primarily refers to the constitutional separation of powers between the legislative, executive and judicial branches. Each branch is given motives and means for preventing abuses by the other ones with the overarching goal of preventing abuse of power by politicians at the expense of their constituents (Persson, Roland & Tabellini 1997). The corporate governance literature adopted this idea, advocating that a functional separation of power increases decision-making oversight by separating “the ratification and monitoring of decisions from initiation and implementation of the decisions” (Fama & Jensen 1982, p. 302). Separation of powers in sport governing bodies takes shape in independent bodies with judicial or oversight functions, including a clear separation of the board’s decision-making powers on one hand and the general assembly’s power to ratify and monitor decisions on the other. This component also entails the separation of executive functions, performed by management, and strategic functions, exercised by the board.

The second component, a compliance system, pertains to a system of rules which ensures “that employees and others associated with the [organisation] do not violate applicable rules, regulations, or norms” (Parsons Miller 2018, p. 981). Such ‘compliance systems’ were introduced to corporate governance because the separation of power in itself does not suffice to prevent abuses (Fama & Jensen 1982). They entail rules that constrain the behaviour of officials and staff by defining procedures and norms they must follow while conducting their tasks (Kiewiet & McCubbins 1991). These systems install specialised committees—nomination, audit, remuneration and ethical committees—that provide independent oversight and ensure as well as enforce compliance with these rules.

Taken together, these two components of internal accountability function to deter undesired behaviour by increasing the likelihood of negative consequences. They do so in three ways. They (1) provide mutual oversight, (2) limit the discretion of officials and staff, preventing the monopolisation of power and scope for abuse, and (3) they ensure that where internal behavioural rules are violated, individuals face sanctions.

A critical reflection on the rational choice approach to good governance

The rational choice approach lends itself to application in a variety of situations. As such, it has produced diverse testable context-specific hypotheses (Pollack 2006; Snidal 2013; Weingast 2002). One of its key feats is its capacity for hypothesising about the impact of institutions on individual behaviour. This provides the foundation for its normative influence on conceptions of good governance. Though rational choice certainly is not the only approach capable of dealing with governance and institutions, Shepsle (2006, p. 32) argues that it discerns itself by doing so with “abstraction, simplification, analytical rigor, and an insistence on clean lines of analysis”. According to Weyland (2002, p. 61), rational choice indeed “has a better-integrated logical structure than many other approaches, whose assumptions are often vague and whose propositions are more loosely connected”. He continues that it is this “simplicity and elegance that are among its major attractions” (Weyland 2002, p. 63). It is thus not difficult to see why rational choice has been so influential in the institutional design of a variety of organisations, including sport governing bodies.

As the old saying goes, a big tree attracts the woodsman’s axe and certainly, the rational choice approach has faced serious and continued criticism. Much of this criticism relates to its reductionist assumptions about human behaviour. Critics consider these insufficient at best and hold that they result in “inaccurate renderings of the empirical world” at worst (Pollack 2006, p. 35). Rational choice scholars acknowledge that the approach does not paint a complete picture of empirical reality, but contend that such “ontological blind spots” (Pollack 2006, p. 35) are “the price of making simplifying assumptions” (Snidal 2013, p. 89). They argue that, more often than not, rational choice assumptions lead to more powerful predictions of actor behaviour than those of alternative approaches (Pollack 2006; Weingast 2002). Rather than taking a stance in these debates, the remaining paragraphs discuss a number of ontological limitations and biases of the rational choice approach and their potential implications for conceptions of good governance.

First, as mentioned, the rational choice approach does not constitute a moral theory that informs appropriate behaviour. Focusing on means rather than ends, it simply does not deal with moral issues as such: (structural) inequality, justice or democratic legitimacy (Petracca 1991). It even has great difficulty in defining what constitutes the common interest. Neutral theorising is of course one of the key aims and arguably even one of the strengths of the approach. But it does imply that a rational choice bias can lead to moral deficits in codifications and shared understandings of good governance. For instance, rational choice does not dictate the extent to which different stakeholders should be involved in decision-making policies, which can lead to power imbalances.

Second, rational choice models are often overly simplistic in that they neglect important intervening variables. This may result in over-confidence in

institutional design to prevent undesired behaviour. For instance, while it is true that transparency decreases information asymmetries, it does not automatically lead to external accountability. The latter requires the presence of external actors willing and able to interpret the available information and to hold the reporting entity to account (Marnet 2007). In addition, the assumption of (self-interested) instrumental rationality overlooks a set of motivational factors that are crucial to explaining social behaviour. Cognitive and ideational variables, for instance, may impede rational behaviour. Behavioural economists draw from cognitive psychology to emphasise the psychological limitations to rationality including loss aversion, hyperbolic discounting, and framing effects (Kahneman & Tversky 1979). Even more profoundly, sociological approaches to organisation studies argue that ideational variables may influence actors' conceptions of "what it means to be rational" (Greenwood et al. 2008, p. 3). For example, individuals who regard corrupt practices as the 'normal' way of doing things may not anticipate potential repercussions (Geeraert 2018).

This brings us to a third ontological limitation of the rational choice approach, namely its blindness for ideational variables as drivers of human behaviour. Such variables are nonetheless important determinants for both individual and collective behaviour and, thus, governance outcomes. Rational theories generally do not account for how actor preferences can be determined by "supra-individual, collective factors" such as the cultural–ideational environment (Weyland 2002, p. 75). Instead, they tend to treat actor preferences as static or incorporate mechanisms of preference formation by borrowing from other (constructivist) approaches (Geeraert & Drieskens 2021). One of the most fundamental charges levelled against instrumental rationality consequently comes from sociological institutionalists, who argue that individuals follow internalised norms of appropriate behaviour without or in spite of rational calculations of costs and benefits (March & Olsen 1989). In other words, they are assumed to act in accordance with a logic of appropriateness rather than a consequential logic. Prescriptions of appropriate behaviour are determined by the institutional context in which actors—individuals and organisations—operate. In its sociological conception, institutions constitute "more-or-less taken-for-granted repetitive social behaviour that is underpinned by normative systems and cognitive understandings that give meaning to social exchange and thus enable self-reproducing social order" (Greenwood et al. 2008, p. 4–5). From this perspective, the institutional context can have a much more profound impact on behaviour than merely setting incentives and constraints. It can directly shape individuals' identities, interests and preferences through a process of internalisation via social (dis)approval. As an example, an individual may refrain from corruption, not because institutional design decreases her opportunity to do so, but because she has internalised anti-corruption norms via social interaction with her environment (Barr & Serra 2010). Similarly, a stable governance practice based on trust rather than monitoring and sanctioning may foster a culture of mutual trust and cooperation through social interaction.

Related, and finally, the rational choice approach, and particularly its institutional application, tends to focus on formal rules. The above has shown, however, that besides structural material factors, ideas and cognitive factors are also important determinants of governance outcomes. Certainly, the same applies to human agency and personal aspects of governance. Where institutional actors are not motivated by self-interest, moreover, many rules associated with good governance may even be superfluous and therefore unnecessarily increase the administrative burden put on institutional actors. Institutional safeguards may, in fact, restrict the autonomy of decision-makers and staff so much that they undermine their capacity for flexibility, innovation and taking responsibility. They may even establish a culture of surveillance and box-ticking that ultimately incentivises self-interested behaviour by institutionalising distrust (Marnet 2007). Such rules are thus prone to defeating their very own purpose.

Conclusion

The rational choice approach has clear explanatory and normative merits for good governance in sport. First, it explains why good governance is high on the agenda in sport governance. Implementing institutional reforms is a relatively cost-effective way for stakeholders to ensure that sport governing bodies, their officials and key staff act in stakeholders' interest. Second, the approach's pessimistic view of human behaviour as 'boundedly' rational and self-interested tells us that we ought to establish institutions that constrain and incentivise behaviour by influencing the distribution of information and altering the benefits and costs of potential courses of action. Simply put, without rules of the game that establish some form of transparency, accountability and democracy, rational choice predicts that unconstrained self-interest and limited access to information will almost certainly lead to governance failures.

It is clear that human behaviour is much more complex than its stylised rational choice form. While that does not mean that rational self-interest cannot explain a range of human behaviours, it is certainly not always a valid assumption in real-world circumstances. This implies that the rational choice approach to institutions has important blind spots in relation to good governance. In its baseline form at least, it does not consider cognitive, ideational or moral elements and it tends to focus on material structures rather than human agency and personal factors of governance. This leads to a number of recommendations for researchers and practitioners.

More empirical research is needed into the positive and negative impact on sport organisations of principles of good governance that are (implicitly) underpinned by rational choice assumptions of human behaviour. Yet, focusing on rational choice-inspired principles alone risks sustaining the implicit dominance of the approach. Consequently, more theoretical and empirical work is needed on the other aspects of good governance in sport organisations and on the moral fitness of specific governance principles and practices.

Practitioners can benefit from rational choice's clean lines of analysis to reflect on matters of institutional design. Nonetheless, they should be aware of the limitations of the approach. This means that they should not be overconfident in the ability of rules of the game to structure behaviour and prevent wrongdoings. They should also avoid a fixation on formal rules and procedures. Not only may this lead to unnecessary administrative burdens. A strong focus on rational choice's pessimistic view of human nature in governance practices also risks encouraging mutual distrust and preventing innovation and creativity. A reflexive approach is required to strike an appropriate balance between institutional control, on one hand, and trust-based governance with room for individual autonomy, on the other hand. Attention should therefore also be paid to moral, cognitive, ideational and personal aspects of good governance. Even if doing so is challenging, and arguably more difficult than simply implementing rules, awareness of the multi-faceted aspects of governance will lead to a better understanding of the implications of related policies and, thus, to more satisfactory outcomes for all those involved.

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A relational and processual perspective on good governance in sport

Tackling the deeper problem

Maarten van Bottenburg

Introduction

This chapter criticises the current approach to good governance in sport and the underlying rational actor theory for two shortcomings. (1) De-contextualisation: the focus is on the internal characteristics of organisations while ignoring the influence of the social context in general and inter-organisational power relations in particular. (2) De-historisation: attention is overly focused on the consequences that come with certain governance practices. This one-sided focus overlooks the social origins of those practices. As a result of these shortcomings, sport organisations remain subject to the same dynamics that cause government failures in the first place. As a consequence, these failures repeat themselves despite the codification of principles of good governance and the recurrent replacement of failing officials and key staff members.

To overcome these shortcomings, an additional theoretical perspective is needed; one that takes into account social and cultural conditions of governance practices and helps explain these practices stemming from inter-organisational power relations. Sociology offers various starting points for such a theoretical perspective, such as Diane Vaughan's situated action theory, Pierre Bourdieu's theory of practice and Norbert Elias' figuration theory. These scholars not only raise valid objections against the rational choice perspective in their work but also offer alternative theoretical notions that make it possible to better understand and explain why organisational misconduct and governance failures in sport organisations keep repeating, even as good governance codes are put into practice and failing executives are replaced. What these theories have in common is the integration of the micro (individual), meso (organisational) and macro (societal) levels of analysis. They also move beyond the dualism of structure and agency. Moreover, they analyse organisational practices as dynamic, on-going processes that are intertwined with a variety of other processes of change.

The chapter is structured as follows: First, it will illustrate the two points of criticism geared at the current approach to good governance. It connects these with a critical analysis of the underlying rational choice perspective. Then, based on the works of Vaughan, Bourdieu and Elias, and compatible governance and

organisation theories, it lays out key components of a relational and processual approach that can broaden and enrich the theoretical perspective on good governance in sport. After that, it will discuss the implications of this additional theoretical lens for the analysis and approach of organisational misconduct and governance failures in the field of sport. Finally, it summarises the most important insights and reflect on the opportunities and limitations that the findings offer for further research as well as for application in practice.

A critique of the good governance benchmark

The first point of criticism concerns the focus on internal characteristics of sport organisations. Reform strategies, i.e. codes and indicators of good governance tend to address intra-organisational aspects of governance.

This can be illustrated with the Sports Governance Observer (SGO). The SGO is a benchmarking instrument that consists of a set of indicators of good governance. It has been developed to assess the governance of international sport federations. The aim is to employ this benchmarking instrument in order to provide an objective, reliable and holistic overview of which elements of good governance are implemented by these federations and which ones are not (Geeraert 2018).

In this benchmarking instrument, the notion of good governance is broken down into four sub-dimensions, namely transparency, democratic processes, internal accountability and control, and societal responsibility. ‘Transparency’ refers to the reporting of the organisation’s own *internal* workings. ‘Democratic processes’ refer to having free, fair and competitive elections and open *internal* debates *within* the organisation. ‘Internal accountability and control’ refers to the separation of powers *within* the organisation’s governance structure and to a system of rules and procedures that ensures staff and officials’ compliance with *internal* rules and norms. Finally, ‘societal responsibility’ refers to deliberately directing the organisation to have a positive effect on *internal and external* stakeholders and society at large (Geeraert 2018).

These four dimensions are divided into 57 principles and 309 indicators, which require no further discussion. The four dimensions in themselves already show that the emphasis is clearly on the assessment of internal characteristics of individual organisations and independently of other organisations and the wider context. The fact that the SGO assumes an intra-organisational orientation is seen as an inevitable corollary of the underlying theory of the instrument (see also Chapter 12 by Geeraert on good governance indicators in this volume). This is, however, problematic considering that some of the issues which good governance in sport must tackle—the fight against corruption, doping, match fixing, human trafficking and money laundering—must be viewed in conjunction with the complex transnational sport governance system in which they operate as well as the social context in which organisational practices are formed.

The second point of criticism concerns the focus on the consequences of governing failures ignoring underlying field dynamics. In other words, the current focus on (good) organisational governance fails to address the roots of many governance failures in sport, namely the social context in which individual and organisational behaviour and practices are formed, inter-organisational governance of global sport and the power relations that are characteristic for this governance structure. Examples related to FIFA and the World Anti-Doping Agency (WADA) can illustrate why this is problematic.

Of all the 35 Olympic international federations that were the subject of a study in the 2018 SGO, FIFA achieved the highest SGO 2018 index score as well as the highest scores associated with transparency, internal accountability and control, and societal responsibility. This achievement reflects the governance reforms FIFA had undertaken after 2011 (Geeraert 2018). Nevertheless, corruption and controversy have been ubiquitous ever since, particularly so in football. To illustrate, a report from the European Commission in July 2019 concluded that: “Professional football’s complex organisation and lack of transparency have created fertile ground for the use of illegal resources. Questionable sums of money with no apparent or explicable financial return or gain are being invested in the sport. (...) Member States should consider which actors should be covered by the obligation to report suspicious transactions and what requirements should apply to the control and registration of the origin of the account holders and the beneficiaries of money” (European Commission 2019, p. 5, 18).

Apparently, the improvement of good governance in the international umbrella federation, in this case FIFA, has not prevented the problem of money laundering from taking on ever greater proportions. A check on compliance with the principles of good governance does not yet provide a grip on the underlying process that drives this problem. Theoretically, this should come as no surprise. Since the 1990s, scholars in political science, organisational science and public administration have convincingly argued that policy outcomes are not the product of actions by one single actor, but the consequence of the interaction of a network of interdependent actors. Their interaction patterns result in the institutionalisation of power relations and rules of behaviour that influence all actors involved (Klijn & Koppenjan 2012). This also applies to the world of sport (Geeraert 2019; Henry 1999; Jedlicka 2018b).

The Russian doping scandal is a case in point. As one of the stumbling blocks in tackling this scandal, many have pointed to WADA’s poor governance. The US government warned WADA that future funding from the United States could depend on the organisation’s governance and enhanced transparency. The Institute of National Anti-Doping Organisations recommended the adoption of best governance practices, including organisational revisions leading to greater independence and transparency.

In a special issue of the *International Journal of Sport Policy and Politics*, several sport policy scholars reflect on this critique of WADA’s poor governance. They

sum up and analyse a variety of factors that challenge the effectiveness and legitimacy of WADA. However, they also conclude that “the fight against doping in sport is much stronger and more effective than in the 1990s” (Houlihan et al. 2019, p. 200), that “powerful interests have actively sought to undermine the effectiveness of WADA” (Houlihan et al. 2019, p. 194), and that there is an “apparent lack of regime effectiveness” which can partly be explained by “under-resourcing of anti-doping activity in some countries”, “the lack of commitment by key stakeholders”, and “the largely unsupportive environment” in which WADA has to “operate” (Houlihan & Hanstad 2019, p. 203).

Here too, the question is whether an assessment of an organisation’s compliance with good governance principles will get to the heart of the problem. In order to expose the underlying problem, WADA’s governance failure must be related to developments in the broader organisational environment and to the changing power relations between organisations in that environment.

A critique of the theoretical model underlying good governance

Interestingly, these two criticisms of the good governance model are closely related to criticisms of the theoretical perspective that underlies this model. As Arnout Geeraert explains in Chapter 2 of this book, the principles enshrined in codes and indicators of good governance in sport organisations are often (implicitly) inspired by rational choice assumptions. His chapter clearly explains what the core assumptions of the rational choice approach are and how this approach translates into a regulatory system to promote good governance in sport organisations. Geeraert’s argumentation needs no further clarification, but related to the present criticism, this author would like to highlight two key points.

First, rational choice theory is based on methodological individualism. It treats individuals, rather than social groups or societies as the basic units of analysis and tries to explain collective behaviour as the aggregation of choices by individuals. Collectives, i.e. organisations can be considered individual actors in rational choice theory just as much as actual individuals can be. An organisation can thus be the basic unit of analysis in relation to good governance. According to rational actor theory, the governance of sport as a whole can be improved if principles of good governance influence the behaviour of an individual organisation. It is therefore understandable that the focus is on intra-organisational characteristics in order to influence governance practices in the field of sport as a whole. Doing so, it should tackle wider problems that sport organisations face. However, this focus separates governance failures in sport organisations from their broader social and inter-organisational context.

Second, rational actor theory views individuals and organisations as conforming to bounded rationality and self-interest. Governance failures will persist unless the expected costs of undesirable behaviour exceed the expected benefits.

To avoid misconduct, therefore, rules must be established to constrain and incentivise the execution of authority. They do so by influencing the distribution of information and altering the benefits and costs of an action. It is being assumed that negative sanctions should deter and thus prevent individuals and organisations from acting in an undesirable manner. This theoretical lens portrays executives and their organisations as ‘amoral calculators’ whose misbehaviour is motivated by a purely rational calculation of costs and opportunities. It pinpoints the cause of governance failure in an actor’s rational calculations of the *consequence* of behaviour while ignoring its genesis. As such, it not only disregards the social context of governance practices but also overlooks their social origins.

A processual and relational approach as alternative model

Rational choice theory assumes that all human behaviour is ultimately interest-driven action. Sociology tells us, importantly, that this is too one-sided an emphasis on one mere dimension of meaningful action. Max Weber (1978) distinguished between goal-oriented rational action (calculation), value-oriented rational action (principle), traditional action (convention) and action from emotional or affective motivations (impulse). Following Weber, we can assume that people will often be guided in their behaviour by a varying mixture of these four types of social action.

This behaviour does not come about in a social vacuum. The institutional and organisational environment in which people are embedded influences cognition, narrows options and shapes preferences, as Diane Vaughan showed in her famous research on the fatal decision in 1986 to launch the Challenger Space Shuttle (Vaughan 1996). Research on organisational decision-making supports her finding. “The weighing of costs and benefits does occur, but individual choice is constrained by institutional and organisational forces” (Vaughan 1998, p. 29). Decision-making is not only based on cost-benefit calculation but also influenced by external contingencies, political battles, unacknowledged cultural beliefs, organisational routines and intuition based on past experience. Moreover, as James March and Johan Olsen argued in their ‘garbage can model’: decision-making in complex situations can be so dynamic and unpredictable that the outcome is driven more by accident, timing and choice opportunity than it is by careful analysis and deliberate choices (March & Olsen 1979).

Based on her study, Vaughan (1998) proposes an alternative model that starts with contextualising decision-making and articulating social life as situated action. Social life produces tacit knowledge, habits, assumptions, routines and practices from which calculation and action emerge. This is in line with sociological institutionalism, which argues that decision-making may be rational, yet is affected by institutionalised categories of structure, thought and action, which shape preferences and direct choice towards some options rather than others.

Pierre Bourdieu's theory of practice can be of help to further develop this model (Bourdieu 1977). He argues that social action cannot be reduced to rational choices because the conditions for rational calculation are often lacking: time is limited, information scarce, the alternatives are poorly defined and practical matters often require quick decisions. Instead of the product of rational calculation, Bourdieu postulates social action as resulting from a *sens pratique*, a "socially constituted 'sense of the game'" (Wacquant 1989, p. 42). This practical sense helps people to quickly understand the enormous multiplicity and complexity of possible goals, means and consequences. Based on previous experiences in similar situations, this enables them to make intuitive choices, such as the tennis player who suddenly 'decides' to enter the net or the football player 'deciding' to chip the ball over the goalkeeper (Bourdieu 1988).

To take a next step in developing an alternative model, we must widen the context of governance practices in organisations. Each organisation is embedded in a broader, inter-organisational and even transnational governance structure characterised by interdependencies and power balances, which influences organisations and individuals that operate within this structure. Norbert Elias' figurational sociology offers basic theoretical notions to elaborate on this. Elias uses the term figuration to express that human beings are fundamentally dependent on each other. They form interdependent relationships with unequal and variable power balances. Elias postulates that the behaviour of individual people and the problems of social life can only be understood properly by way of analysis of the asymmetrical interdependencies in the figurations that they form with each other, and thus, only by studying people in the plural and not in the singular (Elias 1978).

The same applies to organisations. Organisations are figurations of people, and at the same time, they form part of wider figurations of organisations (Elias 1983). "Just as human individuals only exist in relations of interdependence and power within organisations, the same is true of organisations themselves, which are also constitutively bound up in relations of interdependence and power with other organisations and figurations" (Van Krieken 2019, p. 163). This implies that good governance should not be investigated for organisations in the singular, but in the plural. Each sport organisation should be considered in conjunction with the transnational figuration of interdependent sport organisations and their stakeholders, in particular governments and business organisations, with their formative asymmetrical power balances. This figurational perspective differs fundamentally from rational choice theory, which does not explain organisational behaviour in relation to the wider figuration, but the wider figuration as the sum of the behaviour of individual organisations. From a figurational perspective, it follows that good governance issues cannot be properly understood if they are reduced to the sum of internal elements of organisations. They must be understood by studying these issues in their development (and thus by placing them in a historical context) and in conjunction with wider inter-organisational and societal developments.

Theoretical implications for good governance

A relational and processual theoretical perspective contends that the interdependencies and power relations between governmental, commercial and sport organisations within transnational sport governance are co-determining. As such, they form a condition for compliance to good governance principles within organisations (see Figure 3.1).

In an analytical sense, this means that good governance should not only be seen as the independent variable; as cure for corruption and other issues in sport. It should also be regarded as a dependent variable: namely the product of a particular transnational institutional arrangement that has produced institutionalised codes and mores about 'how it works' in sport politics and sport governance; a product that also has an impact on organisational and individual behaviour and practices (cf. Jedlicka 2018a, 2018b).

In a normative sense, this means that additional principles should be developed for the impact of inter-organisational interdependencies on organisations and individuals. Concrete proposals for this have already been made in relation to network governance (Geeraert 2014; Geeraert, Scheerder & Bruyninckx 2013; see also Chapter 13 by Kihl in this volume).

For example, in the current model of good governance in sport, corruption is a problem because it deviates from the way organisations should behave and thereby undermines the integrity of sport. It should, however, also be approached as a result of weakening errors in the governance of the world of sport as a whole.

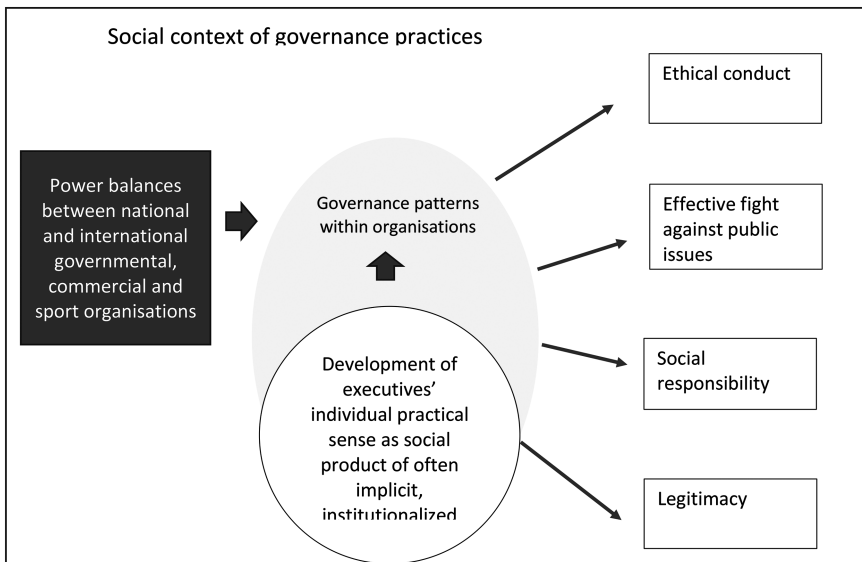


Figure 3.1 A theoretical model of a relational and processual approach to good governance

Sport organisations are not just a set of isolated, loosely bound organisations (Jedlicka 2018a, 2018b). They form a transnational figuration of organisations and are interdependent of each other and other stakeholders with varying power differences.

Following Ian Henry and Ping-Chao Lee (2004), this theoretical implication of a relational and processual perspective can also be expressed in a different way. The present theory and practice of good governance is too limited to pass as what they label as 'organisational governance'. This term is primarily concerned with normative, ethically informed standards of managerial behaviour within organisations. An important step forward from organisational governance would be to relate good governance to governance as networks (systemic governance) and governance as steering (political governance). Governance as networks is concerned with the competition, cooperation and mutual adjustment between organisations in the complex environment in which an organisation operates. Governance as steering relates to the processes by which governments or governing bodies seek to steer the sport system to achieve desired outcomes.

Henry and Lee (2004) define good governance as a normative approach, which requires sport organisations to conform to wider societal expectations of good practice. It also has implications for managers of such organisations. It can, however, be argued that this holds for systemic and political governance as well. As such, it would urge the need for cooperation between sport organisations and their stakeholders to tackle power positions and dependency relationships that provide incentives for governance failures and organisational misconduct.

The development of additional principles of good governance can be achieved by linking these governance approaches with a relational and processual sociological approach that connects behaviour at the network (macro) and organisational (meso) level to behaviour at the individual (micro) level. This will require more than just the application of governance network theory. It should not only put the behaviour of organisational actors in the context of inter-organisational power relations. It should also articulate decision-making as situated action; and thus pay attention to the often implicit institutionalised 'rules of the game' that direct individual behaviour within sport organisations.

A relational and processual perspective on good governance also sheds light on the knowledge gaps that Geeraert addresses in his introduction to this book. First, this perspective makes it understandable that working with a static intra-organisational focus leaves room for cosmetic reforms without substantial change. Adjustment of purely intra-organisational characteristics is insufficient to tackle the deeper problems of organisational misconduct and governance failures. This requires adhering to codes and changing attitudes, standards and mores. Such an ambition would require an additional approach aiming to alter the 'sense of the game'.

Second, a relational and processual perspective makes it understandable why good governance codifications proliferate. This can be seen as a typical example of isomorphism (DiMaggio & Powell 1983). Organisations adopt characteristics

of an organisational model that is seen or defined as desirable. They might do so without a clear diagnosis of the problem and without substantiated knowledge about the effects of means and methods they employ to tackle the problem. Nonetheless, they still invest time and energy in adhering to good governance principles, as they feel forced to do so or try to enhance their status and legitimation. This may strengthen their position in the field, but will not affect the underlying problem.

Practical implications for good governance

When looking through a relational and processual theoretical lens, it becomes clear that codification of good governance principles coupled with punitive, deterrent strategies will not suffice to improve the world of sport.

First, good governance policy should go beyond code compliance. In essence, it is about the question to what extent individual and organisational behaviour and practices do change, and where this change results from. To build on Weber's typology: Which routines are ingrained in organisations and to what extent are they changing? Which values are adhered to in the organisation, and to what extent do they change? What goals are pursued and what means are considered justified for this purpose? On which tacit knowledge and practical sense of 'how it works' in sport politics and sport governance are behaviour and decision-making based? Which 'rules of the game' do organisations adhere to?

Second, punitive, deterrent strategies will not suffice to improve the world of sport. Vaughan (1998) points to the fact that the rational choice model focuses on the responsible individuals and organisations to solve governance problems. This is done, for example, through ethics training, punishment, forced resignation and so forth. Such strategies are appropriate: people must be held responsible and accountable for action resulting in social harm. But these strategies are incomplete: they leave the social context untouched. As a result, the problem will not be solved once the responsible person is punished, and organisational misconduct and governance failures will be reproduced. "If the social context of decision making is not altered, the next position incumbent's decision making will be subject to the same organisational contingencies" (Vaughan 1998, p. 50).

Third, a punitive strategy should be augmented with an approach that works towards institutional reform (Vaughan 1998). Such an approach will only be successful if it is not only targeted at intra-organisational characteristics but also at inter-organisational interdependencies and thus the governance network in the field of sport as a whole. This calls for attention to the question of how organisations deal with their dependencies on other (public and private) organisations and what that means for all dimensions of good governance within their organisation.

Fourth, a relational and processual perspective requires an extension of the organisational governance model with a political and systemic governance focus. In this respect, the question is which principles the transnational sport governance figuration must adhere to in order to stimulate good governance within the

organisations that are part of this figuration. It must also be worked out how, by whom and to whom reporting will take place on the dynamics and impacts of intra-organisational relationships in this figuration, as well as how organisations are accountable for this to their own stakeholders.

Conclusion

The current approach to good governance in sport falls short for two reasons. It overlooks both the social context and the social origins of governance practices within and by sport organisations. A relational and processual sociological perspective is needed to overcome these limitations. This perspective can help to contextualise organisational misconduct and governance failures at the micro, meso and macro levels.

At the micro level, a relational and processual perspective directs the attention to the practical sense of the rules of the game in the world of sport. Individual actors will develop this sense on the basis of previous experiences in comparable positions and circumstances. At the meso level, this perspective situates organisational action in social life, indicating that the individual actor is influenced by institutionalised beliefs, routines and social norms. At the macro level, this perspective points to the fact that organisational misconduct and governance failures cannot be solved by focusing solely on improving good governance within organisations. The focus should also be directed to the interdependencies within the transnational sport governance system and between sport organisations, governments and business organisations. Good systemic governance and good political governance are co-determining good organisational governance.

The implication of this perspective at the micro level is that an approach to good governance should go beyond code compliance. The deeper question is how individual and organisational behaviour and practices are formed and whether they change. This will require to 'unpack' often implicit, institutionalised codes about the 'rules of the game' that 'simply' apply in politics and 'cannot be ignored'. At the meso level, a punitive, deterrent strategy should be augmented with an approach that works towards changing the social and institutional context of decision-making. If this is neglected, individual actors will remain subject to the same dynamics. This is crucial to tackle sport's biggest problem with respect to today's good governance: organisational misconduct and governance failures keep repeating, even where good governance codes have been put into practice and failing executives have been replaced. Finally, at the macro level, additional principles should be developed for relationships between sport organisations and between sport organisations, government organisations and commercial organisations. Organisational misconduct and governance failures in sport cannot be solved by focusing solely on improving good governance within organisations.

The challenges posed by these implications are not easy to deal with. More attention should be paid to changing personal attitudes, moral standards, organisational mores and institutionalised codes underlying decision-making in sport

organisations. However, those topics are difficult to grasp. In addition, the development of new good governance principles for political and systemic governance is still in its infancy. We can take this a step further by connecting relational and processual sociological theories to governance network theories.

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The value of a public value perspective on good governance in sport

Frank van Eekeren

Introduction

In today's world, it is not easy to express when an organisation qualifies well governed. It is no longer enough to frame 'good' only in terms of financial performance, effectiveness and efficiency. A private organisation such as Shell cannot suffice with creating financial value for its shareholders. The oil company realises that they are judged by how they act and how they live up to public values of honesty and integrity lest their reputation suffers near irreparable damage (Shell International Limited 2014). Public organisations, such as hospitals and municipalities, not only focus on result-oriented values such as effectiveness, and efficiency, but are also publicly assessed primarily on their contribution to the public sphere, such as a healthier and safer society (De Graaf, Huberts & Smulders 2013). It can be argued that organisations, be they public or private, are expected by their stakeholders to contribute to the good of society (Benington 2011).

This contribution to the good of society can be described as 'creating public value' (Moore 1995). In a world in which, in addition to price and quality, distinguishing oneself from competitors is becoming increasingly important, it is more and more common to argue that organisations must have a purpose of 'public value' (Hollensbe et al. 2014; Van der Wal, De Graaf & Lasthuizen 2008). Some authors even argue that the lack of public value creation by an organisation will lead to the marginalisation of said organisation (Bilolo 2018; Talbot 2011). As a result, the concept of public value is receiving increasing attention in the debate on good governance, both in the public and private sectors (Perry et al. 2014; Van der Wal, Nabatchi & De Graaf 2015; Williams & Shearer 2011).

Sport organisations cannot outrun this development. They can no longer do with developing sport, promoting elite sport performances and creating business value for their sponsors and financiers. It can be argued that traditional sport organisations have historically added to the public sphere by addressing social issues, but currently, sport organisations seem to have an increased motivation to act socially responsible and pay attention to doing good (Van Eekeren 2013). The great number of social projects run by professional sport clubs, often framed as corporate social responsibility (CSR) (Breitbarth et al. 2015), is an example of

this, but the growing attention to good governance can be regarded as a way to create public value too. The motivation to create public value—although CSR or good governance actions are rarely described as such—comes partly from within, but is also encouraged from outside sport organisations.

An important driver behind the attention for public value creation is the professionalisation and commercialisation of sport in recent decades. It has inherently challenged the ‘traditional’ nature of sport organisations by embracing business-oriented management concepts (Beech & Chadwick 2013), such as CSR and good governance. Another important driver is the recognition of sport having social meaning as well as its potential to positively contribute to social issues. Sport is increasingly recognised by politicians, policy makers, sponsors, media and the general public as a means or catalyst to promote public values, such as health, inclusion and sustainability (Coalter 2010; Van Eekeren 2016). In the dominant discourse of policy makers, sport is not so much valued for its own sake, but rather for its potential to cure or prevent social ills (Vermeulen 2011), and sport organisations are expected, and sometimes forced, to contribute actively to this. Finally, scandals in sport, such as sexual harassment, doping and match fixing, and the negative publicity that came with these scandals, are a driver for the aim to create public value, or, at the very least, to counter negative public value (NOC*NSF 2019). In short: sport organisations are explicitly held accountable for their social involvement and social responsibility and they are trying to add value to the public sphere in addition to the value for their athletes and their sponsors and financiers (Van Eekeren 2016; Waardenburg, Van den Hombergh & Van Bottenburg 2019).

Sport organisations are also increasingly being held to account for public values that can be directly linked to good governance, such as lawfulness, integrity, equality, transparency, participation, legitimacy and accountability (Chappelet & Mrkonjic 2013). This stems from the coming of age of the sport sector, the increasing public significance and public funding it holds and receives. Sport, just like the energy sector or the health care sector, is thus subject to (formal and informal) requirements for good governance, and sport organisations are making frantic efforts to draw up codes of good sport governance¹ and to develop measuring instruments with the help of academics. The latter include definitions, descriptions and guidelines to create and measure the aforementioned public values².

All this means that sport organisations, although traditionally organised privately—from associations to public limited companies—can be characterised as hybrid organisations with characteristics of both private and public organisations (Henne 2015; Lucassen & Van der Roest 2011). They deal with both the public value issues of a private organisation such as Shell (‘how do we act honestly and with integrity?’) and those of public hospitals or municipalities (‘how do we contribute to social issues, such as health, social cohesion and safety?’). The questions that can be raised from this are: To what extent can good governance in sport enable or support public value creation? Can theoretical findings from a public

value perspective provide new or different insights regarding good governance in sport?

This chapter will reflect on the advantage of a public value perspective as one that does justice to the normative aspects of 'good' governance and as an alternative for prevailing approaches that are dominant in current practice and research. First, the chapter explains the origins of public value theory and introduces two of its approaches. It subsequently explains why the public value perspective can be relevant for sport organisations and how public value theory can actually affect implementation of good governance in sport. Afterwards, the limits and opportunities that derive from the public value perspective for good governance in sport will be discussed. The chapter concludes with the main insights and specific implications for researchers and practitioners.

Public value theory

Public values can be considered as one of the oldest issues in political thought as well as administrative practice (Beck Jørgensen & Rutgers 2015). Nevertheless, now, in the early 21st century, there is an increased, renewed interest in the study of public values, especially in public administration (Lindgreen et al. 2019). According to Bryson, Crosby and Bloomberg (2014), it is a response to the challenges of a networked, multisector, no-one-wholly-in-charge world and the shortcomings of previous public administration approaches. The contemporary interest in public values counters an instrumental, managerial focus on public administration (Andersen & Beck Jørgensen 2011) and a dominating neoclassical political economy (Bozeman 2007). While efficiency has been the main concern of traditional public administration (Noordegraaf 2015), values beyond efficiency and effectiveness are being pursued, debated, challenged and evaluated in the newly emerging public values approach.

It was Harvard professor Mark Moore who generated renewed attention to public values in the mid-1990s. Since then, the publication of many studies has seen public administrators elaborate, define and discuss the concept. Moore's ideas have been further developed and debated by various scholars in public value theory who draw on theoretical and epistemological foundations that differ from traditional public administration (e.g. Alford 2008; Benington 2009; Boyte 2011; Bozeman 2007; Denhardt & Denhardt 2011; O'Flynn 2007; Stoker 2006).

Defining public value

Moore (1995) introduces public value as the contribution that organisations make to society and that is perceived by a wide audience. Talbot (2011) simply describes public value as 'what the public values', but to be a little more precise: public value provides an alternative and improved construct to explain the contribution of an organisation to the welfare of the society through contribution to the public sphere—the space where public values are explored and contested, and public

value are created (Bryson et al. 2017; Habermas 1964). Public values are generally considered contributions that go beyond those of mere market economic considerations. They are made by organisations to society and/or the public sphere in relation to complex social issues. Examples are health, sustainability and integrity (Benington 2011; Leisink et al. 2013; Moore 1995).

At the same time, it is generally difficult to determine what public value is, what has public value, how it can be created and with whom (Meynhardt 2009). There appears to be no unequivocal opinion about what public value exactly is or which action is deemed to have public value. Public value depends on the predominant view in society of what is valuable (Talbot 2011). Benington (2015) has argued that public value is connected with the contests, debates and dialogues in a democratic society. In this sense, public value is a “contested democratic practice” (Benington 2015, p. 29) or, as Rhodes and Wanna (2007, p. 172) argue: “public value is highly contested territory, in which competing and conflicting interests can only be negotiated”. Public values are therefore a constant subject of debate and there are different views on it.

Public value and good governance: Two approaches

In addition to the question of what public value is, a lot of research focuses on the question of how public value can be created. A resulting question concerns the relationship between good governance and public value or its creation. Two approaches can be distinguished in this context: good governance as a means to create public value and good governance as a public value in itself.

In the first approach, good governance can be regarded as the independent variable and public value as the dependent variable. Perry et al. (2014) for instance regard good governance as that which contributes to the good of society. Importantly, public value is not static or inherent here. Instead, it is achieved through the organisation’s governance, which is presented in terms of normative aspirations for a ‘good society’. In this approach, public value is a desirable outcome of good governance and there is good governance when sport organisations implement governance structures that are instrumental to the creation of certain public values. In relation to sport, frequently mentioned public values are health, social cohesion and social safety (Coalter 2010; Van Eekeren 2016; Waardenburg 2016), as is environmental sustainability to an increasing extent (McCullough & Kellison 2018). This approach implies that good governance principles in sport—f.e. transparency, democracy and accountability—should be viewed as means towards desirable ends—f.e. social cohesion, health and environmental sustainability—rather than administrative ends in themselves.

In the second approach, good governance can be seen as a public value in itself and some of its principles can be regarded as public values. This approach implies that the implementation of certain elements of good governance thus becomes a goal in itself. Various attempts have been made by scholars to define good governance principles as public values. Huberts and Van Hout (2011, p. 57) even

speak of a “cacophony of values”. Yet within this cacophony, three value clusters can be distinguished. Cluster 1 focuses on fair governance. This concerns values such as lawfulness, integrity and equality. Cluster 2 focuses on responsive governance. It concerns values such as transparency, participation, legitimacy and accountability. Cluster 3 concerns result-oriented management with values such as effectiveness, efficiency and professionalism (De Graaf, Huberts & Smulders 2013). While many of these public values definitions were originally developed in other sectors, quite a number of them are reflected in attempts to define universal good governance principles for sport (e.g. Alm 2013; Chappelet & Mrkonjic 2013; Geeraert 2016).

Good governance in sport from a public value perspective

When we take a look at good governance in sport from a public value perspective, there is one question that has to be answered first. Is good governance a means to an end or is it an end in itself? Do we consider it a tool that contributes to the good of society and, if so, do we assess this tool in terms of the degree to which it creates public value as perceived by a wide audience? Or is it rather good governance itself that we see as a public value? Do we see associated values—f.e. transparency, democracy and accountability—as public values in themselves? And is the question that we therefore have to ask above all else how we create such values? What are the criteria they would have to fulfil?

Good governance as a means to create public value

When good governance is seen as a means to create public values, such as health, social cohesion and safety, two things are important: (1) making the pursued values explicit and (2) making the relationship between the pursued values and good governance explicit.

First, sport organisations and their stakeholders should be explicit about what the public values they pursue are, how they can be defined and how they can be demonstrated. At the same time, they must realise, in accordance with public value theory, that they do not determine these values themselves. Instead, public values are defined and demonstrated in a continuous process with the relevant stakeholders. After all, public values cannot be objectively defined and established, and moreover, they are not static. Many sport organisations use good governance to focus on public values such as sportsmanship and respect, safety and the prevention of corruption, match fixing, doping and sexual harassment (e.g. IOC 2008; NOC*NSF 2019; UK Sport and Sport England 2017). Public value theory teaches that what can be meant by public values is determined by the sport organisations with their stakeholders in their specific context. The ultimate ‘game’ of defining and demonstrating public values takes place in an arena of stakeholders, each of whom occupies different positions and puts forward their

interests in the arena (Van Eekeren 2016). The process of public value creation can be characterised as a struggle that cannot be separated from the sources of power available to stakeholders.

Second, based on public value theory, it should be clear what the explicit relationship is between good governance as a means and public value as an end. In many cases, good governance in sport is presented as a means of legitimising, safeguarding or restoring trust in sport, and good governance must try to prevent abuses in sport. All of this sounds like an approximation of good governance as an independent variable and public value as a dependent variable. However, practice has shown that the focus is mainly on the implementation of good governance principles (as an end) where the relationship with the ultimate goal (public value) is not clear. For example, in the discussion about the new code of good sport governance in the Netherlands, public value creation is mentioned as the highest goal, but at the same time, its relationship with the principles of good governance (transparency, democracy and accountability) is not explicit (NOC*NSF 2019).

Good governance as a public value

Most implementation aimed at good governance in sport focuses on good governance principles that are seen as public values and are therefore goals in themselves. The underlying idea is often to maintain or increase the quality of and the confidence in sport through the administrative structure and functioning of sport organisations. The good governance principles are usually enshrined and elaborated in codes, such as those of UK Sport and Sport Vlaanderen, and in measuring instruments, such as the Sport Governance Observer. From the perspective of public value theory, there are two important points of interest in this approach: (1) contextuality and (2) the use of multiple value clusters.

First, public value theory makes it clear that defining and establishing public values in terms of good governance principles is not universal, while good governance codes usually end with a list of abstract public values no one could oppose (De Graaf & Paanakker 2014). It appears that abstract principles, such as democracy and transparency, can be put to good use in many parts of the world and in many sectors, but the meaning and effect may differ per sector, country, region and sport. The various codes and measuring instruments mentioned above have made the good governance principles contextual for sport. This means that these codes and measuring instruments, in addition to general principles such as transparency and democracy, pay attention to social responsibility (Alm 2013) and the autonomy of sport (Chappelet & Mrkonjic 2013). But both the codes and measuring instruments are quite static. Once established by researchers, experts and/or stakeholders, they acquire an 'absolute' character—all the while public value theory makes clear that the meaning of values such as transparency, democracy and accountability as well as social responsibility and autonomy are contestable, contextual and subject to change. Public value theory emphasises the normative

aspirations of ‘good’ governance, which means a continuous debate with all stakeholders is necessary to define and construct what the public values are.

Second, as argued before, public value theory in relation to good governance makes it clear that different value clusters can be distinguished: public values aimed at fair governance, responsive governance and result-oriented governance. The developed good governance principles in sport, such as in the Basic Universal Principles of Good Governance of the Olympic and Sports Movement (IOC 2008) and Principles of Good governance in Sport (EU Expert Group Good Governance 2013), mainly fall within the second cluster. They emphasise values such as transparency, democracy and accountability, appropriate for responsive governance. This raises the question of whether codes and measuring instruments in sport should not pay more attention to fair governance and its related values such as legality, integrity and equality, and to performance-oriented governance and its related values such as effectiveness, efficiency and professionalism.

Opportunities and limits of a public value perspective

A public value perspective offers various opportunities to critically reflect on the current practice of good governance in sport and to propose new quality criteria. At the same time, this perspective also has a number of limitations.

Critical reflections on good governance in sport

First of all, the public value perspective makes it clear that although there is a lot of talk about (public) values in sport in practice and in policy, there is hardly an explicit debate about what is meant by these public values or whether good governance is regarded as a means or as an end. This can lead to an unfocused debate about the implementation and effectiveness of good governance in sport. For example, sport organisations and researchers often refer to good governance as a means of creating public values. However, in the implementation stage, the approach to good governance as an end winds up being used in most cases. It also happens that both approaches are intertwined in practice. An example for this is the Sport Governance Observer. It presents three dimensions (democracy, transparency and accountability) that represent public values in themselves, and a fourth (social responsibility) that focuses on preconditions for the creation of public value around social themes such as inclusion and sustainability.

Second, using public value theory as a lens reveals that good governance in sport can be more context and process oriented—whether good governance is seen as a means or as an end. Public values can be regarded as multidimensional constructs and involved actors create the strength of these constructs through the trust they have in each other and in an honest approach (O’Flynn 2007). It is about collective sense-making by stakeholders and the use of existing knowledge and experiences outside the network so that a broader assessment is made of possible public values. This means that the implementation of good governance in

sport must be seen as a continuous debate, in which organisations must be able to deal with diversity in views. In this way, sport organisations can do justice to the specific context of the (national, regional or local) sport. As a consequence, this means that sport organisations must create the right conditions for the process of both defining and determining public value(s).

Third, from a public value perspective, good governance by a sport organisation concerns the creation of different types of public values. These public values can potentially conflict with each other. A subsequent and recurrent issue in public value theory is that not all of these values—however desirable they are—can be achieved at the same time (De Graaf & Paanakker 2014). Public value theory makes it clear that different value clusters can clash and that it is important to recognise the ambiguous and contested nature of good governance principles in the implementation of good governance. Moreover, many oft-mentioned ‘global’ good governance principles such as transparency, rule of law and government effectiveness (Kaufmann, Kraay & Mastruzzi 2008) may be conflicting or contradictory in policy and management decisions. Sport organisations must find a way to deal with the possible tensions or contradictions between, for example, efficiency and transparency, or between effectiveness and equality.

Another consideration is that sport organisations must also create other types of values, such as sportive values and business values. These values can in turn conflict with public values (Van Eekeren 2016). A mixed public/private profile of the sport organisations can produce contradictory incentives. Public tasks, for instance, do not obey the logic of the market, and the specific organisational culture of a sport organisation can be in conflict with entrepreneurship (Van Montfort 2008). This means that, in addition to the approach of good governance as a means to create public value and good governance as a public value in itself, a third approach is applicable: good governance defined as managing tensions between values, public or otherwise (Perry et al. 2014).

In this third approach, good governance occurs when multiple values are successfully combined in an organisation. In other words: the existence of good governance is determined by way of dealing with the conflicting values from these different clusters. Good governance ensures that a debate about value creation takes place and leads to the production of (potentially) conflicting values (De Graaf & Van der Wal 2010). How this process is carried out in the stakeholder arena can be laid down in a number of quality criteria that approach the universal principles of good governance. An example could be involving everyone in a democratic process, being transparent about the procedure and ensuring clear supervision of the process.

Critical reflections on a public value perspective

Criticism of public value theory often arises from the complexity and ambiguity of public value as a theory and framework. For example, there are many public values (e.g. Andersen et al. 2012; Bozeman 2007; Meynhardt 2009) and they are

not a settled or stable matter. Also, it is unclear “what the public values are” and “what adds value to the public sphere” (Hartley et al. 2016, p. 40) often causing tension. From its complexity and ambiguity, a public values approach has a number of limitations with regard to the implementation of good governance in sports.

First, this complexity and ambiguity has resulted in public value theory not providing concrete handles for implementation of good governance in organisational practice. This means that every organisation must determine in its own context which public values they attach to good governance and how they intend to implement this. A blueprint approach is not possible from a public value theory standpoint; it concerns a contextual and continuous process. At the same time, public value theory does not provide concrete tools for structuring the process either, although there is increasing knowledge about public value management (Stoker 2006), public value co-creation (Bryson et al. 2017) and creating public value through smart partnerships (Van Eekeren 2016).

Second, the ambiguity and complexity of public value theory makes assessing the outcomes of good governance in terms of public value very difficult. Determining objective, universal public values is not possible. This means, among other things, that public values once created cannot be examined in an unambiguous way and that comparison between different organisations and situations is extremely complex. This issue persists even despite the development of tools like a Public Value Scorecard (Lindgreen et al. 2019; Meynhardt 2015).

Conclusion

Sport organisations are expected to create public value, for example by contributing to social issues such as health, social cohesion and environmental sustainability. At the same time, they are expected to be governed in an honest and decent manner, by paying attention to certain values such as transparency, democracy and accountability. Now that these types of public values are increasingly seen as important benefits in sport organisations, a public value perspective offers the opportunity to use public values as a starting point for good governance in sport, rather than a marginal consideration (Beck Jørgensen & Rutgers 2015). From a scientific point of view, there are two elements at the basis of the concept of public value: (1) being valuable and (2) enjoying trust from the perspective of the general public (Lindgreen et al. 2019; Moore 1995). A public value perspective on good governance in sport ensures that the implementation of good governance is more focused on the social outcomes and thus contributes to the legitimacy and public trust in sport and its organisations.

Based on the analysis in this chapter, it is important to be explicit, both in practice and in research, how the relationship between good governance and public values is viewed. At least three approaches are possible: (1) good governance as a means to create public value, (2) good governance as public value and an end in itself, (3) good governance as a process of managing tensions between

(public) values. Each approach gives practitioners and researchers a specific perspective on good governance in sport that can help sharpen the debate on both implementation and research.

At the same time, it can be concluded that public value theory doesn't provide concrete handles for policy makers and managers due to its ambiguity and complexity. A managerial approach based on a blueprint does not fit the public value perspective. This might warrant a rethinking of the instrumentality of many of the current approaches and good governance codes, and puts a focus on processes instead of procedures and regulations. Sport organisations consequently should not spend a great deal of time, energy and resources on meeting compliance obligations, but rather on embedding good governance values in the hearts and minds of their organisations and partnerships. Managing good governance from a public values perspective is to a large extent addressing the intrinsic motivation of the organisation aimed at the higher social goal.

By its very nature, public value theory doesn't provide robust methodologies to assess public value as an outcome of good governance. A public value perspective requires that scholars draw from different theoretical and epistemological foundations. The positivist idea of one coherent theory of everything does not go well with public value theory, but a social-constructivist approach does. This also means that approaches other than the currently prevailing methodological ones are required; approaches that allow empirical research to give insights into the processes of public value creation in the arena of stakeholders on one hand, and the performance of organisations in terms of good governance related to public values on the other.

Two ways for further research can be recommended. First, research could examine whether and how public value is constructed in and by sport organisations, whether and how it is argued for by different agents and groups, in what organisational, institutional and social contexts, and what type of perceived outcomes this yields. Research questions could focus on where and how value is added through organisational and partnership processes and how public value is often co-produced with citizens and other partners and stakeholders in sport. Second, while performance management scholars have examined activities and outputs from public organisations, there has been less research about the value created (or destroyed) in terms of legitimacy, trust, social justice and so on. To make public value measurable, Meynhardt (2015) developed a scorecard that measures the public value of each project, decision or transaction along five dimensions: social, moral, aesthetic and utilitarian. It may be interesting to investigate whether this scorecard can be made applicable for good governance in sport.

Finally, it is striking how, now that sport organisations, governments, and other stakeholders all over the world feel the need to promote good governance in sport, the concept of public value and public value theory remain underexposed in the debate. It can be argued that a public value perspective does justice to the normative aspects of 'good' governance. A public value perspective requires that policymakers, managers and researchers alike consider good governance in

sport as a relative, evolving and culturally defined aspiration (Evans 2012). It also provides alternatives for the limitations of the prevailing instrumental and positivist approaches towards good governance in sport that are dominant in current practice and research.

Notes

1. e.g. A Code for Sports Governance by UK Sport and Sport England (2017) and the Code of Good Governance in Flemish Sport Federations by Sport Vlaanderen (2016).
2. e.g. The Sport Governance Observer (Geeraert 2015).

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Feminist perspectives on good governance in sport

It is the care that guides the doing

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Introduction

From a theoretical and empirical perspective (see other chapters in this volume) a lot of thought is given to 'good governance' both within and outside sport. Unfortunately, feminist perspectives have rarely been applied to the notion of good governance (Merry, Davis & Kingsbury 2015; Parent & Hoye 2018). Attention is paid to feminist theories in sport policy, such as good governance, primarily when the subject matter is gender (Knoppers & McLachlan 2018). In contrast, the results of a scoping review of research in the area of sport governance by Parent and Hoye (2018) reveal that gender is not a topic directly associated with principles of good governance. Although studies have been published that focus on the importance of gender quotas on sport boards or on the need for gender equity (Henry & Lee 2004), the need for feminist perspectives on the subject of good governance are not mentioned.

Feminist perspectives often question positivist notions of objectivity and truth, and therefore also the neutrality of good governance. Ideas about 'good governance' are usually drawn up and executed by persons with relatively high levels of freedom, rights and influence. These ideas are therefore not neutral but reflect the social positions of those who created norms about good governance. This may mean that underlying power relations between groups involved in doing good governance remain hidden. A feminist perspective might analyse who performs practices of good governance, how and from what interest or position, and what the consequences of these practices are in terms of reconstructing and reproducing power relations. For example, Puwar (2004) describes how white male bodies remain unmarked in most public spaces, and thus continue to dominate and set norms without being questioned about their white male dominance. They tend to think their stance is neutral, while non-white and/or female bodies are constantly supervised and scrutinised for how they position themselves in society. They are thus marginalised when norms and standards are created.

These processes have an enormous impact on everyday interactions and on the ways policies, management and institutions are constructed. Connell (2009) sees such a worldwide 'gender order' as a continuing pattern. Substantially harming

women's rights and input in society and continuing white heterosexual men's voices and perspectives as dominant in all societal domains.

The aim of this chapter is to elaborate feminist perspectives that can be applied in conceptualising and realising good governance and thus shed a new light on the current dialogue on good governance in sport. The central question that guides this chapter is: How can feminist theory contribute to scholarly and policy debates on good governance in sport?

The following sections elaborate and discuss two particular feminist approaches.

The first is standpoint theory attributed to the work of Dorothy Smith (1987, 1990). We draw on this perspective to show that the question of what is 'good' in good governance can never be answered in a universal way. Feminist standpoint theory offers a further deepening of this perspective, since it is based on the assumption of positionality of all forms of knowledge and experience, thereby calling into question the neutrality of knowledge and science. This perspective not only challenges the neutrality of good governance criteria, but also stresses that ignoring different voices and standpoints of stakeholders, undermines the 'good' in good governance.

The second approach is 'ethics of care', derived from the work of Carol Gilligan (1982). We choose this perspective to present an alternative to exclusionary notions of 'good' governance. Ethics of care offers such an alternative. Here 'care' is an ethical principle, reflecting an underlying value and way of doing, which can be applied to reflections on the 'good' in good governance. Both perspectives may offer alternative guidelines for current conceptualisations of good governance. Contrary to other (dominant) conceptualisations of good governance, these perspectives take marginalised ideas into consideration and assume organisations have an ethical obligation to do so. Such feminist perspectives may not only be seen as an ethical consideration for doing good governance, but also as an overarching principle and guarantee for practicing good governance.

Theoretical perspectives

Although feminist perspectives are so diverse that they can hardly be summarised under one rubric, they all have in common that they question positivist notions of objectivity and truth (Stoetzler & Yuval-Davis 2002). They assume that what is understood to be universal knowledge and truths are presented and accepted as common sense and neutral; consequently, the gendered and hegemonic basis of such knowledge remains unmentioned and marginalised experiences and other ways of knowing are easily overlooked. In this way, existing social inequalities are effortlessly reproduced and mask and legitimate a hegemonic masculinist positioning (Stoetzler & Yuval-Davis 2002). As Haraway says: "Despite their differences, they [feminist perspectives] have all challenged the god-trick of seeing everything from nowhere" (Haraway 1991, p. 189), with which she criticises the neutrality of knowledge and states that knowledge is always linked to a certain position. Moreover, she indicates that knowledge is situated, but not necessarily

subjective. Rather, positionality offers the opportunity to acquire certain knowledge that is related to the power position someone has in society.

The relevance of feminist perspectives on good governance therefore, is that they question the neutrality of good governance criteria, and offer insight into power positions and processes in the creation of these criteria.

Feminist standpoint theory

Although standpoint theory may have originated in the work of Hegel and Marx, who portrayed the views of unequal groups (social classes) in society (Hekman 1997), feminist representatives of standpoint theory have focused on gender inequality. Feminist standpoint theory essentially posits that all knowledge and truths are produced from multiple standpoints. Smith (1997) said: "We know as a matter of doing" (p. 395). She denies universal and neutral considerations, and assumes that social situations fundamentally determine the knowledge individuals acquire and thus the way they are positioned/position themselves in society. Feminists such as Dorothy Smith (1987, 1990), Nancy Hartsock (1983), Patricia Hill Collins (1990, 1997), Donna Haraway (1991) and Sandra Harding (2004), have used this perspective to show how knowledge is anchored in gender. Subsequently they broadened the issue to other social groups, based on race, social class and other social factors, and illustrated how the prevalence of dominant standpoints can serve as the basis for maintaining social and structural inequalities.

Positionality

Standpoint theory assumes that people acquire knowledge from a variety of societal positions. Individuals are positioned in different ways based on how they are socially categorised in terms of power relations such as gender, race, (dis)ability, sexuality, etc.

This means that taking a position pertains to the physical presence of the body and to the material layout of the space. Someone is physically part of a setting and is therefore always part of a local practice in which positions relate to each other and realise institutional power structures (Puwar 2004). For example, the position of a black female speed skater is very different from that of her white female trainer, even when they are in the same ice rink. They not only have different positions, but will have different experiences and perceptions of what happens in the space as well, due to their history/experiences of being black/white or woman/man. Hartsock (1983) asserts that such experiences limit an understanding of social relations, because reality will be perceived differently as local practices and positions differ. Collins (1997) gives the example of a black feminist academic who is in the unique position that she acquires knowledge from two standpoints: the privileged academic world and also that of black women. She originates from a marginalised group, but operates in the field of a dominant group although she may still be also marginalised within that dominant group. Puwar (2004) calls such a position a

'space invader'. Collins' social position meant she gained knowledge of underlying power processes associated with both standpoints (dominant and marginalised). These multiple positions enabled her to develop a strategy to survive within the academic world. In contrast, non-marginalised groups tend not to need or develop such awareness or knowledge. Members of non-marginalised groups tend to identify more often with the assumption of neutrality of knowledge since they are generally not aware of their dominant position; they see it as obvious or as common sense.

Standpoint theorists are convinced that not one group can claim neutrality, since all knowledge is situated. Therefore, assumptions about the neutrality of knowledge will mainly contribute to the maintenance of a hegemonic standpoint. Ignoring the partiality and situatedness of knowledge, by labelling it as neutral, also means depriving those marginalised groups of having a voice in society.

Situated knowledge

People come to knowledge by participating in social processes, so these (local) settings determine what kind of knowledge and experiences people acquire. Standpoints may not be uniform even in the same setting, but depend on the social and cultural context (Stoetzler & Yuval-Davis 2002). Settings therefore do not have the same meaning for participants, since social groups may acquire different knowledges about a situation due to their own position (Stoetzler & Yuval-Davis 2002). People who share the same location, for example, may have completely different experiences and knowledge of a situation, dependent on their power position: if the person serves coffee or is giving a lecture; is a black male athlete or a white female athlete listening to a speaker; is a promising young academic or an older person taking care of the operation of devices. All gain different knowledge about who is present in the space, who has the right to speak about what is happening there. In other words, social location and standpoint cannot be reduced to each other but people generate situated knowledge through their interpersonal interactions.

Situated knowledge is perceived and experienced differently depending on the positions someone takes. Positions of individuals or groups may be diverse, intersectional, contradictory and subject to change. Each position has major consequences for the restraints or freedom of action that accompany it, and for the meanings they assign to the situation. Consider a 14-year-old elite gymnast who is aggressively manipulated by her male coach to perform exercises that are physically painful. The gymnast is afraid her sport career will suffer if she does not always obey his instructions. How differently do both experience the space? While he may appropriate the situation due to his position, she feels constantly threatened, because of the way the setting is organised. Her knowledge of what happens in the space is completely different from his. Smith (1990) has defined the settings or situations as:

"The actualities of our everyday world are already socially organised. Settings, equipment, environment, schedules, occasions, and so forth, as well as our

enterprises and routines, are socially produced and concretely and symbolically organised prior to the moment at which we enter and at which inquiry begins” (p. 23).

Standpoint theory

Standpoint theory focuses on the social conditions and interactions that construct standpoints of different groups. As Hartsock (1983) states, these groups have material conditions that structure and limit their understanding and knowledge of standpoints and interactions.

Although standpoints are developed over time, they are not essentialist nor a given. For example, speed skating has predominantly been a white sport, which does not mean that it will always that way. Consequently, standpoints in the field of sport about speed skating and race are also subject to change. Standpoints are embedded in a structure-agency perspective. They refer to ethical, institutional and political constructions of groups having shared histories that may be characterised by long standing patterns of gender, class and/or racial marginalisation on the one hand and they shape individual life-experiences and practices on the other (Weeks 1998). Collins (1997) uses this structure-agency perspective to argue that not the individual but the group serves as a unit of analysis of a standpoint. Collins stresses that individuals belonging to corresponding social groups may share similar experiences, but there is at the same time always room for individual agency due to multiple and/or intersectional positionalities. “Although standpoints construct and shape experiences and perception of individuals, they do not determine them in terms of causality and predictability” (Collins 1990, p. 326).

According to Collins (1990) criteria for social groups, such as race, gender, age are not descriptive categories of identity, but elements of a social and political power structure. In other words, social criteria are used to create social groups and the power relations between them. Standpoints become visible almost everywhere in the public domain, for example in sport and recreational facilities, health care systems and education. Changes herein may take place in relation to broader societal changes and/or as a result of policy measures and/or of social political movements.

Stoetzler and Yuval-Davis (2002) stress that knowledge from dominant/hegemonic standpoints need to be explored and made explicit, since most political decisions that affect the largest number of people are taken from these hegemonic standpoints. This and views from the margins should be taken into consideration when we apply standpoint theory to a critical analysis of good governance in sport.

Power

Standpoint theory was conceptualised by Collins (1997) as a perspective that shows how knowledge always remains central to systems of power that are to the advantage of the interests of dominant groups in society. According to

Hartsock (1983) dominant groups create positions of power by labelling their perspective as 'real' and rejecting or ignoring other definitions. After all, dominant groups have an interest in suppressing or replacing certain knowledge of subordinate groups, because this rejection gives them the opportunity to continue and control their own dominance.

Smith (1990) asserts that there is no clear division between dominant or marginalised groups since individuals may represent multiple standpoints. People typically may have no trouble defining themselves as marginalised, while at the same time contributing to the marginalisation of others. For example, white women do not always realise the privileges they have compared to black women. Since Collins (1990) assumes that each group has knowledge of, and shares knowledge from its own point of view, that knowledge is never complete, nor neutral, but each has its own partial perspective on reality. This partial knowledge is therefore essential for their position in society. After all, knowledge is positional. The multiplicity of standpoints and their associated knowledge gives people the opportunity to understand other standpoints, yet always from a person's own standpoint. Expressing knowledge without having a suitable position is usually less credible and convincing, for example when a man talks about what it is like to be a woman.

In summary, standpoint theory is very helpful to analyse and make explicit the interests and positions of those involved in and/or excluded from doing good governance. However, this perspective does not inform the ethics necessary for doing good governance.

Ethics of care

In social science, philosophers have focused on the question of which ethical principles people should hold in order to create a just society (e.g. Rosenberg 2016). Ethics of care can be seen as such an approach.

Ethical principles

Ethics are often based on principles, or combinations thereof. These principles may emphasise individual autonomy, rights and obligations, call attention to pragmatism, or stress the need for social contracts. Kant for example, assumes the autonomy of a person and a person's rights and obligations constitute a basic principle for a just society.

Kant (Morrell 2006; Rosenberg 2016) assumes that there are certain moral rules that are a priori and universally true. He argues that one should never use human beings as a means to a certain goal, but should treat them as autonomous persons.

In contrast, Mill (Morrell 2006; Rosenberg 2016) focused on the usefulness and consequences of decisions as basic principles for a just society. He believes that the answer to moral questions should be weighed based on their usefulness (such as happiness, satisfaction, well-being) to those involved. In that case, the greater the general advantage of an action, the better it is. Regardless of whether such

considerations of utility can be made neutrally/impartially, they may violate people's autonomy. Finally, Rawls (Rosenberg 2016) assumes that a just society should be based on a social contract, a mutual consent. This is based on the so-called 'veil of ignorance', the principle that an agreement is a just agreement, when the outcome is based on a consensus between actors when they do not know in advance what position they will occupy. For example, how could the question be answered whether it is right that men as trainers in elite sport earn much more than women with equal qualities without taking gender positionality into account? Of course, this situation is fictitious because every person involved knows their position, but the fictitious situation means that an agreement or contract can be reached that is acceptable and just to everyone involved, because all conceivable positions can be taken into account. In such a situation Kant would probably plea for equal payments, given the assumed equal autonomy of both men and women, while Mill would probably look at the consequences of such a decision for the benefit of most people involved. In other words, the decision on what 'good' is, is taken differently based on different ethical principles and considerations.

However, these three principles (autonomy, benefit and justice) are not the only possibilities for ethical guidelines. A fourth feminist principle named 'ethics of care' (Gilligan 1982) has evolved as an ethical theory since the 1980s, although it has probably implicitly guided many people's actions throughout history.

Ethics of care

Ethics of care distinguishes itself from principles of autonomy, benefit and justice by emphasising concrete human relationships instead of abstract principles that enforce ethical actions and decisions (Baier 1994; Benhabib 1992). "While an ethics of justice proceeds from the premise of equality – that everyone should be treated the same – an ethic of care rests on the premise of nonviolence – that no one should be hurt" (Gilligan 1982, p. 174). In the 1970s, Gilligan developed this emphasis in response to the stepwise/phase model of moral development developed by Lawrence Kohlberg. He asserted that an individual has reached maturity when s/he can see moral issues in terms of rights and rules. Gilligan argued that Kohlberg's model was written from a male perspective on morality. In her research, Gilligan discovered that women and men generally interpret moral problems differently. Women may see a "moral problem as a problem of care and responsibility in relationships" as opposed to men who may see it "as one of rights and rules" (1982, p. 73). According to Gilligan, women's positionality means they often approach moral issues in terms of empathy and compassion, and men's positionality means their approach to issues is often allied with rationality and logic. Her research led Gilligan to question the assumed neutrality of moral principles. She explicates that 'female' values and considerations were missing in the existing discussions on ethical behaviour.

Gilligan's ethics of care has been criticised however. An ethics of care pertaining only to women reinforces the traditional image and stereotype of women as being

caring and empathetic. Gilligan's work was also seen as essentialist (Grimshaw 1986; Tong 2009) and her methods deemed weak (Greeno & Maccoby 1986). The idea of caring has also been critiqued for being too diffuse to be useful and subject to various interpretations (Broughton 1983).

The idea of an ethics of care has also received support, however, due to the realisation that qualities associated with women were generally underestimated and devaluated in society (Tong 2009). Others (Bartky 1990; Kittay 1999) stated that care and the ethics of care could have a broader social meaning and should no longer be labelled as a typical feminine quality, as opposed to masculine qualities, but rather as a responsibility of men and women embracing an ethics that should be expressed in both the private and the public/corporate sphere. An ethics of care assumes everyone is part of webs of relationships rather than being an independent human being. As such, ethics of care is assumed to serve as an addition or correction to existing perspectives (Bartky 1990; Tong 1993). An ethic of care therefore centres relationships in contrast to common, often masculinised, notions of the self as an autonomous individual (Machold, Ahmed & Farquhar 2008).

Ethics of care has further been developed by others such as Nel Noddings (1984), Virginia Held (1993, 2006) and Joan Tronto (1993). Held (1993, 2006), Tronto (1993) and Sevenhuijsen (2003) indicate that ethics of care not only applies to interpersonal relationships, but also to the social and political domain making it applicable to human relationships in the public sphere including the development of ideas about good governance in organisations (e.g. Machold, Ahmed & Farquhar 2008). In sport, ethics of care has been applied as a theoretical framework in sport for development studies (e.g. Debognies, et al. 2019). In these studies, the principle of ethics of care was used to challenge the common top down management of sport programs and their assessment criteria based on effectiveness and efficiency. An ethics of care means relational processes are chosen as the starting point for the (co-)construction and assessment of projects. After all, care can only be realised in social relations.

Beyond Gilligan

Although 'ethics of care' can be seen as an ethical obligation within relationships (Noddings 1984), it is based on daily moral experiences and problems. Noddings emphasised that the provision of care comes from ethical considerations, from the source of compassion, based on relationships. The correctness of our actions is therefore essentially based on the care for others in a broad sense. It is not based on abstract and generalised notions of equality, equity and relationships "but situates caring for others in relationships in actual situations, in specific contexts, and takes cognizance of feelings and emotions in moral reasoning" (Machold, Ahmed & Farquhar 2008, p. 670).

Ethics of care is best expressed "(...) as an activity, the activity of care" (Tronto 1987, p. 648). Tronto (1993) further distinguishes between four phases of care.

The first phase concerns attentiveness: recognising the need and necessity for care. The second concerns responsibility or taking responsibility for providing care. The third is about competence; that is, offering the right expertise for the provision of care. The final phase is the responsiveness phase, in which the care recipient responds to the care received. Tronto assumes that these four phases must be properly connected to fulfil care in an ethical sense.

Ethics of care is essentially not an isolated criterion, but rather an underlying organisational persuasion, responsibility, commitment and form of action that is lacking in so many (sport) organisations. Steward (2020) writes in her Black feminist critique about the logics of higher education institutions' response to COVID-19: "Institutions are bureaucratic and care is not the ethic of institutions; the ethic of the institution is productivity and preservation" (Steward 2020, p. 5). This 'logic' may also count for sport organisations. The use of an ethics of care could therefore support executives and board members of sport organisations in their thinking about new logics of good governance and the legitimacy of their action.

What constitutes good governance

The question of 'what is good governance' is essentially based on what one should or should not do in governance, a question that generates normative answers based on ethical principles. Although the question in itself thus includes elements of both ethical reflection and the search for practical answers, when it comes to 'good governance' in current discussions this question seems to focus on defining indicators (Davis, Kingsbury & Merry 2015). In many ways, governance is based on laws, rules and norms about how to act in certain situations. However, ideas and regulations change over time, which implies that the ways in which laws, rules and standards must be applied are continuously discussed and renewed.

This brings us to the question: Is there such a thing as a basic principle or a moral standard from which to determine what 'good governance' entails?

Standpoint theory and good governance

From the perspective of standpoint theory, thinking about current criteria for good governance would focus not so much on the criteria in themselves (such as accountability, transparency, efficiency, effectivity, equity, democracy, responsibility: e.g. Dowling, Leopkey & Smith 2018; Henry & Lee 2004), but rather to how such guidelines for good governance can be measured and formulated as uniform, neutral and objective. From a feminist standpoint perspective, criteria currently used for 'good governance' are always linked to a certain viewpoint or standpoint, and therefore depend on different backgrounds and power positions of those involved in creating criteria for good governance. Feminist would frame criteria for good governance as partial knowledge, and criticise them for suggesting they are uniform and universal and for not linking them to a specific

standpoint. If the positioning of knowledge from which these principles originate is hidden, good governance is formulated as neutral and generally valid and strengthens those in dominant positions.

This assumed neutrality enables dominant groups to dismiss other knowledge, e.g. from marginalised groups as being subjective and therefore invalid (see the introduction by Geeraert in this volume). Standpoint theory is a powerful approach to understand, analyse, discuss and criticise the so-called neutrality of actions of good governance. The contribution of this theory to good governance, therefore is that it would obviously take the voices of marginalised groups and underlying power processes into account in the development of policy for good governance. However, this perspective does not address guiding principles for doing 'good' governance in various situations, as Carol Gilligan (1982) does with her 'ethics of care'.

Ethics of care and good governance

Ethics of care is a moral and idealistic position and at the same time a relatively new guideline for the way governance is done. Ethics of care may be defined as a relational, situational and contextual practice of care within the domain of governance matters (Surie & Ashley 2008). It is also an important correction of the dominance of technocratic, abstract and rationalist thinking, so often expressed in terms of advances and utility that tends to dominate public discussions of good governance (Merry, Davis & Kingsbury 2015). The implementation of ethics of care as a practice for good governance requires a deeper understanding of situations, through self-reflection and dialogue about institutional contexts, standpoints, interests and asymmetry of power relations. Ethics of care focuses on the ethical principle of "care" and assumes that this principle guides the 'doing' in all cases. It "recognises a multiplicity of actual and potential relationships with varying degrees of asymmetry of power distribution, within which there is an obligation of care" (Machold, Ahmed, Farquhar 2008, p. 673).

Former considerations about good governance (criteria as mentioned above) are still valuable and do not necessarily need to be replaced by ethics of care. Rather, an ethics of care can be seen as an overarching and guiding moral principle that ensures people are not exploited or taken advantage of in unequal power relationships (Machold, Ahmed, Farquhar 2008; Morrell 2006) or vice versa, that people will not abuse public services. For example, the stress on achievement in sport should never lead to the abuse of athletes. Their voice should be heard through dialogue (standpoint theory) and should be taken into account and responded to (ethics of care). In other words, ethics of care is much more than a set of criteria for doing good governance. It is based on a web of relationships in which 'care' can be seen as an underlying life/organisational attitude, on the basis of which more or less continuously changing laws, rules and standards can be calibrated or adjusted. Standpoint theory assumes multiple standpoints are possible and can be taken into consideration through dialogue.

Reflection

Most governance theories tend to overlook and/or continue to marginalise the construction of gender and other societal (e.g. racial, social class) inequalities all of which constitute societies. This chapter on feminist perspectives on good governance stressed the importance of the representation and integration of these standpoints into good governance. Standpoint theory stressed that dominant standpoints tend to define their perspectives as neutral, general and in everyone's interest, and may thus oppress marginalised standpoints. Additionally, ethics of care showed that a focus on formal rules, criteria and measures to do good governance is not enough. Ethics of care applies to every situation and deeply supports the governance of democratic societies to survive and thrive. Therefore, it is questionable whether 'good governance' can be realised as being 'good' enough, as long as the power practices of dominant groups continue to prevail without being subject of discussion about whose interests are at stake.

Yet, it is important to recognise that the perspectives outlined here involve dilemmas. Perspectives that contribute to the realisation of good governance should always involve the representation of different standpoints, including marginalised standpoints. Yet, it is not always easy to determine whether all relevant standpoints are included/heard.

In a similar way, ethics of care can be used as an ethical base/principle for the construction and implementation of good governance, but the dilemma is: what do care and the responsibility for care mean? After all, the provision of care is complex and context dependent. Therefore, different care needs and care responsibilities can be defined from different standpoints. Answering these questions is part of the dialogue and assumes a universal answer will not emerge.

Collins (1997) argues that hierarchical organisations easily end up in a dynamic of mutually opposed relationships, where a dialogue focusses on being right, instead of mutual care. She said: "Within hierarchical power relations, it seems reasonable that groups disadvantaged by systems of power might see their strength in solidarity and collective responses to their common location and subjugation. In contrast, it seems equally plausible that those privileged by these types of group placements might want to do away with notions of the group altogether, in effect obscuring the privileges they gain from group membership" (Collins 1997, p. 380).

In such an organisation a dialogue may take place, but since the positions are characterised by conflicting interests, mutual care is absent. In other words, although dialogue is crucial for understanding different points of view, there is still a risk that mutual care will be ignored or neglected.

However, the aforementioned dilemmas should never be a reason to solve problems in a general and instrumental way and not conduct a dialogue from various standpoints. After all, the absence of a multi-voice dialogue suggests that everyone should adhere to rules, laws and manners, while the dominant standpoint only represent the interests of a few. Consequently, good governance continues to be determined by those in positions of power in society.

Conclusion

Yuval-Davis (2011) describes the concern of care as an openness and awareness of individuals and institutions that influences compassion, avoiding harm, and sustaining relationships and affects public life. Since ethics of care guides the dialogue this principle is of crucial importance. While the dialogue is a practical *opportunity* to achieve mutual understanding of different positions, ethics of care represents the *intention* of mutual understanding and accordingly, acting on this basis. Such an approach operates at both the structural (institutional) level, and the individual. Ethics of care may also be seen as an overall life attitude for those involved in doing good governance. Yet, caring assumes the understanding of social positionality. The merging of standpoint theory with ethics of care may be seen as an alternative to the current, so-called 'neutral' focus on rational thinking, universal indicators for political decisions or technological solutions elaborated by experts in the field. Good governance should always be considered from the perspective of different standpoints and within an 'ethics of care', since care should under all circumstances guide the doing.

Implications for scholars

Both feminist perspectives on good governance elaborated in this chapter require further research. With regard to standpoint theory, it would be worthwhile to examine the process of constructing codes and indicators of good governance and the dialogues of sport directors (in terms of tasks, responsibilities and behaviours) that construct them, since these may reproduce or change existing power relations, including their impact on sport.

Similarly, how might a person's position on a board (in terms of gender, race, validity, sexual orientation, etc.) impact how an ethics of care is implemented in sport boards. Where, when, why and how do sport boards deal with 'different voices' in their governance for example, and how does this contribute to inclusion or exclusion in sport? Further research into the meaning of standpoints and ethics of care, will provide a better insight into the value of these feminist perspectives for practicing and theorising good governance in sport.

Implications for practitioners

Applying an ethics of care means not only listening to and actually hearing the standpoints or perspectives of those marginalised but also making decisions based on favouring the least advantaged members of the community and ensuring they are unharmed by the consequences of decisions. This implies that practitioners or policy makers need to see athletes, participants, stakeholders, colleagues in the organisation as individuals, with their own needs and as part of a wider web of relationships with friends and relatives. It means that those involved in sport governance need to recognise and reflect on their own role as providers and

facilitators of opportunities for sport participation and governance and also their role as agents that contribute to the well-being of a (sport) community.

Practicing a feminist perspective on good governance is about developing critical self-reflection on personal positionality and understanding multiple points of view of policy makers and others involved in doing good governance. Dialogical relations are therefore, crucial for gaining insight in the heterogeneity of knowledge (Collins 1990). Collins argues that a dialogue between people of different positions is the only way to “approximate truth”. It facilitates an ability to imagine or understand each other’s standpoints, although without owning them. Another standpoint theorist, Elsa Barkley Brown (1989) is convinced that: “All people can learn to center in another experience, validate it, and judge it by its own standards without the need of comparison or the need to adopt that framework as their own. In such dialogues, ‘one has no need to ‘decenter’ anyone in order to center someone else; one has only to constantly, appropriately, ‘pivot the center’” (Brown 1989, p. 922).

According to Collins (1990), dialogue as an approach is essential to reform partial knowledge into shared knowledge and to ensure marginalised groups have a place in society. In a democratic society, that is precisely the job of those responsible for realising (the creation and implementation of) good governance. This does not only mean conducting relevant dialogues, but also to embedding the representation of marginalised groups in bodies that construct and express good governance in organisations. In such organisations mutual and contextual relationships between stakeholders pivot around the care for each other, instead of focusing on their own achievements and interests and ensuring these are met through competitive negotiations. If this succeeds, ethics of care is no longer an individual practice, but is embedded in the structure of organisations as part of good governance.

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An ethical leadership perspective on good governance in sport

From star players to team sport

Leonie Heres

Introduction

At the professional and non-professional level alike, ethical scandals have rocked the world of sport. Along with an increasing need for more effective sport management, these scandals have given rise to persistent calls for good governance (e.g. Constandt, De Waegeneer & Willem 2018; Geeraert, Alm & Groll 2014; Loyens et al. 2021); and not without reason. For sport to fulfil both its societal and commercial functions, it is critical that the integrity of athletes, coaches, referees, and sport organisations be beyond question and that the game itself can be trusted at face value (Forrest, McHale & McAuley 2008; Gardiner et al. 2017; Numerato 2016). In recent years, sport governing bodies and sport organisations such as FIFA or the Dutch NOC*NSF have thus invested in creating extensive ethics infrastructures, implementing numerous procedures, ethics codes, rules and regulations, as well as structures to monitor, report and sanction. Nevertheless, moral transgressions in sport remain at the front pages of our newspapers.

One explanation for why unethical behaviour in sport keeps coming to light, is that the notion of good governance has yet to be fully incorporated into the day-to-day practices of sport leaders. To date, both research and practice in sport emphasise formal-legal structures, policies, and bureaucratic instruments to counter unethical behaviour (Geeraert & Drieskens 2015). Studies beyond the realm of sports, however, consistently show that, while formal-legal measures, ethics programs, codes, training and the like have an important role to play in curbing unethical behaviour (Treviño & Nelson 2016), they are unlikely to have much effect on ethical decisions and behaviour if they are not embodied by the words and deeds of those in positions of power (e.g. Constandt, De Waegeneer & Willem 2019; Treviño et al. 1999). Followers look to leaders to understand what 'the organisation' *truly* values, recognises and rewards (Heres 2014). Hence, where leadership fails to show visible support for such formal ethics and compliance measures, and implicitly prioritises organisational goals and performance indicators over moral values, the credibility and validity of such instruments of ethics is undermined. Ultimately, this can render compliance and ethics measures ineffective, while leaders lose moral authority and followers become increasingly

cynical (Bird & Waters 1989; Treviño, Brown, & Hartman 2003). In fact, unethical behaviour may actually *increase* under such circumstances: in organisations with extensive formal ethics management and governance structures, a leader's lack of ethical responsiveness and guidance may stand out even more because it deviates from the explicitly communicated expectations and norms for behaviour. This creates especially ambiguous situations for followers wherein the leader may be seen to actively reject an ethical stance (Quade et al. 2020). In turn, followers are likely to become less persistent in their support for ethics and unethical behaviour ultimately increases (Greenbaum et al. 2015; Quade et al. 2020). In short, only when ethics programs are translated into actual practices at different levels of leadership within sport organisations can such programs truly prevail (Constandt 2019; De Waegeneer & Willem 2016; Treviño et al. 1999).

Because of the effects of leadership on followers' sense-making and their perception of the meaning and value of formal compliance and ethics measures, it is critically important to ensure ethical leadership as a precondition to good governance. Ethical leadership enhances the moral awareness and decision-making of followers (e.g. Brown, Treviño & Harrison 2005; Steinbauer et al. 2014). And by improving the ethical climate and psychological safety, it fosters followers' voice and speak-up behaviour (Hu et al. 2018; Kim & Vandenberghe 2020). As a consequence, ethical leadership reduces counterproductive, deviant and outright unethical behaviour and heightens not just commitment and prosocial behaviour in organisations but also task performance (Bedi, Alpaslan & Green 2016; Peng & Kim 2020). But while scholars produced an impressive amount of research on ethical leadership, its effects, and its antecedents in the last 15 years (Bedi et al. 2016), research on ethical leadership in sport remains decidedly less capacious (Constandt et al. 2020).

This chapter aims to highlight how research on ethical leadership can further our understanding of and practices towards good governance in sport. To this end, it first draws on more general administrative and business ethics research to set out the key components that prevailing perspectives on ethical leadership distinguish. It then provides a brief discussion of research on ethical leadership in sport. The following section offers a critical commentary on the limits of taking an ethical leadership perspective on good governance in sport. These insights are subsequently used to delineate key indicators of good governance from an ethical leadership perspective. The concluding section summarises the discussion and lists some important implications for both research and practice.

Ethical leadership explained

Current ethical leadership research has its roots in social and organisational psychology and draws heavily on social learning theory (Bandura 1977, 1986), social exchange theory (Blau 1964; Gouldner 1960) and social identity theory (Tajfel & Turner 1986; Turner 1975). In their seminal work on the topic, Brown et al. define ethical leadership as “the demonstration of normatively appropriate conduct

through personal actions and interpersonal relationships, and the promotion of such conduct to followers through two-way communication, reinforcement, and decision-making” (2005, p. 120). Underlying this definition is the distinction between the moral person and moral manager component (Treviño, Hartman & Brown 2000). The ‘moral person’ component is typically understood in terms of the personal character and motivation of the leader herself. It highlights the importance of leaders’ own moral values, their concern for ‘doing the right thing’, moral traits such as authenticity, reliability, and trustworthiness, high levels of moral awareness, and ethical decision-making (Kalshoven, Den Hartog & De Hoogh 2011; Kaptein 2003; Treviño et al. 2000). ‘Moral management’, in contrast, focuses on the leadership process and involves the proactive, socially salient efforts to safeguard and promote ethics among others. Recently, Kaptein (2019) added a third component to ethical leadership, arguing that ethical leaders must also be ‘moral entrepreneurs’ who proactively contribute to the development of new moral norms. While the moral person component remains a vital and necessary part of ethical leadership (Treviño et al. 2003), it is not a sufficient condition for ethical leadership. Rather, it is the moral management and moral entrepreneurship that differentiate ethical leaders from amoral (i.e. ‘ethically neutral’ rather unethical) management that focuses on efficiency, effectiveness, and bottom-line results and fails to provide followers with ethical guidance (Greenbaum et al. 2015; Quade et al. 2020).

Moral management consists of three key aspects: (1) role modelling ethical behaviour in a visible manner, (2) reinforcement of moral values and norms, and (3) two-way communication about ethics (Brown et al. 2005; Kalshoven, Den Hartog & De Hoogh 2011; Yukl et al. 2013). Role modelling is the first and perhaps most critical aspect: without it, all other efforts to promote ethics quickly lose credibility. Followers look to the behaviours that leaders exhibit in order to understand what behaviours are or are not acceptable, appropriate and valued in the organisation. It follows that a leader’s decisions and behaviours must be sufficiently visible and salient to be observed by followers “against an organisational backdrop that is often ethically neutral at best” (Brown & Treviño 2006, p. 597). Yet, followers’ perceptions of leadership are interpretations of what they see and as such, they are far from neutral: perceptions are shaped by both the context in which the behaviour occurs and by the more general experiences, expectations, ideals, and assumptions of followers themselves (Heres 2014; Quade et al. 2020). Ethical leaders therefore must not only avoid behaviours that could be perceived as inconsistent with moral values and norms, but also undertake efforts to learn how their decisions and behaviours are interpreted by followers, and they must proactively provide followers with insights into the reasoning behind their decisions and behaviours (Weaver, Treviño & Agle 2005). At the same time, ethical leaders are not without flaws. It is precisely in how they show vulnerability and account for their own mistakes, acknowledging those mistakes and using them as valuable learning experiences for themselves *and* others, that ethical leaders lower the threshold for followers to be open about their dilemmas and mistakes as well (Heres 2014).

A second aspect of moral management consists of clear and consistent reinforcement of the normative standards of the group. In other words, ethical leaders make sure to support, acknowledge and reward those who adhere to normative standards and compliment those who do 'the right thing', while holding those accountable who commit moral transgressions. Here, informal rewards such as recognition, trust and status, and informal sanctions like ostracism by peers and leaders, can be quite powerful instruments (Grojean et al. 2004; Treviño 1992). Conversely, while formal reinforcement such as demotion or suspension may prove necessary for recurring or severe cases, too strong a focus on formal consequences may actually lower followers' independent moral reasoning and foster goal displacement (Bartol & Locke 2000; Baucus & Beck-Dudley 2005). Either way, consistent reinforcement is key because it allows the wider group to use the experiences of their peers to vicariously and anticipatorily learn what is and what is not considered 'normatively appropriate behaviour' (Brown et al. 2005; Mayer et al. 2009; Treviño 1992). As with role modelling, however, such learning can only occur when leaders make rewards and punishments sufficiently visible to other followers as well (Treviño et al. 2000). The importance of vicarious learning furthermore underscores the importance of using a fair and proportionate amount of authority; not punishing too harshly or too lightly. Otherwise, what is meant as a message that transgressions of moral norms are not tolerated may actually result in resentment and cynicism (Johnson 2005).

Communication about ethics is the third and final aspect of moral management (Brown et al. 2005). It includes an explication of the leader's own moral decision-making processes, clarification of norms and role expectations, and guidance on appropriate action (De Hoogh & Den Hartog 2008; Treviño et al. 2003). At the same time, it is about being approachable, listening to followers, having open discussions about the group's values, and facilitating joint reflections on the moral dilemmas and implications of the decisions and tasks at hand (Grojean et al. 2004; Huberts, Kaptein & Lasthuizen 2007; Van den Akker et al. 2009). By engaging followers in the moral decision-making processes and allowing them to voice their own perspectives and concerns, ethical leaders stimulate them to view things from different perspectives, to question their assumptions, and to think independently and creatively about moral issues (Heres & Lasthuizen 2012; Resick et al. 2006). Such empowerment of followers helps them to further develop their own, independent moral reasoning and judgement (Den Hartog & De Hoogh 2009; Resick et al. 2006).

Recently, Kaptein (2019) argued that ethical leadership involves not just a moral person and moral management component, but also moral entrepreneurship. As Kaptein explains: "whereas the moral person is oriented toward *who* the leader is and the moral manager toward *how* the leader influences others, the moral entrepreneur is focused on *what* norms to establish" (2019, p. 1140). Applying a social development perspective to ethical leadership, he emphasises that ethical leaders should not just comply with and reinforce existing ethical

standards, but instead are “frontrunners in ethics” (2019, p. 1143) by proactively leading the development of new moral norms and insights. Particularly in situations where existing moral norms are incomplete or inadequate, there is an opportunity for leaders to not just lead *with* ethics, but to actually lead *in* ethics as well. Under such circumstances, Kaptein (2019) suggests, ethical leaders must draw on their high levels of moral awareness, moral reasoning skills and moral identity to develop new moral perspectives and sound moral arguments to substantiate their own proposed norms. While further empirical research on moral entrepreneurship is necessary, ethical leaders’ proactive, indeed *leading* role in the development of moral norms seems an important aspect to consider.

In addition to the components of moral person, moral manager and moral entrepreneurship, it is important to consider the foundation upon which ethical leadership is built, namely the quality of the leader-follower relationship. Although not generally considered a component of ethical leadership *per se*, leaders’ decisions and behaviours inevitably affect their relationship with followers and thereby their ability to influence their followers’ (ethical) decision-making and behaviour (Heres & Lasthuizen 2012). As such, the quality of the socio-emotional exchange between leaders and followers provides an important moderating mechanism through which leaders can foster ethics (Peng & Kim 2020). By being open, respectful, trusting, fair and loyal towards followers, ethical leaders build high-quality relations with their followers (Brown et al. 2005; Mayer et al. 2009). Followers are likely to then reciprocate with positive, pro-social behaviour and refrainment from unethical behaviour that may hurt the leader or the group (e.g. Neubert et al. 2009; Walumbwa & Schaubroeck 2009). Moreover, treating followers in a fair and just manner reinforces the credibility and moral authority of leaders and enhances followers’ motivation to emulate the leader’s ethical behaviour (De Schrijver et al. 2010; Neubert et al. 2009). The effectiveness of ethical leadership is thus in part based on the ability of leaders to maintain high quality relations and interactions with their followers.

Ethical leadership in sport

As in other sectors, high-profile scandals over the past two decades have pushed calls for more ethical leadership in sport. Sport forms a preeminent context in which moral issues are likely to arise and where the behaviours of coaches, managers, and board members can have profound effects on others (Constandt et al. 2020). Practitioners and scholars look to leaders as a link between good governance policies and good governance practices because of their critical role in creating and safeguarding an ethical climate in sport clubs and federations (e.g. Burton et al. 2017; Thompson & Dieffenbach 2016). Where leadership is amoral or even outright unethical, moral transgressions in sport governance are likely to persist (cf. Tomlinson 2014; Welty Peachey et al. 2015). Unethical and amoral leadership can create moral ambiguity and reduce followers’ persistence in speaking up and raising moral issues, thereby undermining the workings of

internal control systems aimed at enhancing integrity, transparency and democracy (cf. Greenbaum et al. 2015; Quade et al. 2020). Many thus consider ethical leadership essential to ensure that the moral risks inherent to sport are mitigated and that the positive societal impact of sport prevails (e.g. Constandt 2019).

Against this background, the dearth of research on ethical leadership in sport seems all the more surprising (Constandt et al. 2018; Welty Peachey et al. 2015). To date, only a handful of conceptual and especially normative contributions exist. These mostly underscore the need for ethical leadership (e.g. Lumpkin & Doty 2014; Roby 2014), discuss what is 'normatively appropriate' for ethical leaders in sport (e.g. Constandt et al. 2020; Sagas & Wigley 2014), or draw on sport experiences to illuminate virtues that may be important to ethical leadership (Bischak & Woiceshyn 2016). Some emphasise that sport is a specific context with its own unique characteristics, such as its governance structures, that may pose unique challenges to ethical leadership (Staurowsky 2014; Welty Peachey et al. 2015). Nevertheless, insights from both business and administrative ethics are recognised as promising starting points to further our understanding of what ethical leadership in sport entails (Constandt et al. 2020; Lumpkin & Doty 2014).

While few in number, the available empirical studies on ethical leadership in sport support the value of incorporating administrative and business ethics insights into sport and sport governance research. Hamilton and LaVoi (2017, 2020), for instance, show how coaches' ethical role-modelling can impact the moral development, voice behaviour and performance of athletes. And Wells and Walker (2016) found the aspect of transparent communication of ethical leadership to be especially important in organisational change processes in athletic departments. Providing more direct support for the relevance and generalisability of ethical leadership research to sport settings, Yukhymenko-Lescroart, Brown and Paskus (2015) report that ethical leadership can positively stimulate athletes' perceptions of an inclusive team climate as well as their satisfaction.¹ Subsequent studies show that ethical leadership can promote positive organisational behaviour from staff members within athletic college departments (Cotrufo 2014), improve ethical climates and affective commitment to sports clubs (Constandt et al. 2018), reinforce and strengthen the effects of ethics codes (Constandt et al. 2019), and stimulate a sense of accountability among athletes. All of these increase voice behaviours as well as individual and team performance (White & Rezanian 2019). Meanwhile, empirical studies that identify unique practices, antecedents, consequences and boundary conditions of ethical leadership in sport are non-existent. In fact, contrary to the notion that (ethical) sport leadership may differ because of the influence of fans and alumni (Welty Peachey et al. 2015), research by Constandt and colleagues seems to suggest that fans do not only have no specific concern for ethical leadership (unless it affects them); the impact of fans on internal sport leadership processes may actually be quite limited in practice (Constandt, Parent & Willem 2020).

Good governance in sport: An ethical leadership perspective

Taking an ethical leadership perspective on good governance in sport shows us that any assessment of the quality of governance in sport must necessarily include assessment of the extent to which leaders at different levels of sport organisations and sport governing bodies are perceived as moral people, moral managers, and moral entrepreneurs. Such an assessment in and of itself is far from sufficient, however. This author proposes that assessing the quality of governance from an ethical leadership perspective requires an in-depth examination of at least three indicators: (1) long-term stakeholder perceptions of ethical leadership practices, (2) psychological safety and ethical climate, and (3) the structural embeddedness of ethical leadership.

Indicator 1: Long-term stakeholder perceptions of ethical leadership practices. Consistent and visible ethical leadership of sport organisations and sport governing bodies is key. Assessments of ethical leadership must examine perceptions of leaders at different hierarchical levels from the viewpoint of a broad stakeholder group, and not just from that of prospective follower perceptions (cf. Constandt et al. 2020; Heres 2015). Within-group and between-group differences in such perceptions provide important information on specific areas of improvement of ethical leadership practices. Likewise, strong fluctuations in perceptions over time may indicate that ethical leadership is not consistently embodied in practice and requires more attention.

Indicator 2: Psychological safety and ethical climate. On the one hand, ethical leadership is important because leaders' decision-making power is generally greater than that of followers and often represents the sport organisation as a whole. On the other hand, the leaders' role in good governance is precisely to lead others in following them to do the right thing in the right way. Assessing the quality of governance from a leadership perspective, hence, also involves an assessment of the extent to which leaders actually succeed in fostering an environment in which followers behave ethically. Perceptions of the general ethical climate and discussability of moral issues (cf. Constandt et al. 2018; Kaptein 2008), followers' psychological safety and tendency to speak up, voice critiques and provide feedback (cf. Hu et al. 2018; Walumbwa & Schaubroeck 2009), and their ethical decision-making and behaviour (cf. Kuenzi, Mayer & Greenbaum 2020) are thus key aspects to consider when assessing the quality of governance.

Indicator 3: Structural embeddedness of ethical leadership. A final question in assessing the governance of sport organisations is whether ethical leadership is actually likely to emerge, sustain and succeed in the long-term. Here, it is important to consider (i) the criteria by which sport leaders are selected, trained, acknowledged and promoted, (ii) the resources (e.g. time, policies and instruments) available to practice ethical leadership, and (iii) the practices of others who act on behalf of the organisation and, as such, can both strengthen and undermine the leaders' messages to employees, such as in HR and legal departments (e.g. Greenbaum et al. 2015; Heres 2016).

A critical reflection on an ethical leadership perspective on good governance

The ethical leadership perspective on good governance in sport holds much promise. Foremost, it directs our attention away from the macro- and meso-level good governance structures and to the micro-level behaviours of actual actors involved in sport and sport organisations. It can shed light on why and under which conditions good governance measures are more or less likely to succeed, and how we can move from policies' intentions to actual everyday practices. Yet, we must recognise that there are also risks involved in looking at good governance from a leadership perspective. Three risks in particular must be taken into account when applying it to good governance in sport.

A first risk has to do with the narrow focus that a leadership perspective tends to put on individual leaders as either omnipotent heroes, incompetent failures or evil villains. Leadership is often—erroneously—equated with the person of the leader (Stech 2008). Ethical leadership is not built on star players, however: it is a team sport that requires solid systems and structures to safeguard, support and reinforce it. Too strong a focus on individual leaders can easily result in an excessive focus on the characteristics and behaviours of formal leaders, and a general neglect of the social, interactive processes through which leadership takes place or potentially can take place. Successes and failures of ethical leaders are not merely the result of knowledge, skills and motivation or a lack thereof on the leader's part. For one, coaches' ethical leadership is partly shaped by the ethical leadership of boards and managers (Constandt & Willem 2019), while the opposite is also true: top-level ethical leadership is dependent on support and emulation by lower-level leaders to effectively communicate their ethics agenda (Heres 2016). Moreover, as implied above, ethical leadership is more likely to sustain and be effective when it is supported by followers, when it is acknowledged and rewarded in the organisation, and when it is facilitated, trained and reinforced by the wider ethical climate and more generic HR and governance systems that also affect, for instance, how employees are hired and treated by the organisation (e.g. Greenbaum et al. 2015; Heres 2016). Lastly, as organisational culture and structure are closely intertwined and mutually interdependent, systemic measures such as procedures, compliance systems, risk analyses, clear and safe reporting systems, and monitoring systems remain vital features of any healthy infrastructure with integrity (Hoekstra & Heres 2016). While ethical leadership may be a critical, necessary condition for good governance, it is by no means a sufficient one. An ethical leadership perspective hence will only ever be able to provide a partial picture of the quality of governance in sport.

Another risk relates to the subjective, temporal and equivocal nature of any assessment of ethical leadership. Moral values and norms are inherently dynamic and contextual. Moreover, followers respond not to a leader's behaviour but to their own perceptions and interpretations thereof (e.g. Heres 2014 for a more extensive discussion). Given that norms, perceptions and interpretations partly depend on attributes of both the context and followers themselves, no one style of

ethical leadership will fit all (Heres 2014), and no objective assessment of ethical leadership can be made. Furthermore, an assessment of ethical leadership requires us to examine and weigh not only the perceptions of followers. As stakeholders such as fans, media, sponsors, and government play an important role in the social construction of what is 'normatively appropriate' for leadership in sport, their perceptions of ethical leadership provided by sport leaders is relevant as well (Constandt et al. 2020; Constandt, Parent & Willem 2020; e.g. Loyens et al. forthcoming). Finally, judgements on the quality of ethical leadership provided are bound to fluctuate over time as experiences change, leaders leave organisations and moral norms in society continuously develop. Taken together, it is thus important to keep in mind that understanding good governance from a leadership perspective necessitates not just an assessment of ethical leadership *per se*, but also insight into the organisational systems and structures that ensure ethical leadership is maintained in the long term and under ever-changing circumstances.

Lastly, we must bear in mind that ethical leadership is merely distinguished from things such as risk management, learning cultures, or diversity and inclusion programs in an analytical sense. In practice, good governance requires all of these and more at the same time. While explicit and deliberate attention to the moral aspects of decisions, behaviours, tasks, and structures is key to raising awareness, recognition and handling of such issues (e.g. Bird & Waters 1989) we must caution that analytical distinctions do not become too neatly separated fields of attention in practice. It would otherwise only result in discussions of 'ethics' and 'morals' too far removed from day-to-day work decisions, practices, and situations. And when ethical leadership is not viewed in direct relation to core tasks and processes, as well as other developments in the organisation and sector (e.g. diversity management), ethics and integrity easily become 'yet another' of the many aspects demanding leaders' attention, as something 'extra' that is reserved for when leaders have sufficient time and less workload (cf. Heres 2016; Heres & Lasthuizen 2012). Good governance hence requires an integral approach in which leaders' attention to ethics and integrity is not only embedded in day-to-day operations but is also practically and explicitly connected to other focal points of good governance.

Conclusion

This chapter discussed what good governance in sport involves from a leadership perspective. It argued that ethical leadership especially is a pillar of good governance that helps translate macro- and meso-level systems and policies to everyday moral practices. Good governance requires a sport leader to be a moral person that is reliable and trustworthy, a moral manager that proactively and visibly demonstrates, communicates about, and reinforces ethical behaviour (Brown et al. 2005), and a moral entrepreneur that contributes to the development of new moral norms (Kaptein 2019). Absent ethical leadership, amoral management or even unethical leadership may undermine more structural or systemic efforts to secure good governance (Tomlinson 2014; Welty Peachey et al. 2015). But ethical

leadership is not a panacea and cannot be adequately considered apart from the context in which it is set to take place (Heres 2014). The embeddedness of ethical leadership in wider governance structures is key to its emergence and sustainability, as is support and reinforcement from others. It is thus the team—not the star player—that creates ethical leadership success.

Implications for research abound. Above all, it highlights the importance of studying good governance by centring not just on the structural, institutionalised governance measures and systems that organisations have in place, but also on the expectations, experiences, understandings and perceptions that both internal and external stakeholders have of the extent to which good governance is embodied in the everyday practices of both sports leaders and their followers. Relevant questions for instance include how expectations and perceptions of ethical leadership are shaped by institutional conditions such as the commercialisation of sport, and how to ensure ethical leadership in amateur sport where volunteer coaches may already be hard to come by and resources are scarce. Furthermore, researchers should consider expanding both the selection of respondents and methods used to examine sport governance. Incorporating and juxtaposing multiple stakeholder perspectives and expectations helps in identifying the complexities and dilemmas leaders face in realising good governance. This requires richer methods such as interviews, participatory observation, and Q-methodology in addition to the more dominant quantitative methods used in ethical leadership today (Constandt et al. 2020; Heres & Lasthuizen 2012).

For practitioners, the implications lie foremost in the realisation that good governance can only be materialised in and through the practical actions of those involved—with sport leaders at the forefront. From coaches to board members, from amateur to professional sport, leaders must step up to the plate and pioneer the fostering of safe, ethical climates in which good governance is both valued and practiced. Simply expecting leaders to provide ethical leadership, however, is not enough. Ethical leadership takes a collective and deliberate effort. For ethical leadership to emerge and be sustained, sport organisations and sport governing bodies must encourage, train and facilitate ethical leadership skills while simultaneously investing in the moral decision-making abilities of athletes and staff as well as in HR policies, instruments and structural governance measures to support said individuals (e.g. Constandt et al. 2018). This includes freeing up time and resources to further develop the reflective, communicative and analytical skills of leaders and leader-to-be, to monitor the psychological safety that athletes, staff and other followers experience, and to take an honest and critical look at the incentives that sport leaders and their followers are exposed to and that drive their moral behaviour.

Note

1. Interestingly, Yukhymenko-Lescroart, Brown and Paskus (2015) also find that ethical leadership does not affect athletes' perceptions of their teammates' willingness to cheat when abusive supervision is controlled for. They interpret this result as an indication that the relative influence of each leadership style depends on alignment

in the valences (positive or negative) between the leadership behaviours and outcomes. In other words, positive, ethical leadership had a strong effect on positive outcomes compared with the negative style of supervision while abusive coaching behaviour more strongly predicted the negative outcome (willingness to cheat) compared to ethical leadership.

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A relationship perspective on organisational culture and good governance in sport

Vassil Girginov

Introduction

Despite over 50 years of research, the concepts of organisational culture and good governance have not lost their currency and continue to intrigue researchers and practitioners. A search on 'organisational culture' in the Web of Science data base returned 19,096 articles including 1,501 published in 2020 alone. The search for 'good governance' showed 18,397 articles of which 2,035 were published in 2020.

It is generally accepted that governance is concerned with steering collective actions towards achieving certain results. Injecting the adjective 'good' in front of governance serves as a qualifier of whether it is effective or not and implies value judgement which takes the discussion into the realms of culture and ethics. Sport organisations come in different shapes and sizes and what tells them apart is the specific culture they subscribe to.

Extant literature on sport governance focuses mostly on improving organisational structure and practices but culture-informed analyses of governance are almost absent or peripheral at best: Numerato (2010) addresses how different sport governance cultures promote social capital; Li, MacIntosh and Bravo (2012) focus on the intercultural management in sport organisations; Sotiriadou and De Haan (2019) explore the role of gender equity strategies in creating a gender equitable governance culture; and Geeraert (2018) suggests that culture could be an obstacle to good governance. Shilbury, Ferkins and Smythe's (2013) study shows the emergence of commercialisation culture in sport organisations as a major contributing factor for the acceptance of corporate governance codes in sport. It is also worth mentioning that the authoritative governance audit carried out by the Association of International Summer Olympic Federations does not even include organisational culture as an indicator despite the explicitly stated aim "to promote a better culture of governance" (ASOIF 2017, p. 3).

What most studies tend to overlook is that the implementation of any conception of good governance inevitably requires, in the first place, a change in the value system that underpins the culture of the organisation. For this change to take place it ought to address the deeply rooted values and beliefs of the members of the organisation so they can internalise the principles of good governance

and enact them in their daily routines. This chapter interrogates the relationship between good governance and organisational culture. It argues that both good governance and organisational culture are mutually constructive normative concepts which promote a particular view of what ought to be regarded as public good. However, this tends to be an unequal relationship because the current belief in the power of good governance to enhance the effectiveness of sport has become an ideology promoting isomorphism through a universal model of organisational culture imposed by governmental and other agencies nationally and internationally.

The chapter proceeds as follows: the first and second sections interrogate the concepts of organisational culture and good governance, respectively. Section three examines the constructive relationship between the two concepts, followed by a review of culture of codification of governance and its framing as synonymous with effectiveness, and finally some reflections and implications for research and practice are discussed.

Culture and organisational culture

Decades of research have not resulted in establishing an agreement on the definition of organisational culture and good governance and conceptual approaches continue to proliferate. In 1952, one of earlier anthropologists, Kroeber and Kluckhohn's critical review of concepts and definitions of culture produced a list of 164 different definitions. More recently, Jung et al. (2009) identified 48 validated instruments for measuring organisational culture.

Most research on culture explicitly acknowledges the linguistic challenges in defining this concept. Williams (1989) famously opined that culture is one of the two or three most complicated words in the English language. He also elucidated that "a culture has two aspects: the known meanings and directions, which its members are trained to; the new observations and meanings, which are offered and tested" (p. 6). This is an important observation as it allows to distinguish between two main approaches to organisational culture. The first is its conceptualisation as something organisations have also referred to as the objectivist-functionalist view. According to Alvesson (2002), this perspective usually conceives culture as an organisational attribute, which can be operationalised and studied empirically. This turns culture into a variable and the main concern then becomes to understand its relationship with organisational outcomes such as effectiveness, performance, and productivity.

The second perspective (symbolic interactionism) sees organisations as cultures. It corresponds to William's interpretation of culture as the creation and testing of meaning by organisational members and the processes that facilitate the understanding of this meaning and its enactment. From this perspective, organisational culture is not a variable but a root metaphor (cf. Smircich 1983). Morgan (1997) has developed eight root metaphors to describe organisations including one of organisations as cultures. According to this metaphor, organisations can

be viewed as mini societies grounded in their own ideologies, beliefs, and values. Members of organisations then are engaged in a constant construction process of shared systems of meaning that are accepted, internalised, and acted upon at every level of an organisation and that allow them to understand events, actions and situations in a distinctive way. Morgan (1997) refers to this process as the enactment of culture. This interpretation of organisations as culture is much more difficult to quantify and study empirically.

A related interpretation is Feldman's (1986) culture-as-context approach to management, which stresses the role of symbolic forms including concepts, theories, plans and goals in determining what is changing in organisations. Those forms, together with sport organisations' structures, rules, policies, and symbols perform an interpretative function, because they act as primary points of reference for the way people think about, and make sense of, the context in which they work. Thus, sport managers' key role is that of the management of meaning.

An important contribution to the objectivist-functionalist view of organisational culture is Martin's (1992) three perspectives on organisations. Martin argues that organisations do not have homogeneous cultures rather there are always three perspectives present in an organisation. These perspectives are reflective of the hierarchical structure of organisations and include integration, differentiation and fragmentation that correspond to the top management of the organisation, the middle/departmental level, and the front-line staff level, respectively.

Maitland, Hills and Rhind's (2015) systematic review of organisational culture in sport utilised Martin's perspectives and identified 33 studies published between 1995 and 2013. The authors made three important observations including that: (i) some 75% of the studies came from North America and Australia; (ii) 70% of studies employed the integration perspective (i.e. culture is consistent across the environment), (iii) in contrast to wider organisational culture literature, research in sport tends to assume that culture was a variable to manipulate in an organisation.

A cultural perspective on good governance

Like culture, the concept of governance (from Greek 'kybernetes' which means steersman) is equally hard to define. For a start, governance does not translate in many languages, which raises the question of how it is possible to define a concept when there is no word for it. Offe (2009) even asks whether governance was an empty signifier. While the roots of governance can be traced back to the first forms of human existence, its codification in the form of 'good governance' is a relatively new phenomenon. Aguilera and Cuervo-Cazurra's (2009) examination of 196 distinct codes of good governance issued by 64 countries notes that the first country code of good governance was issued in 1978 in the United States, followed by Hong Kong in 1989, Ireland in 1991 and the UK in 1992. The first global code of good governance in sport was adopted by the International

Olympic Committee (IOC) congress in 2009 and was modelled on the practices of the corporate sector.

Nonetheless, commentators generally agree that the concept is concerned with the steering of collective action. It is also widely accepted that governance is a Western, and an Anglo-Saxon product (Hofstede 1993). This acknowledgement points out to the cultural origins of the concept to which we return later in the analysis. While a cultural perspective on governance is important, it is not enough to appreciate its complexity. Căjvăneanu (2011, p. 73) offers an extensive review of the emergence of the concept of governance. She elucidates that: "The rise of the concept of governance has been largely stimulated by the increased political, economic and social diversity. Throughout the 1904's, -1990s' it has explicitly recognised two interrelated failure of the state and the market to address complex social issues. But the diversity of interests and needs is also reflective of an ever-increasing cultural diversity rooted in different values and world ontologies. Both in the European and the world context, governance has emerged mainly as an economic concern (i.e. economic conditionality)".

Thus, like culture, governance is a social construct and at its core, governance is a political theory concerned with the relationship between the state and society (Treib et al. 2007). This relationship has been marked by the simultaneous failure of the state and the market to deliver public value, so there was a need for an alternative approach that would recognise the limits of traditional government and the market to deal with uncertainties. What emerged, according to Rhodes (1996, pp. 652–653), is "a change in the meaning of government, referring to a new process of governing; or changed condition of ordered rule; or a new method by which society is governed". Rhodes' definition of governance illustrates the political interpretation of the concept, which is one of its two main meanings. The second main meaning of governance is the administrative one concerned with "the setting of rules, the application of rules, and the enforcement of rules" (Kjær 2004, p. 10).

Conceptualisations of governance in sport have drawn from both interpretations as demonstrated by Jean Camy, pointed out to the ontological and deeply rooted cultural foundations of the concept: "When thinking about Good Governance we shall not focus too heavily on procedures. Good Governance has most and foremost to deal with a *way of being*, organizing and thinking!" (Camy, cited in ISCA 2013, p. 9).

Hofstede (1993) highlights the significance of culture to management theory and practices by simply noting that "management theories are human" (p. 82). He develops a model for analysing and measuring culture and applied it to examine management in different cultural settings. Hofstede points out to three idiosyncrasies typical for US management theories that are not shared by the rest of the world including a stress on market processes, and on individual, and a focus on managers rather than on workers.

What follows from the Hofstede is that we ought to concede the possibility that the notion of good governance can be underpinned by different ontologies.

Khan (2012) highlights one such alternative ontology by distinguishing between the dominant liberal ‘market-enhancing’ approach to governance, and ‘growth-enhancing’ governance appropriate for developing countries which draws on the historical evidence of catching up. Khan concludes “good governance as it has been defined cannot plausibly be a precondition for development” (p. 52). Khan’s point applies not only to ‘developing countries’ but equally to developed ones as it highlights the importance of organisational capabilities as well as the dominant resource distribution policies as a precondition for sport development in any country.

Ultimately, the dominant neoliberal conception of good governance is concerned with greater organisational effectiveness. This view is echoed by most national and major international organisations including the IOC, as illustrated by the European Union’s expert group on good governance (2013). In addition to recognising good governance both as a framework and a culture, the expert group also explicates that “... it is important to underline *that good governance essentially comprises a set of standards and operational practices leading to the effective regulation of sport*” (p. 5). This interpretation of governance sees it as a means to an end, where good governance is positively correlated with greater effectiveness of sport organisations, and thus mirrors the model promoted by the corporate sector. Spencer-Oatey (2012) offers a useful summary of 12 main characteristics of culture, which complement the two approaches to organisational culture outlined above by highlighting its main properties. These characteristics are juxtaposed with good governance in the next section.

Organisational culture and good governance as social constructs

Scholars have interrogated the link between good governance and organisational culture and there is a limited research addressing this issue in sport as well. The two concepts of culture and governance exemplify Morgan’s (1997) metaphors of organisations as culture and political system, respectively. As he has noted, culture has a tacit political dimension, which does not allow grasping the real importance of culture through the culture. This is because the metaphor of organisations as political system draws attention to a myriad of patterns of competing personal and group interests, power struggles, conflict resolution, individual and institutional censorship, and leadership inherent in any organisational setting.

Culture and governance permeate the five basic social institutions guiding human existence including the family, government, economy, education, and religion. Regardless of the culture in which social institutions are nested, as Koskinen (2014) observes, their core function is consistent and is concerned with determining and regulating membership and ownership, legitimising power, and controlling and socialising young generation. That is, they exist to govern.

Culture and governance share another important similarity. Both represent nomos-building activities as they seek to reduce uncertainty and to confer order

(Girginov et al. 2006). Thus, interpretations of governance are cultural constructs underpinned by core assumptions and values held by members of professional communities in different countries. The evolution of modern sport from a pass time of the privileged few to a politically and economically sanctioned activity for the masses supports this conclusion (Horne, Thomlinson & Whannel 1999). Its role in the development of societies has been recognised at the highest political level including the 2007 Lisbon Treaty of the European Union and the UN Millennium Sustainable Goals (United Nations, 2016). Evidently, sport has been democratised as it has become more widely accessible to different groups in society. As a result, its systems of governance have also evolved to accommodate the increasing diversity of participants and practices as well as to ensure its contribution to society. Thus, both culture and governance have been constructed through an ongoing strive for external adaptation and internal integration. This is also what makes them normative concepts as they are concerned with regulating and controlling organisational and human behaviours.

The evolution of the UK code of good governance in sport provides an illustrative case. The first major impetus in its development was ideological and political and came in the late 1990s when the newly elected labour government of Tony Blair introduced the modernisation agenda of society. It entails that sport organisations who receive public funding must improve their effectiveness, so they become a fit partner to the government in delivering its wider social and economic agenda (Houlihan & Groeneveld 2010). National Governing Bodies of sport (NGB) were also expected to become more fiscally responsible, transparent, democratic, and professional. The conceptual underpinning of modernisation was provided by the tenets of New Public Management with its insistence on strategy, key performance indicators and effectiveness (Houlihan & Green 2009; Lusted & O'Gorman 2010). Several successive measures have marked the roll out of good governance across the UK sport sector including the launch in 2004 of the first code by UK Sport, a national strategy towards a better governance in sport in 2012, and the latest Code for Sport Governance in 2016. Walters and Tacon's (2018) examination of the codification of governance in the UK sport sector concludes that the initial adoption of the code was done to create external legitimacy for the organisation, which was then used for its internal legitimacy and to reinforce members' perceptions that the Board was providing sound steering. The authors also make another important point that members perceived the codes as often constraining the autonomy of the Board.

In sum, following Spencer-Oatey's (2012) 12 main characteristics of culture, several points of converge with governance can be identified. First, culture and governance are manifested at different layers of depth including national, organisational, and group for culture, and global, national, and organisational principles for governance. Second, both culture and governance affect behaviour and interpretations of behaviour. Third, culture and governance are associated with social groups such as organisations or teams. Forth, both concepts have universal (etic, i.e. global sport culture and governance principles) and distinctive (emic,

i.e. sport-specific culture and Board governance practices) elements. Fifth, culture and governance are learned through a process of socialisation and represent social constructs. Finally, culture and governance are subject to gradual change.

A culture of codification of good governance

There has been a proliferation of good governance codes (GGC) in all sectors of society. For example, the website of the European Corporate Governance Institute (ECGI) provides an extensive list of GGC topped by the UK with 53 codes. Earlier, Aguilera and Cuervo-Cazurra (2009) reported that in 2008, UK and USA had both 25 GGC each compared with an average of 1.5 codes per country for the rest of the world. The correlation between national culture, as represented by the country issuing the GGC, and the number of those codes, is an important one as it points out to the presence of a relationship between the dominant culture of a country and the extent to which it embraces the spirit and practices of GGC.

Haxhi and Van Ees (2010) have tried to explain diversity in the worldwide diffusion of GGC using a sample of 67 countries. The authors conclude that “the dimensions of culture that reflect norms and beliefs in society about the integration of individuals into groups, the equality and the distribution of power, and the tolerance for uncertainty and ambiguity, correlate with the issuance of codes and the identity of the issuing organizations. We find that individualist cultures have a stronger tendency to develop codes” (p. 722). In answering the question ‘how and why sport issues turn into politics?’ Seippel et al. (2018) conclude that regardless of national cultural specifics, “(...) the culture framing of sport issues could be decisive in how they might develop as political issues. We see, more specifically, how our sport cases live and develop differently within various cultures” (p. 680).

Cuervo-Cazurra and Aguilera’s (2004) pioneering study of 72 codes in 49 countries offers two main theoretical explanations for the diffusion of GGC including efficiency and legitimation. The two theoretical explanations are closely connected with the essence of governance as positively correlated with effectiveness and efficiency for the former, and organisational culture, being shaped by the strive for external adaptation and internal integration, as expressed through legitimacy, for the latter.

A cultural belief: Good governance equates greater effectiveness

The diffusion of the GGC across different cultures has largely been driven by a belief that good governance leads to a greater organisational effectiveness and performance. Girginov (2019) questions this assumption and points out to two issues concerning what is understood by effectiveness and how we measure it.

Thus, any discussion on effectiveness ought to account for an organisation’s culture and its governance structure and practices. Several large-scale studies

have explored the link between organisational culture and effectiveness. One of the most comprehensive attempts to interrogate this link is the theory of organisational culture and effectiveness developed by Dennison and Mishra (1995). The authors propose a model based on four organisational culture traits including involvement, consistency, adaptability, and mission. They submit that the “culture may indeed have an impact on effectiveness. Each of the four cultural traits showed significant positive association with a wide range of both subjective and objective measures of organisational effectiveness, as well as interpretable linkages between specific traits and specific criteria of effectiveness” (p. 28). Dennison and Mishra also note the role of organisational size where culture and effectiveness are more closely linked in larger firms due to the coordinating effect of culture in complex systems.

A 47-nation study by Smith, Peterson, and Schwartz (2002) on the role of cultural values as sources of guidance and their relevance to managerial behaviour provides strong evidence that values do predict reliance on those sources of guidance.

Cuervo-Cazurra and Aguilera’s (2004) and Haxhi and Van Ees’ (2010) studies reveal that the issuers of codes fall in three groups including coercive; normative and mimetic promoted by stock exchange and investors’ groups, government and professional associations, and managers’ associations respectively. These conclusions tend to suggest that national and corporate cultures exert significant influence on governance practices and that the wider diffusion of GGC tend to promote greater convergence.

However, as the analysis in previous section has illustrated, what really matters is which characteristics and traits of culture are associated with the principles of good governance and how they interpret them. The dichotomy between organisational culture and governance is elucidated by Niedlich et al. (2019) where organisational culture becomes the framework within which good governance takes place. This is because all reasoned action is based on a logic of appropriateness or an understanding of what is true, reasonable, natural, right, and good. At the same time, as the norms of good governance are becoming internalised by the organisation, they start shaping its culture as well.

Sport scholars have also explored the links between good governance, organisational culture, and effectiveness. A systematic review on the impact of governance principles on sport organisations’ governance practices and performance by Parent and Hoye (2018) reveals the lack of robust empirical research on which governance principles should sport organisations adopt and implement to optimise their governance performance. This finding supports the conclusions by Cuervo-Cazurra and Aguilera (2004) and Haxhi and Van Ees (2010) that the GGC promote different forms of isomorphism. The lack of evidence for positive correlation between GGC and performance suggests that those codes have been adopted under coercive, normative, or mimetic pressure and often in the absence of knowledge about the presence of such positive correlation. Mrkonjic’s (2016) analysis of nine governance codes issued by various international organisations

reinforces the above observation. He finds that there was a lack of commonly agreed principles, and that several codes were marked by a low level of enforcement and the lack of implementation.

A rare study by Malagila et al. (2020) on corporate governance and performance of the UK premier leagues echoes the above conclusions that the size of the organisation does matter. Papadimitriou and Taylor (2000) also confirm that the size and external liaisons of the NGB's Board are key factors for the effective governance along with the interests of different stakeholders, internal processes, strategic orientation, and science support.

Chaker's (2004) survey of good governance in Europe provides some clues as to why organisational culture and governance diverge. The survey reveals principle differences in state regulation of sport in Europe where some states take an interventionist approach by providing 95% of NGB's funding (i.e. Croatia, Georgia, Lithuania), whereas others take more non-interventionist approach, as in Finland, with only 25% of sport organisations' funding coming from the state. Some states also tend to take a more centralised approach to the distribution of lottery finding than others.

The new UK Code for Sport Governance (Sport England/UK Sport 2016) provides an illuminating example for coercive isomorphism and the promotion of a new governance culture. The foreword to the Code, makes this clear: "We introduce this code, then, confident that the sports sector is well-equipped, and well positioned to use it as a tool to further nurture the growing culture of good governance we already see on a daily basis" (p. 4). The Code further stipulates that "Unlike most other Governance Codes, this is a mandatory set of requirements for those organisations seeking public funding" (p. 6). At the end of 2017, 55 of 58 (95%) NGB were compliant with the Code. However, concerns were raised by many officials that the implementation of the Code was very time consuming, entailed greater administrative cost, its mandatory character has been a deterrent for recruiting talent to serve on Boards, and it was seen by some sports as 'one size fit all' approach and thus, a 'tick box' exercise (Walters & Tacon 2018). The implications for state-sport organisations relationship are that in less-interventionists countries, members of the NGB will have a greater autonomy in the governance of their organisations compared to the more interventionist one.

Another comprehensive report on the status of good governance in international summer Olympic sport federations (IF) shows significant variations in their scores ranging from 84 to 187 (out of 200, ASOIF 2020). Of the six highest scoring IF, three—FIFA, International Cycling Union (UCI) and International Equestrian Federation (FEI)—are headquartered in Switzerland, the International Tennis Federation is based in London and the World Rugby is in Ireland. Only one IF, BWF (Badminton World Federation), has its headquarters in Malaysia. Four of the six IF are also in the group of five IF earning more than CHF 50 m/year and employing over 120 staff. Thus, the size and location of a sport organisation appear to be key factors in determining its level of good governance as it will be subjected to the influence of the prevailing culture in the country. This

conclusion is supported by studies in the business sector (Mudashiru 2014; Smith et al. 2002), and as Peterson and Smith (1997, p. 934) elucidate “the link between nation and culture tends to occur because people prefer to interact with other people and be guided and politically governed by institutions consistent with values and beliefs with which they identify”.

Conclusion: On the limits and opportunities for a cultural perspective on good governance

The analysis of the relationship between organisational culture and good governance suggests that these two concepts are mutually constructive. However, several fundamental differences between the concepts were also revealed meaning that equally, there is a parallel process of divergence as well.

First, culture is a descriptive not an evaluative concept. It either describes what an organisation has (i.e. functionalist perspective) or what is (i.e. interpretative/metaphor perspective) (Alvesson 2002; Smircich 1983). Good governance is essentially an evaluative concept as its primary function is to evaluate the extent to which an organisation is governed well or not and to confer legitimacy over it. Second, good governance subscribes to the functionalist and humanistic interpretations of culture. According to Stocking (1966, p. 868) humanist culture is plural and progressive, and its traditional usage distinguishes between degrees of ‘culture’ in much the same way as we distinguish between degrees of good governance according to the score obtained. The humanist interpretation of culture became associated with the ‘civilization process’ with which the West has justified its attempts to conquer the world (cf. Girginov 2010), so in this regard, culture bears striking similarities with the domination of the Anglo-Saxon model of good governance. A functionalist/humanist perspective on governance fails to recognise organisations as mini societies grounded in their own ideologies, beliefs, and values, who actively interpret the reality and try to make sense of it. Finally, good governance promotes coercive, normative, and mimetic isomorphism supported by the deliberate efforts of international sport organisations, national governments, and professional associations. This isomorphism runs counter to the essence of culture which is to discriminate (Kopytoff 1986) as different sports and groups try to assert their identities by distinguishing themselves from others. The fundamental values on which culture is based represent differences that cannot be randomly added or combined in a code, they can only be reconciled through interactions and meaning construction.

The above reflections allow for drawing some implications for researchers and practitioners. The application of the culture concept to the study of good governance helps to interrogate the interplay between universal codes (i.e. etics) and the myriad of locally meaningful interpretations (i.e. emics), which may result in less abstract and more practical GGC. Practitioners will benefit from developing culturally meaningful definitions of good governance and their operationalisation based on ongoing dialogue with various constituencies.

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Part II

Critical reflections on policies and practices

Section A: Insider perspectives



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Towards 'good' good governance policies in sport

Lessons from Australia

Kate Corkery and Geoff Schoenberg

Introduction

Sport Australia, legally known as the Australian Sports Commission (ASC), is the Australian Government agency responsible for supporting and investing in sport in Australia. The Commission is comprised of Sport Australia and the Australian Institute of Sport (AIS). Sport Australia is responsible for supporting and investing in participation sport, physical activity, and industry growth; the AIS has responsibility for high performance sport.

In addition to Sport Australia's sector wide vision, the organisation plays a critical role as the primary funder for most national sporting organisations (NSOs). This funding role includes both support for operations that deliver participation outcomes as well as supporting high performance athletes and teams. As Sport Australia is a government agency, the funding distributed comes from the Australian taxpayer, meaning there is an obligation to ensure this public money is being spent effectively and in accordance with acceptable public standards.

In Australia, NSOs are, for the most part, not-for-profit companies overseen by a voluntary board of directors (Shilbury 2013). This board of directors holds the ultimate responsibility for the organisation and is responsible for ensuring the organisation pursues its objects in accordance with its legal duties and responsibilities (Hoye & Doherty 2011). One of the key responsibilities of the board, therefore, is to ensure effective and efficient expenditure of taxpayer money that is invested in NSOs by Sport Australia. For this reason, Sport Australia has had a long-standing focus on the effective governance of NSOs.

In this chapter, we focus on the intersection of these three ideas: the need for effective NSOs, Sport Australia's responsibilities as a funding body investing taxpayer money, and the importance of effective governance. More specifically, we examine how Sport Australia has attempted to facilitate the improvement of governance practices in Australian sport. We begin by providing an overview of the different strategies, documents, methods, and practices used by Sport Australia with a focus, primarily, on the period from 2012 to 2020. Following this description, we analyse the effectiveness of Sport Australia's approach and outline how

the lessons learned from 2012 to 2019 influenced the development of the most recent strategy for influencing governance in the sector—Sport Australia’s new Governance Framework.

Sport Australia’s interest in improving sport governance is, compared to many other nations, a relatively long-term and iterative process. The nature of the Australian sport system—both its structure and culture—has been an important factor in contextualising Sport Australia’s role in improving governance. Culturally, for example, the involvement of government in sport is not only tolerated but also expected. There have been examples where the community have expected the Government to intervene. However, given Sport Australia’s long-standing efforts and experience, a critical reflection about its past and present policies could still provide valuable insight to governments and other funding bodies who are investing in governance reform process. Additionally, this practical reflection can help contextualise and inform academic studies about achieving sport organisations’ compliance with good governance standards (Geeraert 2019).

The purpose of this chapter is not a theoretical or academic analysis of the Sport Australia approach. Rather, we draw on our experiences and observations to provide a narrative and insight from a practitioner perspective. In our positions as Sport Australia staff members,¹ we played leadership roles in facilitating a sector-wide co-design process to create the new Sport Australia framework. This experience means we developed the rationale for the development of the framework and have intimate knowledge of the successes and failures of the Sport Australia approach which led to the development of a new framework. Where possible, we support our claims and reflections with documentation but have had to redact or keep private some documentation given the nature of the relationships between Sport Australia and Australian NSOs.

Background: Sport Australia and the Australian sport structure

Over time, Sport Australia has published its vision for the sport sector in the form of various strategic plans including *Australia’s Winning Edge* (Sport Australia 2012a), *Play.Sport.Australia* (Sport Australia 2015b), and, most recently, *Sport 2030* (Sport Australia 2018b). In each of these sector-wide strategic documents, Sport Australia has highlighted the importance of good governance, with the most recent strategic vision specifically observing:

The best governance systems will better position our sports for a changing world, enabling them to focus their energy, time and revenue on driving international performance, strengthening the pathways system, creating greater commercial opportunities and increasing participation rates among more Australians.

(Sport Australia 2018b, p. 3)

With its broad mandate described in *Winning Edge, Play.Sport.Australia, and Sport 2030*, Sport Australia has regularly outlined its views on the importance of sport governance. Sport Australia expects well-governed NSOs to be more likely to attract the best calibre people, as board members and executives; facilitate safe and well-developed grass roots participation and pathways; and ultimately, deliver high-performance results. In the long term, for athletes to succeed and achieve their full potential, they need their sports to succeed as organisations.

The acceptance of the importance of good governance is fairly universal in both theory and practice. However, in its role as a distributor of public funding, Sport Australia has additional responsibilities to taxpayers. Consequently, Sport Australia went beyond stating the importance of good governance but also identified that “sports will be required to demonstrate good leadership, governance and administration as part of the annual investment and review process” (Sport Australia 2012a, p. 6) thereby using its power and authority to tie funding to a range of specific criteria including, but not limited to, governance practices. However, the federated model of Australian sport,² the independent legal status of NSOs, and practical considerations limit the extent to which Sport Australia uses its authority to withdraw or reduce funding. There are some inherent compromises due to the tension between a desire to not detrimentally affect athletes for poor administration but not invest in poorly governed organisations. This is exacerbated because many NSOs funded by Sport Australia have limited sources of funding outside of Sport Australia and would face significant challenges to their long-term viability should funding be reduced or removed.

Most NSOs who receive funding from Sport Australia operate under a federated model where eight state and territory sporting organisations (SSOs) are an NSO’s voting members (Shilbury 2013), and where eight individuals, the presidents of the SSOs cast the votes which elect and remove the Directors. As SSOs typically provide comparably a small percentage of funding to the NSO, this leads to an incongruence between the ‘ownership’ of an NSO (its members) and its funding (Sport Australia). This incongruence between ownership and funding of NSOs creates barriers for the ability for Sport Australia to enforce its mandate. For example, an NSO may attempt to change its constitution to align with Sport Australia good governance requirements. However, changes to an NSO constitution (usually) requires endorsement of at least 75% of the members, which means SSOs can block the change from being made. This leads to a situation where Sport Australia must balance its relationship with an NSO that is actively seeking to improve its governance practices while the federated model, via the SSOs, prevents this from occurring. Furthermore, any efforts by Sport Australia to enforce its mandate through a reduction in funding will often have a direct effect on athletes, making this an unappealing course of action.

Generally, Australia’s federated model means sport is over-governed, meaning funds and other resources (including time and energy) are not able to be

applied efficiently and effectively towards the growth of the sport and the athletes. Instead, they are spent on overlapping processes and layers of management and governance.

Sport Australia's approach to setting governance policy

Sport Australia released its first Sport Governance Principles in 2002—as best practice guidelines for sporting organisations to operate under—and revised these in 2007 (Sport Australia 2007). However, it was the significant revision in 2012 (Sport Australia 2012b) which made the principles a focal point of conversation about governance in the sector. These principles kick-started the contemporary conversation and practice of sport governance in Australia and serve as a fundamental reference point for the sector. Partially due to the 2012 principle, building capacity and capability in sport governance is now viewed as a sector-wide priority, and good governance considered a key enabler for successful, sustainable entities.

The increased attention to governance practices and the evolving discourse on the subject drove Sport Australia to develop a suite of governance materials aimed to complement and extend the Sports Governance Principles. The suite of documents (Governance Publications) iteratively published between 2012 and 2020 included the Sports Governance Principles (Sport Australia 2012b), Mandatory Sports Governance Principles (Sport Australia 2015a), Governance Reform in Sport—June 2016 (Sport Australia 2016a), Governance Reform in Sport: Discussion Paper (Sport Australia 2018a), Unified Behaviours—Creating Success (Sport Australia 2016c), Integrity guidelines for directors and leaders of sporting organisations (Sport Australia 2016b), as well as a set of practical tools including a board evaluation tool and a template constitution. Additionally, Sport Australia staff were allocated to provide guidance and support to NSOs on governance matters.

Of the documents listed above, the two most critical and influential were the Sports Governance Principles (SGPs) and the Mandatory Sports Governance Principles (MSGPs) as these were broader in scope compared to the narrower focus of the other documents.

The SGPs advocated strengthening structures that support good leadership and decision-making, ensuring sound and effective governance. The resource took the form of six major principles: Board composition, roles and powers (1.1–1.13); Board processes (2.1–2.6); Governance systems (3.1–3.10); Board reporting and performance (4.1–4.6); Stakeholder relationship and reporting (5.1–5.4); and Ethical and responsible decision-making (6.1–6.3). The target audience of the SGPs was ambiguous with specific references to NSOs but also references to 'the sporting landscape' and 'all sporting organisations'. This caused confusion within the sector as to what organisations were subject to the SGPs. Within the sector, it was also unclear as to the extent this was a federal initiative (i.e. Sport Australia) or a collaborative approach with the State and Territory governments.

The MSGPs were specifically targeted at Sport Australia funded NSOs. They, as the name suggests, were intended to be mandatory for the 23 NSOs most highly funded by Sport Australia although all NSOs were assessed against the criteria. The MSGP were structured in three sections: Structure of Sport (1.1–1.3); Board Composition and operation (2.1–2.11); and Sport transparency, reporting and integrity (3.1–3.7). All funded NSOs were measured against the MSGPs as part of Sport Australia’s Annual Sports Performance Review³ (ASPR) process. In recognising both the contributions and limitations of the era defined by the SGPs and MSGPs, Sport Australia recognised the potential need for change, particularly given the inclusion of unified governance behaviours and contemporary, best practice governance models in the Sport Australia Sport 2030 strategic plan (Sport Australia 2018b). In addition to examining the potential for change, Sport Australia’s increased attention to governance, the resources it has made available, and the prescriptions of governance practice meant a comprehensive review and assessment of the currency and efficacy of Sport Australia’s sport governance materials was timely. In seeking to achieve the Sport 2030 targets, the review of the 2012–2019 period determined simply producing an updated document which refined and consolidated all current resources and documents would be insufficient. More change was needed.

In August of 2020, Sport Australia overhauled its governance policy with the release of its new Governance Framework (see Table 8.1). The framework is a new approach that links existing, updated, and new Sport Australia governance policies into one overarching structure. The framework has four primary components including: Governance Principles, Education and Resources, Evaluation and Assurance, and a structured and formalised Sport Australia Advisory service. The framework is accessible online so, rather than an extensive description, we will only include a brief summary of each component.

The revised Governance Principles include nine specific principles. Each principle follows the same structure including the principle itself, benefits of the principle, questions to promote reflection, expected behaviours and actions, recommendations, and a summary to explain key parts of the principle. The

Table 8.1 The new Sport Australia Governance Framework

Governance Principles	Educational and accessible principles for the whole sector with an increased focus on behaviours
Education and Resources	Interactive, digital and adaptable resources integrated within the Principles accompanied by an ongoing Director education strategy
Evaluation and Assurance	Outcomes-based governance standards to evaluate funded NSOs governance maturity and develop Governance Improvement Plans and enhance public reporting
Sport Australia Advisory Service	Direct advisor relationships with funded NSOs to assist implementation of Governance Improvement Plans and general governance advice

Education and Resource component provides a set of templates and tools which are directly linked to the Sport Governance Principles. The Evaluation and Assurance component is, primarily, a set of 37 outcome-based standards across the nine principles to evaluate the effectiveness and efficiency of governance systems and processes. Finally, the Advisory Service is a team of Sport Australia governance advisors who work directly with NSO boards and CEOs on governance matters through a formalised process.

The launch of the new framework marked a further evolution in Sport Australia's approach to governance policy. In the next section we reflect on our experience in developing and delivering the new Governance Framework. These are drawn from the conversations and observations we had throughout the design process and includes our own experience within the sector as well. These are offered with the intention to help other bodies develop effective sport governance policy.

Lessons learned

The process of change is almost as important as the output

The methods by which the significant update of the SGPs in 2012 and the MSGPs in 2015 were introduced to the sector may have produced an unintended consequence. The sector, generally, appreciates that the SGPs and MSGPs were, overall, appropriate and reflective of the needs of the sector and contained enduring components. However, the process of design and introduction was alleged by some of not being consultative of the entire sector and created a risk of setting arbitrary boundaries for a sector with a high level of complexity and variation. More specifically, the language referring to NSOs throughout the documents created the possibility of inconsistency in governance standards between NSOs and SSOs, with SSOs generally taking the view that the SGPs did not apply to them. Given the connectivity between sporting organisations, with SSOs being the members of NSOs, it was important that all organisations within a sport developed, implemented, and maintained a robust system of governance that fitted the circumstances of their sport. While some sports made progress, there was shortcomings in this regard.

In designing the new framework, Sport Australia deliberately took a more consultative and collaborative approach. This included partnering with state government sport agencies and key sector stakeholders in three distinct phases of co-design. Phase one was a series of face-to-face workshops in every state and territory (153 individuals from 52 sports). Phase two was a series of online jams⁴ which engaged over 300 individuals from more than 70 sports. Phase three included three design labs structured to provide deep dives into specific content areas with a diverse selection of experts and stakeholders.

The co-design process was invaluable in the way in which it harnessed the extensive experience, competence, and unique variations of the Australian sport

sector. The output, the new Governance Framework, was the result of countless contributions incorporating national, state, and local experiences across more than seventy sports. This process of co-design inclusivity created two marked positives. The first outcome was an evolved framework which was accessible, educational and fit-for-purpose as determined by the end user. By being involved at each stage, the sector was critical in shaping the content and language to reflect the needs and views of the sector. The second outcome was a shared sense of ownership. Members of the sector identified their contributions in the final product, there was trust in the process, and they have, thus far, become advocates for the framework.

The approach to compliance should be focused on outcomes and development

The previous approach of the MSGPs and the ASPR created a culture in some NSOs of implementing governance practices for compliance rather than for improved governance outcomes. Our consultation with the sector during the development of the evolved framework identified that NSOs, despite the intention of Sport Australia, perceived the MSGPs and ASPR as an annual box-ticking activity, binary in nature, and simply a compliance requirement. These perceptions were grounded in a level of praxis.

As staff members at Sport Australia, we witnessed several NSOs who scored at the highest end of the measurement scale experience significant governance crises. For example, one non-Olympic sport scored above 95% on its ASPR for governance, but, in practice, there have been constant detrimental governance issues that are challenging to measure because as they predominantly relate to issues of culture and behaviour. This includes six director changes in less than four years, an incumbent chair standing for re-election being removed from the board, calls from member organisations for special general meetings to change the constitution without consulting the NSO, special working groups established to address the issues, and clearly fractured relationships between key parties.

While this particular case is an extreme example of the disconnect between the assessed compliance with the MSGPs and governance in practice, it was, in our opinion, reflective of an overall issue. What particularly translates from this case to other NSOs is the inability of the MSGP assessment to capture the relationships between member organisations (usually the SSOs) and an NSO. These relationships are, in many ways, fundamental to good governance in the federated model of Australian sport.

In addition to the validity of the MSGPs as a measuring tool, it is also worth understanding the Sport Australia approach to implementing the MSGPs. In practice, the MSGPs were mandatory to report to, and governance was a factor when determining public funding, however, it was only one factor considered alongside many others. Additionally, detailed reporting was kept confidential between Sport Australia and NSOs with a public document “Sports Tally”

produced (now no longer available) which provided more surface level insight on NSO governance performance.

The theory behind Sport Australia's introduction of the MSGPs and the corresponding reporting was to force NSOs to adopt structures, policies, and practices which, generally, are associated with good governance. In general, the approach was successful in achieving structural change. However, this approach did not account for issues such as behaviours and group dynamics which are increasingly shown to be important factors in effective governance (Schoenberg, Cuskelly, & Auld 2016, 2020).

First, the nature of the MSGPs was output focused. To illustrate this, we highlight MSGP 2.2—*A nominations committee that nominates directors for vacancies upon which the members vote*. In assessing compliance with this requirement, measurement focused on whether there was a nominations committee or not; there was no evaluation of the effectiveness of the nomination committee. While most funded NSOs did introduce a nominations committee as a result of the MSGPs, the approach to compliance meant it is unclear as to whether these committees have had any impact. Anecdotally, there are several examples of voters rejecting the recommendations of a nominations committee.

Second, reporting compliance with the MSGPs could be completed by an executive with the board having no input or oversight. For example, in a few NSOs, the board was not even aware of the process or the reporting being completed making it difficult for the board to contemplate meaningful change. With the report being completed by a small group (i.e. Chair and CEO) without board discussion, there was limited awareness of potential areas for improvement. Furthermore, Sport Australia kept the detailed reporting private. This means there was limited accountability or transparency to NSO members or other key stakeholders on whether an NSO was meeting the Sport Australia requirements.

The feedback from the co-design process guided a shift in the Sport Australia approach to compliance and measurement. The previous measurement approach, through MSGPs and the ASPR, effectively became compliance for compliance sake whereas the new approach is focused on using compliance as a tool for improving governance. This new approach is underpinned by the new Sport Governance Standards.

Each of the 37 new standards contains four measures which are tied to outcomes rather than outputs. This process has built on the “implemented, adopting, or not implemented” scale of the previous process by developing measures which provide increased description and detail about the different outcomes available within each standard. These measures provide more nuance in the evaluation of governance by examining what the outcomes of governance practices have been. In the new approach, simply having a nominations committee would not be sufficient as the top score requires the nominees put forward by the nominations committee to be elected to the board.

Furthermore, Sport Australia has integrated transparency and accountability into the compliance process. The new approach requires NSOs to publish an annual governance statement outlining their performance against the standards along with commentary (i.e. “if not, why not”) against any deviation or lack of achievement of the standards. This report is to be made available to both Sport Australia and an NSO’s members. Sport Australia expects that, by requiring NSOs to report to members, the board will be more involved and understanding of the process.

This new approach to compliance reflects the commentary from the sector that the MSGPs did not acknowledge that, due to different factors, organisations have different needs and certain governance practices may fit one organisation but not another. Using the standards as an organisational governance evaluation tool, Sport Australia will be able to identify, advise, support, resource, and educate partners and, in turn, work with the NSOs, State Government Agencies for Sport and their SSOs and Clubs for a whole-of-sector approach to continually improve governance systems and processes.

Policy needs to be complemented with support

Sport Australia, from 2012 to before the launch of the new framework in August 2020, provided effective leadership in the ‘what’ and the ‘why’ of good governance, but provided limited public information on the ‘how’. The language and approach of the pre-framework materials (e.g. SGPs) was often very technical and not accessible to directors without a governance background. Boards and executives of sport organisations drafted policy and processes in accordance with the principles but, without an understanding of the purpose or use of these policies, they were not referred to or used by the organisations (e.g. boards have a Board Charter to ensure compliance, but the directors do not discuss, refer to, or update it). Thus, whilst the policies and systems previously mandated by Sport Australia are predominantly in place at national and state level, NSOs have not achieved the intended outcomes.

Throughout the process of developing the new framework, the sector was unified and consistent in its demand for resources that are accessible, educative, and practical. Two components of the new framework—Education and Resources and the Advisory Service—were designed specifically with this in mind. The Education and Resources component provides a set of templates and tools which are tied to specific principles to help organisations. Additionally, there is a ‘Governance 101’ section at the start of the principles which introduces governance and key terminology to help new directors—often passionate volunteers within a sport, but with limited governance background—understand their role and expectations.

The Advisory Service will consist of Sport Australia continuing to invest in direct relationships with sports to support governance improvement plans over

three phases. The intention is to continue to provide specialist internal capability to work closely with Boards and CEOs to improve their governance practices, to provide directors with the soft skills and general knowledge they need to get up and running, and to facilitate connections to assist directors in learning from their peers. This service will be tailored to each NSO and is focused on implementation and the 'how' of good governance.

The service is, partially, modelled on previous success Sport Australia had achieved supporting NSOs through bespoke projects. Sport Australia had identified a range of concerns about the administration of an Olympic sport in Australia particularly in the areas of governance, finance, legal, strategy and member protection. Following a comprehensive review led by Sport Australia, a list of over 20 recommendations was made to enhance the sport in Australia which effectively outlined the blueprint for its future success. Over the past five years, this sport has undergone a significant transformation and is now operating as a highly effective and capable NSO which is delivering outstanding outcomes both on and off the field-of-play. Within this case, Sport Australia played a significant role during this process, providing support, guidance, and resourcing to allow the sport to achieve substantial reforms in its operation.

Disaggregated policy is confusing—Provide a 'one-stop shop'

Prior to the release of the framework, governance policy regarding Australian sport was disaggregated and occasionally inconsistent. Sport Australia had produced numerous publications on the topic, but it was unclear as to how these all related and what to do in the case of contradictions. In addition to Sport Australia, each state government had their own approach to governance along with industry bodies producing governance guidance and advice as well. This created a confusing landscape for directors and executives to navigate.

In addition to the amount of governance material produced within the Australian sport sector, it was not always clear how to manage the different contexts of each organisation. The sport industry has undergone, in a significant way for some sports and still at the starting gate for other sports, a transition from volunteer-driven amateur sport to professionally managed and delivered sport supported by volunteers. The pressure of mandatory requirements for associations, SSOs, and some NSOs was seen to paralyse the effectiveness of the Board as policy requirements become overwhelming and disaggregated.

Overall, there was a sector desire for the principles to be tailored or adapted for all sport organisations regardless of size, location, or maturity in order to create consistency within sports and across sports. This required the consolidation of existing materials into a new set of principles would provide a single resource for the sector.

From the Sport Australia perspective, this is now in-place. Previously, templates and tools were available in different places on the Sport Australia website and state government websites. These tools are now found on the same page as

the principle to which they are aligned, on a single landing page for the Sport Australia Governance Framework.

The co-design process, described earlier, helped to develop the framework in a way that accounted for the needs of most Australian sport organisations—at least the national and state bodies. At the time of writing, it is too early to know whether Sport Australia's Governance Framework will become the 'one-stop shop' and replace the materials produced by other key partners, however early indications and interest from the sector indicate this may well be the result. At the very least, Sport Australia has been able to produce singular place for all its policy and guidance on sport governance.

Change through policy is attainable

Perhaps the most important lesson is that government policy and actions can create change. For all the challenges Sport Australia has had embedding good governance outcomes underpinned by the SGPs and MSGPs throughout this chapter, the SGPs and MSGPs have objectively shifted process and policy in the sector with respect to good governance. This was primarily connected to compliance and funding, but it also created much stronger 'peer pressure' for NSOs to be governed well as they started to compare (and be compared). There was a shift in the culture of Australian sport towards the notion that good governance was important, and it should be given priority. The evolution further leverages the social persuasion (Geeraert 2019) with expectation of public reporting of governance outcomes.

As evidence of the effectiveness of the MSGPs, Sport Australia undertook formal assessments against them in 2016 and 2018 as a part of the ASPR process. The ASPR, within a governance context, captured the MSGPs: structure for sport, board composition and operation. The ASPR process required a NSO to submit a self-evaluation to Sport Australia indicating their compliance/non-compliance with the MSGPs. Despite the identified challenges there was improvement against all Mandatory Standards between 2016 and 2018 except for gender balance (MSGP 2.6). Despite the validity of the MSGPs as an effective measuring tool for good governance being questionable, NSOs began adopting good governance practices that had not currently been in place.

Overall, the work of Sport Australia in the 2012–2020 period created change. Rightly or wrongly, government agencies and their policies on governance can lead to meaningful change in the sector.

Discussion and conclusion

The learning described above, while subjective, provide insight for the effectiveness of the Sport Australia approach to sport governance policy. In considering and contextualising the reflections above, there are a few high-level themes which may be generalisable to other contexts.

Policy cannot be separated from context. Within Australia, the effectiveness of Sport Australia policy is affected by the historic organisational model for sport in Australia. The traditional federated structure of most Australian sports means that most NSOs are controlled by SSOs (members) who provide a very small share of an NSO's funding. The bulk of NSO funding comes from Sport Australia. Given Sport Australia's reluctance to withdraw or reduce funding to NSOs, due to the fear of negatively affecting athletes, SSOs can act in ways to maintain, consolidate, or increase their control of the NSO which can conflict with Sport Australia policy. In Australia, the most recent framework was deliberately co-designed with partners to help ensure the policy meets the needs of the sector demonstrating an understanding of the complications which arise from tensions between government policy and federated sport governing bodies.

Policy does lead to change. While evaluating an organisation on compliance with the MSGPs provided limited insight into the effectiveness of governance, the evaluation process revealed that, across the sector, the MSGPs did produce change in governance practices. These changes varied in significance but included change in legal structures and changes to organisation's constitutions; indicative of the impact the MSGPs had on structural changes. These changes shift the question from 'can governance policy create change' to 'how can governance policy create impactful change'—an evolution which is captured in the policy growth as Sport Australia has moved from disaggregated policies and support services to a singular framework which explicitly links the components together.

Developing and optimising good governance policy takes time. Sport Australia has been producing and refining governance guidelines of some form for over fifteen years. The iteration is not done in isolation, it is a product of the context of the sector and collaboration with other key partners in the sector. The new framework represents a consolidation of all experiences and feedback of the participants in the sector who are accountable and responsible for good governance. To achieve the recent framework required collaborative iteration of policy and socialisation of Sport Australia's facilitative leadership in the sector over time. Broadly, the complexity and the maturity of the recent framework demonstrate how governance policy has advanced within Australian sport through comparison with the policy which came before.

Perhaps most critically when considering the role of policy in contributing to effective governance is the purpose of governance itself. Governance exists on behalf of stakeholders to ensure an organisation delivers on its objects. Thus, within sport, governance is a key means to facilitating safe and sustainable participation and performance in sport. If government policy starts focusing on governance for governance sake through a purely compliance focused lens, sport organisations may struggle to deliver the primary purpose of the organisation. Within Australia, the transition from a compliance-focused MSGP reporting program to an outcome-focused set of standards should support organisations in meeting their goals.

In conclusion, in reflecting on our involvement in the Australian sport sector and our roles at Sport Australia, we identified some clear lessons on designing and implementing sport governance policy. These include: the importance of the change process, centring compliance on outcomes and development, complementing policy with support and education, and ensuring policy is consistent and easily accessible. There is no single way to achieve improved governance but inducing and guiding the meaningful implementation of good governance is more arduous than simply a government agency stating what principles should apply. A combination of co-designed clear accountabilities that are adjusted and iterated as lessons are learned as well as education and evaluation applied consistently and with discipline over time will create meaningful improvement.

Notes

1. Ms Corkery is still, as of writing, an employee of Sport Australia. Dr Schoenberg left Sport Australia prior to involvement with this chapter.
2. In the Australian context the clubs or individual members are the voting members of the state sporting organisations and the state sporting organisations are the voting members of the national sporting organisation.
3. The ASPR process covers more than just governance and is part of how Sport Australia ensures accountability for NSOs receiving public funding.
4. Online jams used a combination of video conferencing and live polling to allow people to see and interact with real-time responses (e.g. up vote or down vote) from colleagues all around the country to questions put forward by the Sport Australia team.

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The role of sport governance consultants

Help or hindrance?

Rowland Jack

Introduction

For those who believe that sport can bring benefits to society and individuals, the governance of sport matters. In order for sport to achieve its maximum impact, the resources available to the sector must be managed effectively, efficiently and honestly.

As explained elsewhere in this book, there are a number of different actors in the sector who can influence sport governance, ranging from sport federations themselves to governments, social scientists, journalists, NGOs, commercial partners and others. I will consider the role that consultants can play in promoting better governance in sport, acknowledging that their involvement offers benefits, while also posing risks.

The organisations that govern international sport, such as the not-for-profit associations known as International Federations, arguably have the most direct responsibility. A number have embarked on governance reform projects in recent years, such as FIFA (FIFA 2016). However, the fact that there are limits to self-governance is well-recognised (Geeraert 2019).

Governments, a vital or dominant source of funding for sport in many countries, increasingly often take an interest in sport governance. Indeed governments are among the stakeholders in the International Partnership Against Corruption in Sport (IPACS), a multi-stakeholder platform (IPACS 2017). The over-riding objectives for governments in this area are to protect public investment and to obtain the best possible return for the funding provided. The leverage of control over funding can give governments power to impose monitoring processes and to drive change. While the evidence suggests that government involvement is growing, governance of relatively small sport bodies will rarely be a top priority. In many countries, the government department responsible for sport also has limited capacity and appetite to act.

Academic research has played an important role in the evolution of sport governance. For example, university research is naturally vital in the anti-doping field. When academics with relevant expertise are consulted, they can provide guidance on a broad spectrum of governance topics. The key constraint on the

influence of university researchers is that, in most cases, there is no obligation on sport federations or other actors to seek input from them, nor necessarily to implement advice that is received. It is only in quite specific circumstances that the academic sector can influence governance in sport directly.

Many of the highest profile sport governance scandals in recent years have been uncovered by the work of investigative journalists. There is no doubt that investigations into FIFA from the late 1990s onwards by journalists including Jens Weinreich, Andrew Jennings and Thomas Kistner (among others) have had a significant impact on sport governance. An active, thriving media industry with the freedom to ask difficult questions makes a vital contribution in this sector, as in many others. However, media outlets and individual journalists have limited resources and will naturally tend to focus on the most outrageous cases. More mundane, everyday reverses or improvements in governance are unlikely to attract much media attention.

The role of consultants

I believe there is also an important role for consultants specialising in sport governance, a group consisting of an assortment of individuals and small organisations who have become more prominent and more numerous since about 2010.

I made my own entry into sport governance consultancy in 2013. I had spent the prior 15 years of my career entirely in the sport sector, including stints with a government sport agency in the UK, an International Federation in Switzerland and a number of years in communications consultancy, working mostly on Olympic clients related to the Olympic and Paralympic Games in Beijing, Vancouver and London.

By 2011 I had become concerned about poor governance in international sport and began actively researching the field both out of personal interest and with the belief that there could be a commercial opportunity.

My perception was that failures and vulnerabilities were being uncovered regularly, particularly by investigative journalism, but there was only a limited amount of activity to attempt to rectify the issues identified.

After 18 months of planning, I set up I Trust Sport Ltd in 2013. A second company with a slightly different focus, Governance United Ltd followed in 2018, established with two other co-founders.

In this chapter, I will make the case that the consultancy approach shows promise and offers several benefits as one of an array of tools for reforming sport governance. At the same time, it must be acknowledged that it is also possible for consultants to hinder efforts at reform if the inherent risks are not managed adequately.

Argument

My observation is that consultancy projects have made an important contribution to changes in sport governance. Federations including World Athletics (formerly the IAAF) and the International Biathlon Union (IBU) have overhauled

their constitutions and ways of working as a result of commissions that were led by external consultants (IAAF 2016a; IBU 2019). I should mention that I Trust Sport was not involved in either of these projects.

In both cases high-profile crises and leadership changes provided impetus for fundamental reforms and then independent consultants with specialist expertise contributed significantly to the technical work.

The IAAF appointed a consultant with experience serving on of the federation's committees as chair of the IAAF Governance Structure Reform Working Group. The final set of recommendations arising from the working group (IAAF 2016b) was ultimately accepted in a vote by the IAAF Congress. Measures included changes to the authority and composition of the Executive Board, which has subsequently seen the introduction of some independent directors, plus the creation of the independent Athletics Integrity Unit. The Integrity Unit oversees all doping and other integrity matters, including the investigation and prosecution of cases.

In 2018 the IBU appointed a senior lawyer with experience in international sport as chair of its External Review Commission (IBU 2018). The set of reform proposals approved by the IBU Congress the following year included the introduction of term limits for the Executive Board and the delegation of 'judicial' decisions to an external authority, namely the relevant divisions of the Court of Arbitration for Sport.

I argue that advisory projects of this type, following the traditional consultancy model, are one method of promoting better governance in sport that can be highly effective, in the right circumstances.

Forms of consultancy in sport governance

It is worth considering the term 'consultancy' and what it involves. Definitions of consultancy tend to describe it as a professional practice that gives expert advice within a certain field. An individual consultant or consultancy firm usually provides expert advice on a particular subject to an organisation (generally known as the client) for a fee (Institute of Consulting 2020).

In order to provide an effective service, the consultancy firm should have relevant expertise, which may include individuals with specific qualifications. Typically, the consultant or company will provide a service that the client lacks or is unable to fulfil. Being external to the client organisation, the consultant can potentially offer a more objective point of view, and with greater freedom than an individual employee or internal team.

The client organisation may decide to appoint a consultant to gain an objective perspective, or to help take difficult decisions. In addition, it may be more efficient in cost and time to appoint a consultant than to use internal resources, especially for a one-off project.

Thinking about the sport governance sector in particular, a consultant could theoretically supply a service to any of a number of stakeholders. The client could be an organisation or an individual within the sector, such as a sport federation/

association, league or club. Alternatively, the client could be an organisation to which sport bodies are accountable in some way (Pielke 2013). There are hierarchical organisations that sport bodies are directly accountable to, such as government agencies and other bodies with a regulatory role. Funders of sport are also potential clients, again including government agencies as well as sponsors and broadcasters. A third category of possible client consists of organisations with public reputational impact on sport, ranging from international institutions to non-governmental organisations and activists.

A personal observation in the sport governance sector is that the main potential consultancy opportunities seem to divide between (1) audit and (2) advisory approaches. Traditionally, an 'audit' is an opinion given based on examination of financial statements. However, the term can also be used in a wider sense.

Michael Power (1999) describes the conceptual elements of audit. In the first instance, there is a clearly defined objective, such as measuring compliance with regulations. An individual or organisation that has some independence from the matter being audited conducts technical work to gather evidence. The auditor then expresses a view based on the evidence.

Audit is typically required when there is an accountability relationship of some type. It is intended as a risk reduction exercise.

Advisory governance consultancy, by contrast, fits the traditional consultancy model in which a consultant is appointed to provide an external, more independent perspective, or to help take difficult decisions.

There may be individuals or groups within an organisation who want to reform governance but face resistance or are wary about making the case because they perceive risks in doing so. In these circumstances, appointing a consultant may be the preferred option.

One strength of the advisory consultancy approach is that findings and recommendations which an organisation has commissioned itself may be more likely to be addressed and adopted (as in the example of World Athletics cited above). External intervention is not a pre-condition, although pressure from outside may on occasion provide motivation for the decision to hire a consultant.

In the following paragraphs I move to consider some examples of how consultancy in sport governance functions, plus the related benefits and risks.

The ASOIF case

I Trust Sport's most prominent work has been the provision of an external, semi-independent governance audit service. In my experience, this can be a productive approach for reforming sport governance because it creates incentives and a pathway for incremental improvement.

A client project worth highlighting is the Association of Summer Olympic International Federations (ASOIF) governance study. ASOIF has conducted three assessments of international federations in 2017, 2018 and 2020, all with support from I Trust Sport.

The assessment, which is overseen by an appointed committee, takes the form of a self-assessment questionnaire distributed to the International Federations that consists of 50 indicators, each scored on a scale from 0 to 4. Indicators are divided equally among five broad themes: transparency, integrity, democracy, development and control mechanisms. Each score for every indicator has a separate definition to make the assessment as objective as possible.

As an example, one indicator in the Transparency section assesses the extent to which General Assembly documents are published on the organisation's website. If there is only a press release announcing decisions made after the event, the score would be 1. For a score of 3 a full set of documents should be published openly. To earn a maximum score of 4 extra information should be provided, such as an archive of minutes and/or a video recording of the meeting.

The federations fill in their scores and provide justification, such as a reference to the relevant section of their statutes or a link to a webpage. I Trust Sport then moderates the completed questionnaires, adjusting scores up or down, where necessary, with explanatory comments. The objective is to be consistent and fair to each participating International Federation.

The resulting data can be analysed in different ways, looking at single indicators across a set of International Federations or changes in the scores of individual federations from one review to the next. After three assessments there is now evidence of improvements over the course of time.

In the review published in April 2017 (ASOIF 2017), 18 out of 28 International Federations studied had published at least one set of audited financial accounts. By the time of the third assessment, published in June 2020, this number was up to 25 out of 31 International Federations that were analysed (ASOIF 2020). Regarding term limits for elected officials, 13 out of 28 International Federations had some type of term limit in place in April 2017. This had increased to 22 out of 31 by early 2020.

While it is inevitably difficult to show that specific measures such as increased financial transparency and term limits for elected officials in themselves reduce risks of governance failings, these are examples of recommendations which tend to be found consistently in good governance codes.

The governance audits and associated meetings and support materials that were part of the project are of course only one of the drivers of various positive changes in International Federation governance in recent years. However, the official status of the project and the knowledge that the assessment would be repeated have evidently encouraged federations to adopt reforms specifically to meet standards defined in the ASOIF assessment process.

In several cases, the external impetus appears to have helped internal advocates for change, easing the progress of governance reforms that might otherwise have taken longer or not happened at all.

The case has been made that consultancy can make a useful contribution to improving sport governance, particularly in combination with reformers inside the organisation. By its nature, consultancy offers some opportunities that

distinguish it from other actors in the sector, such as academics and journalists. There are also associated risks.

Opportunities of consultancy

An important and perhaps under-recognised advantage of the consultancy approach is that there are limited barriers to entry. Each year, a number of individuals with significant experience in the sport sector continue to establish themselves as consultants, including some who focus on governance. There should be no call on public funding, nor any need to persuade a larger organisation to allocate scarce resources.

Compared to other types of legal entity, the structure of a privately-owned limited company provides considerable flexibility. It is perfectly possible for the same company to adopt a traditional consultancy model or to meet demand that might exist for training materials, technology tools or a variety of other products and services, with few restrictions.

In addition, a fair degree of experimentation is feasible. Proactive approaches can be combined with responses to requests for proposals. At least in the early stages, a small consultancy company can explore opportunities with some freedom, learning where there might be a gap in the market.

It is no surprise that consultancies specialised in other sectors and law firms have also become active in sport governance as it requires only a limited investment. The modest size of the overall market has perhaps limited the extent of their involvement to date.

In my particular case it soon became apparent that there was a need and an opportunity for governance audits, most often commissioned by organisations with an explicit or de-facto regulatory role (i.e. an organisation that provides supervision in some way).

Audit offers potential value as a consultancy approach for improving sport governance. It may be contracted centrally for a number of organisations, which brings benefits in the form of a degree of independence from the organisations being audited and the potential to make comparisons. In addition, it may be repeated at intervals, providing the means to track progress over time.

There is an obvious potential conflict when a single supplier works on both advisory and audit projects for the same client. In general, I Trust Sport has tended to concentrate on the audit side.

By contrast, governance advisory work is more likely to be commissioned by the sport body itself, posing risks (of which more below), and only at occasional intervals, perhaps following a change of leadership or negative publicity.

One of the other aspects of the consultancy opportunity to consider is the diversity of potential clients.

As referenced above, consultants can either work with sport bodies or with stakeholder organisations. When sport bodies are the client it is important that there is some degree of openness to an external view and an appetite for change.

When appointed by stakeholders, the work is more likely to be effective if the client has genuine leverage over the organisation in question.

Until now it has appeared that the majority of the governance consultancy projects in international sport have been commissioned by sport bodies themselves or by organisations with at least a partial regulatory role.

Governments and inter-governmental bodies have contracted occasional pieces of work but rarely on a significant scale. This is an area that may see growth in future.

In the case of not-for-profit organisations, such as grant-giving organisations with a relevant purpose, any funding available is often heavily over-subscribed, as in the case of the European Union's Erasmus+ programme. Until or unless there is a well-funded organisation with a specific interest in sport governance, it is difficult to see such bodies commissioning substantial consultancy work. Of course, it is an advantage for the consultancy approach that seeking grants is only one of several possible avenues for funding, and not the most significant.

There remains potential for some of the more independent stakeholders in sport to hire governance consultants. Sponsor activism in sport governance has tended to be limited to isolated cases, with one example being the withdrawal of T-Mobile from its sponsorship of a professional road cycling team in 2007 following negative publicity in relation to doping (Austen 2007). In future there may be more significant activity from sponsor brands, private equity groups and broadcasters that have an interest in seeing improvements in sport governance.

A personal observation is that sponsors have tended to react to governance crises in organisations or individuals they fund in a binary way: either the commercial relationship is cancelled, as in the case of T-Mobile, or else no action is taken, at least as far as is known publicly.

A third way should be possible, in which brands demonstrate to their shareholders, customers, employers and other stakeholders that they are acting responsibly, acknowledging reputational or even legal risks in their relationship with sport properties and acting in an appropriate way to try to deal with the issues. Cooperation between sponsor brands with similar interests might be one approach to consider if individual companies are reluctant to act alone.

Risks of consultancy

It would be remiss at this stage not to consider the risks associated with consultancy, which can limit its effectiveness in the sport governance field or even actively hinder progress towards reform.

1 Competence

The first and perhaps most obvious risk is that the consultant may be unsuited to the task, whether through lacking relevant expertise, professionalism or even integrity. Indeed, in the new and evolving sector of sport governance, it is far from clear what the 'right' skills are.

However, the same is ultimately true of all consultancy and of many roles within organisations (e.g. integrity officers). It seems unlikely that wholly incompetent or unscrupulous consultants would be able to continue in the market for long. Provided that consultants are perceived to add value in other sectors, there is no reason to believe they cannot do so in sport governance.

2 *Need for a paying client*

It is inherent in the nature of most consultancy, beyond pro bono projects, that there must be a paying client. In contrast to a staff journalist or tenured academic who might have some latitude to choose a subject which looks interesting and worthy of study, a consultant can only work if a client is willing and able to pay.

In some types of consultancy, such as financial audit, there is a regulatory requirement that creates a market for the service, or at least a well-established niche that consultants serve.

By contrast, in the case of sport governance, the sector was scarcely recognised and the market hardly existed until about 2010. A consultant seeking to improve sport governance, therefore, has to offer a service which a client chooses to pay for. As a result, there are intrinsic conflict of interest risks in the relationship between client and consultant, which do not usually apply in the case of a wholly external actor, such as a journalist or academic researcher.

Almost all consultants seek to leave key client contacts and the organisation feeling that the project has been worthwhile. In some cases, the piece of work may clearly be a one-off. In other cases, the possibility of repeat work exists, either explicitly or implicitly. In aiming to please the client, the consultant should obviously be aware of the risk of steering too far towards outcomes or recommendations that are hard to justify in the particular circumstances of the project.

3 *Scope of work risks*

In engaging with a potential or actual client the first risk relates to the scope of work for the project. In the absence of a regulatory requirement or easily defined parameters, it may not be straightforward to determine what aspects of governance should be covered. Some clients are prescriptive about the terms of reference (e.g. revising an organisation's code of ethics), while others are fairly vague ("meet best practice standards"). The consultant may be able to influence the scope of work, either in the process of trying to secure the client, or through persuasion once appointed. Nevertheless, the final decision on the scope of work rests with the client. Should the project be restricted or mis-directed in a way which the consultant finds unacceptable, the responsibility lies with the consultant to walk away. In fact, comparable risks apply regarding the scope of work for an internal member of staff with governance responsibilities.

As an example, in the case of a governance audit study similar to the ASOIF governance project it would be possible for the client to seek to remove potentially sensitive topics from the assessment questionnaire, such

as the existence of term limits for officials in sport bodies. If a client made such a demand, the consultant would have to choose between going ahead with an exercise of reduced value or abandoning the work.

An additional risk on a similar theme is that the client and consultant may have very different views about what amounts to good practice in a particular aspect of governance. One example is the topic of quotas regarding gender balance in leadership roles. It is perfectly possible to make a strong case both for and against the use of quotas. If the disagreement is truly fundamental, finding a practical resolution may be a challenge.

Incidentally, the gradual maturing and evolution of sport governance may prove helpful in defining an appropriate scope of work for consultants. Once specific tools and methods become accepted as industry standards then it will be easier for clients to commission a project.

4 *Being used as an instrument*

Even if the consultant is satisfied that the scope of work is appropriate, a related risk is that the client may have a clear objective from the start (or even a vested interest) in the project reaching a specific conclusion. In some cases, a client seeks external validation for an idea that is already being considered internally, which is recognised as one of the motivations for appointing consultants.

A plausible scenario is that a sport body under new leadership commissions a governance project with the aim of justifying a desired change in the way the organisation operates.

In the circumstances, the consultant may reach a similar conclusion to the client but a risk obviously arises if the consultant in their professional judgement believes, after due process, that a different recommendation is appropriate, or else that the right course of action is debatable. Confronted with this situation, much will depend on the consultant's powers of persuasion and the willingness of the client to engage in meaningful dialogue. Provided that the client has good intentions, a reasonable compromise will often be possible. An internal member of staff might have an even more difficult task to win over the organisation's leadership in the same scenario.

In determining how much to compromise, it is reasonable for the consultant to take into account what is realistic in the circumstances. If reforms will have to be approved by a vote at a General Assembly, for instance, there may be limits to the extent of changes that will be acceptable to members. In such cases, an effective engagement campaign by the organisation's leadership and external pressure can obviously help win over the doubters.

A risk of a slightly different type arises when a client body seeks to legitimise aspects of the organisation to external stakeholders, perhaps even glossing over significant failings. One method of doing so may be by trying to direct or instrumentalise a 'brand name' consultant to reach a desired conclusion. A university department or team may be appointed with the same intention.

In appointing a 'brand name' consultant as an instrument in this way, the client hopes to borrow their reputation just as a commercial brand may look for a reputational benefit from the association with a popular sport property that it sponsors.

It is obviously the responsibility of the consultant to determine what findings are appropriate and legitimate. Consultants should be wary about projects that seem mainly intended to justify the client's preferred course of action.

A related reputational issue arises when an organisation or interest group seeks to commission an 'attack' project with the aim of exposing poor practice or damaging another interest group either within the same entity or elsewhere. The consultant must decide whether both the potential client and their grievances are credible. Even if they are, there may be a trade-off between potential dangers and rewards.

The risks described above all relate to consultancy projects involving a sport body directly as the client, where there are inherent potential conflicts of interest. Some of these hazards are mitigated if the work is commissioned by a regulator or other external entity rather than by the organisation to be studied.

However, these conflicts of interest can still arise. For example, even a well-intentioned regulator may be uncomfortable about a consultation survey producing findings that are critical of the regulator itself.

5 *Limitations of audit*

In relation to governance audit work, an important risk to consider relates to the limitations of the audit process itself.

Former financial auditor Michael Power describes audit as the level of a folk craft or art (Power 1999). Historically, there has been an iterative cycle relating to financial audit where audit is seen to fail when a high-profile scandal occurs and the audit process is revised. A period of stability follows for a few years, until the next failure.

He describes several compromises which he argues are inevitable in any audit exercise.

Perhaps the most significant is the 'expectations gap' between what society believes audit should do (namely, correctly identifying when an organisation is in financial trouble or instances of serious malpractice) and what it can actually achieve. The stated objectives of the auditor for the audit of financial statements of a company in the UK, the legal form of most national sport federations, are "(...) to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes the auditor's opinion" (Financial Reporting Council 2016, p. 1).

Expensive and intrusive financial audits, which are required by law and highly regulated, still sometimes fail to uncover serious issues, as repeated cases in business and other sectors including sport attest.

A second important compromise concerns the relative benefits of proximity and independence. While people inside an organisation will usually have more knowledge of how it actually operates, they lack independence. In contrast, external auditors are more independent (although the risks identified above regarding the relationship between client and consultant apply) but they are limited to using sampling and other methods to gain a partial understanding of the organisation.

The next trade-off relates to the merits of individual judgement compared to common standards. A completely fair and objective assessment would take account of each specific characteristic of any organisation studied. However, this would be very difficult. At the other end of the scale, there is value in agreeing common standards to enable a degree of comparison ('one size fits all'). A compromise is therefore needed between conducting an audit which is perfectly tailored to the organisation and using a methodology which is consistent and comparable to the extent that it will be recognised as valid. Ideally, the process should also be repeatable.

This particular trade-off is apparent in the ASOIF governance project. A uniform methodology was adopted to assess 31 International Federations despite the fact that they range in staff numbers from fewer than 10 to many hundreds. Perhaps inevitably, scores on some of the indicators tended to be higher among the larger organisations. In order to compensate, the participating Federations are provided with information about how their results compare to others of similar size.

A further risk relates to the resources needed to conduct the audit. The level of investment in audit clearly has to be proportionate. A more sophisticated and costly process might lead to a more thorough analysis but there is a practical limit. A compromise therefore exists between expenditure and the level of assurance.

6 *Need for judgement*

In my experience, it is usually feasible in consultancy work to find an acceptable compromise which allows the client to benefit from the project they pay for and the consultant to maintain integrity. In practical terms, organisations which are very poorly governed are unlikely to commission governance consultants, just as they are unlikely to give capable staff the authority to make significant changes. There have been a small number of occasions when I have declined potential opportunities due to associated reputational risks.

For a consultant specialised in sport governance, maintaining integrity is of course an absolute priority. A consultant must accept that complaining openly about a client or about rejection by a potential client will not be feasible (with rare exceptions) and therefore it is important to consider all of the factors carefully before taking on a client assignment.

In general, it is incumbent on the consultant to act in a responsible way and think about longer-term consequences of any decisions made. Once a certain degree of credibility has been earned, there is associated power in

advice and recommendations which are offered. As is often stated, reputations can take years to build but only a moment to lose.

It is evident that consultancy presents considerable opportunities for tackling issues in sport governance but a range of risks must also be managed. Some are inherent to any type of consultancy whereas others relate to the limitations of audit as a technique.

Conclusion

In conclusion, I have argued, informed by my own experience, that consultancy offers a promising and perhaps under-rated set of tools to the various approaches to tackling failures of sport governance.

Consultancy projects have contributed to important changes in sport governance in recent years, for example in organisations such as World Athletics and the IBU. Governance audit work, including the projects I Trust Sport has been involved in with ASOIF, can steer sport bodies towards incremental improvements. Both advisory and audit consultancy techniques are more likely to influence significant reform when there is a combination of external pressure on the organisation and internal political will for change.

Consultancy presents a number of benefits compared to the options open to some of the other actors seeking to improve sport governance, including the lack of dependence on public subsidy, low barriers to entry and flexibility. Various categories of organisation could potentially be clients and there are few restrictions on the type of work that could be undertaken.

As for consultancy in any sector, it is vital that the individuals who do the work have the necessary expertise and take care to maintain their professional integrity. As explained above, in an immature market it is not obviously apparent what the right skills are. While several vocational courses and qualifications exist, it seems too soon at this stage for industry standards or a professional body.

Naturally, risks and limitations apply that have to be managed. The need for a client that is willing to pay is an important barrier, particularly in the absence of many specific activities that are either required by regulators or accepted as an industry standard. It is incumbent on the consultant to be aware of and mitigate the risks associated with the client–consultant relationship. Such risks range from being prescribed a scope of work that allows limited opportunity for improving governance (or even ignores key issues), to the consultant going too far to accommodate a client's wishes in the conclusions reached. Dilemmas are often manageable, provided that key individuals within the client organisation are genuine in their intentions. For example, a good consultant can help steer a client towards a deliverable and worthwhile scope of work in the situation where the original request is vague (“improve governance standards”), working within limitations of timetable and budget.

It is also important that expectations are realistic, recognising that an external consultant cannot implement significant changes on their own, and that a

governance audit will not necessarily uncover all of the underlying issues in an organisation. Responsibility is shared between the commissioning organisation and the consultant. For instance, a consultant should dampen client hopes of a radical transformation of an organisation's reputation in a short period of time. Meanwhile, a client giving a briefing should be honest about the openness of the leadership for change. Drawing from relevant case studies and previous experience can help in setting parameters.

Many of the risks can be reduced—and the incentive for a sport body to reform increased—when consultants are commissioned not by the sport body itself but by an external organisation to which it is accountable.

An important implication is that consultants could do more to help improve sport governance if other actors that have leverage over sport bodies become more active in working with consultants, most notably governments and commercial partners. While governments and funded public agencies are now gradually taking a closer interest in the sector, there have been limited examples so far of active engagement by the commercial partners.

One avenue to consider for further research would be to gauge the potential appetite among governments and commercial partners for appointing consultants to support or monitor the governance of sport bodies over which they have leverage. It would also be useful to understand the barriers to doing so.

In the area of governance audit, it is possible that there are lessons for sport to learn from other sectors where measurement and assessment are routine, such as health and education. A study of comparable audit regimes might be instructive.

In commenting on the opportunities for sport governance consultancy, it is only fair to acknowledge that the market in its current form exists because of diligent and often thankless work by whistleblowers, journalists and researchers over a period of years. Many individuals and organisations such as Play the Game uncovered governance failings within sport bodies. Pioneering academics and others have developed approaches and methods to tackle some of the weaknesses, including tools which lend themselves to consultancy projects. Along with other consultants active in the sport governance field, I owe a debt to the work that has gone before.

At least until the outbreak of the COVID-19 pandemic, the market for sport governance consultancy was established and maturing, even if it is a relatively small niche. It is to be hoped that the recent focus on governance remains amid the dramatic and inevitable changes to the sporting landscape that are resulting from the crisis.

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‘Integrity’, ‘independence’ and the internal reform of FIFA

A view from the trenches

Miguel Maduro and Joseph H.H. Weiler

Introduction

If a Martian were to inspect the constitutions of say, the USSR or Poland before the fall of the Berlin Wall or other such regimes, a glowing report would be beamed back to Mars. All the right things were there, including human rights and other paraphernalia of good governance. A farce, since the principal problem was not in the formal scheme or in the written document, but in the reality of its actuation and in the political culture and institutional ethos of those polities.

It is not our intention to add to the growing literature identifying the structural problems of FIFA and the rather conspicuous failure of the 2016 Reform efforts of FIFA. Instead we want to relate to the reader, narrative style, some episodes (all one way or another part of the public record) resulting from our experience as Chair and Member of the Governance Committee that help explain why those reforms failed. As members of the Governance Committee we were part of that reform effort. We experienced how the dominant culture at FIFA was stronger than the formal institutional safeguards put in place by the governance reforms. This experience taught us that FIFA cannot adequately reform itself.

The FIFA Governance Committee

The FIFA Governance Committee had a broad remit to ensure integrity and good governance in the operation of FIFA. It was responsible, among other things, for the oversight of the elections, including deciding on the eligibility of those running for elections (for the FIFA Presidency and its Council). The latter was based on integrity tests conducted by the Review Committee, composed of three independent members of the Governance Committee. This Review Committee (in practice, part of the Governance Committee) would also conduct broader integrity tests for a variety of positions in FIFA Committees. The Governance Committee was also empowered by the new FIFA Governance rules to put forward proposals for better governance at FIFA.

The importance of the Governance Committee in the overall reform scheme was underscored by the fact that the appointment of its members was reserved to

Congress as a whole and the requirement that no less than half its members be 'independent' with no ties to the world of football (other than, perhaps, the love of the game).

Independence has a variety of meanings in the world of FIFA. It might mean the overall independence of FIFA from politics—a formal requirement when it comes to the officers of FIFA. It means, however, too, the independence of the oversight Committees such as Governance or Ethics from internal pressures from within the organisation. After all, various officers and organs of FIFA might be the object of oversight by those same committees. Interference or pressure on their decision-making process would be akin to, say, a member of the executive branch of a State government such as a Minister or senior administrator putting pressure on a judge or court of law or public prosecutor investigating a case pertaining to that very government or to anyone that may be favourable or opposed to such government.

Integrity is a broad concept which defies very precise definition. A little bit like the proverbial definition of pornography—you know it when you see it. The absence of integrity in the process of governance can take egregious forms—like the taking of bribes, but also more subtle forms of malfeasance or even simply to be in a position of conflict of interest. Given the history of FIFA the required ethos of oversight would be to err on the side of strict scrutiny as both a reflection of, and catalyst for a change of institutional culture which appeared at least tolerate corruption for decades. This history all taught, all and sundry, that 'crimes of omission'—keeping silent, averting one's eyes, looking in the other direction—can be as harmful as crimes of commission.

The 2015/2016 reforms seemed promising on paper and not only on paper. In the process of our own appointment to the Governance Committee we were impressed by the thorough background check conducted. Even more so, we were impressed by the assurances we had by the highest officers of the 'new' FIFA that this time it was 'for real'. That they were seriously interested in meaningful reform of the very institutional ethos and culture of the organisation. We were convinced by the apparent sincerity of these assurances.

The Committee initiated its role committed to its task and energised to deliver results in a short period of time. The blow suffered by FIFA reputation required it. In only a few months the Committee implemented a variety of reforms and put others in motion. It started by adopting guidelines on how it would conduct the integrity and eligibility tests. This was aimed at providing legal certainty to those subject to such tests, making it clear the Committee's commitment to the rule of law. In the past, such kind of ethical and integrity assessments had often been instrumentalised, applied selectively, and placed at the service of the powers that be. It was crucial to be transparent and consistent in the application of such tests. The Committee also adopted a series of procedural guidelines to be respected by the Confederations in their electoral processes so as to guarantee the integrity and the free and fair character of such elections. Another set of guidelines, to be further discussed below, regarded preventing gender discrimination in the elections. In addition, the Committee drafted a FIFA Human Rights

Policy and put forward a series of proposals aimed at furthering its own independence and that of the other independent Committees. The latter were expected to be discussed by the FIFA Council in the meeting that, ironically, put into question such independence and, ultimately, led to our departure from FIFA.

In fact, the disabuse was rapid. Within less than a year in mid-2017 the Chair of the Governance Committee was not 'reappointed' (that was the official term, on what was, for all purposes, a 'sacking'). This led to the departure of a majority of the Committee independent members that resigned.

The letter of resignation of Navi Pillay (2017) speaks for itself:

Such a trenchant statement coming from a distinguished South African judge

Email from Navi Pillay to Fatma Samoura, Secretary General, FIFA, 17 May 2017

Dear Secretary General of FIFA, Thank you for your call to me, sharing some of your thoughts on the termination of membership of the chair of the GC. I indicated my dissatisfaction with the reasons you gave; but promised to consider my continued membership seriously. I have now done that. As you know, all of us, holding office in FIFA, including you and me, were required to complete the online course on Ethics. I wish to draw your attention to the prohibition, in the rules, of improper interference, exercise of influence or pressure, and the need to disclose these approaches, if we had been subjected to them, rather than maintaining secrecy. In compliance with this regulation, the facts of undue influence exerted on the Chair to change a recommendation made by the GC, were made known to me. As a judge and former UN High Commissioner of Human Rights, I adhere to principled conduct at all times; and cannot countenance serving in an Institution, whose officials violate the norms and standards of good conduct, that they themselves adopted. I remain concerned that the GC's independent functioning will not be respected. Kindly accept my resignation from the Governance Committee of FIFA.

Navi Pillay (Ms)

and the former UN High Commissioner for Human Rights is self-explanatory.

But as lawyers know, it is the human detail, the narrative, which gives law and high principles (such as independence and integrity) or the lack thereof real life and meaning. And that is the purpose of the following short tales of commission and omission: To give life to the stories behind the collective resignation of the majority of independent members of FIFA's Governance Committee less than a year after their appointment. They are only examples. Several others could be given from only a few but intense months immersed in FIFA's governance culture.

The Vitaly Mutko affair

Vitaly Mutko at the time Minister of Sport and Deputy Prime Minister of the Russian Republic was put forward to UEFA as a candidate in the elections for a position on the FIFA Council. Mutko achieved notoriety for his alleged

involvement as Minister of Sport in the International Olympic Committee (IOC) doping scandal, allegations which he strenuously denied. His appointment required a *Nulla Osta* from the Governance Committee as regards his 'eligibility' in accordance with the various regnant standards. The Governance Committee decided that questions of proof and due process aside the matter of his involvement or otherwise in the doping scandal was moot since he failed egregiously the test of the Duty of Neutrality in accordance Article 14 of the Code of Ethics (FIFA 2018): "(...) Persons bound by this Code shall ... remain politically neutral, in accordance with the principles and objectives of FIFA(...)".

This reflects the general principle of political neutrality enshrined in FIFA's Statute. FIFA has applied such principle to suspended national football associations on several occasions. Kuwait was suspended in October 2016 because FIFA claimed that new national legislation meant that the country's football association would no longer be able to carry out its activities in full independence. FIFA has claimed such political interference even with respect to decisions issued by courts. The Nigerian Football Federation (NFF) was also suspended in 2014 after a court ordered the minister of sports to appoint a civil servant to run the federation. The NFF was later reinstated, but only after the court order was revoked. There are multiple other cases, many where the threat of suspension was enough. A recent case involved Spain when the National Independent Sports Council order the repetition of the elections for the Spanish FA, following formal charges of corruption and fraud on the incumbent President and suspicions of electoral fraud. FIFA accused the Spanish State of political interference and threaten to exclude the country from the World Cup.

You would think that with such an assertive use by FIFA of the principle of political neutrality to suspend Football Associations, whenever the legislator or courts attempt to regulate them, holding political office, while being a FIFA official, would be an easy case, open and shut: How could a serving deputy Prime Minister and Minister of Sport claim to be politically neutral?

Well, think again. Despite a unanimous decision by the Independent Members of the Governance Committee, the FIFA steamroller went into action. Huge pressure was brought to bear on the Chairman of the Governance Committee starting with the President of FIFA and downwards. Letters were written, emissaries were sent, including surreal meetings. No serious argument of principle was put before the Committee in these attempts to make it change its decision. It was politically unacceptable. It would derail the Moscow Mundial et cetera.

The Committee stood its ground. Its view was that, at the minimum, the position of member of government is structurally in conflict with the duty of neutrality with respect to government institutions since, by definition, a government member cannot be neutral with respect to the government of which he or she is a member. The Committee considered the possibility that he or she might recuse himself or herself from any decision affecting his or her country. However, this possibility would not provide a viable solution since the political interests of a government are not restricted to matters directly involving their

country but also on many matters involving other States. Having a Government Minister that is at the same time a FIFA official can, additionally both directly affect the relations between FIFA and such government and indirectly entangle FIFA in unrelated controversies associated with this or that government. The Committee also considered that other political functions might be incompatible but decided to proceed gradually, starting with the clearest cases, involving cabinet members.

The Committee was well aware of the political sensitivity of such a decision on the verge of the Russian World Cup but it had to make clear that, contrary to the past culture, the application of the rules could not depend on their political opportunity and/or the power of those affected them. But the dissatisfaction of the FIFA hierarchy with the Committee and its Chair was palpable and enduring. We suspected that at some point payday would arrive. But we had a small hope that maybe this could be the defining moment in which the shift in culture would occur. We had conveyed the message we were there to introduce a real rule of law culture and would not vow under pressure. Maybe the message would be heard. It probably was heard, but definitely not accepted.

The irony cannot escape you. Not only were we asked to throw out the principle of political independence of football governance, but in doing so the independence of the Committee from internal pressure was called into question. A few months later, when payback time arrived, it was definitely thrown out of the window too.

Special elections of CAF in May 2017

In May 2017 just before the FIFA Congress the African Football Confederation (CAF) held a special election for one seat on the FIFA Council. There were eventually two candidates: An Egyptian and a Cameroonian. As is the Custom, the Governance Committee sends two Election Supervisors to guarantee the integrity of the elections. In the lead up to the election the Cameroonian candidate approached the Governance Committee election supervisors with serious allegations. He alleged that in the week before the election all CAF voting delegates were invited to three-day 'Victory Party' (celebrating the victory of the newly elected President of CAF) in Cairo held by the Egyptian FA of which the Egyptian candidate for the FIFA Council chaired. This was a five star all expenses paid shindig according to the allegations. Subsequently, the delegates who attended were flown directly from Cairo to Bahrain in a private jet.

Until proven allegations are just that—allegations. But if proven, it would be hard not to conclude that the integrity of the election (which the Egyptian won by a vote of 50/4) would be seriously called into question. After all, presents in kind might be just as nefarious as envelopes stuffed with cash. The electoral supervisors informed, in real time, the Secretary General of FIFA of the allegations. They agreed that the elections should take place pending an investigation of the allegations.

To our knowledge no such investigation was conducted or at least none was reported and if such did take place, no report was made public. The matter was buried. Since four of the independent members of the Governance Committee resigned shortly afterwards, we do not know of any action taken by the Governance Committee. The matter was subsequently reported to the Investigative Chamber of the Ethics Committee but it seems that it was buried there too.

There are two ‘take aways’ from this tale. If true, it is an indication of an institutional culture which would allow the delegates of a confederation to accept such an invitation organised by a Member standing for election by those very participants.

Institutionally speaking, this is a telling story of “crimes of omission”. If as we suspect the matter was never fully investigated—and if it were, why should such be conducted *in camera*—nurturing a culture of secrecy, shutting one’s eyes and making a mockery of procedures put in place, on paper at least, to ensure the integrity of governance in general and elections in particular.

Gender discrimination and the 2019 AFC (Asian Football Confederation) elections—The scene and behind the scene

On January 21, the Court of Arbitration for Sport (CAS) announced its decision in the appeal of Marian Mohamed (CAS 2021). CAS found, *inter alia*, that the procedure adopted in the elections for a position on the Executive Committee of AFC violated the prohibitions on Gender discrimination mandated both by FIFA and AFC Statutes.

The facts are simple enough. Among the reforms adopted in 2016 was a requirement for each member confederation to elect *at least* one woman to the FIFA Council.¹ It clear that this requirement is a minimum, and it is certainly not a maximum number of female representatives. If it were to be a maximum, it would serve not to promote female representation in FIFA, but to limit such representation and discriminate against women. It became apparent to the Governance Committee, however, that certain confederations had adopted, or were intending to adopt, electoral procedures that were discriminatory against women by creating a specific female position to which all female nominees were candidates. This transformed a rule that was aimed at guaranteeing that at least one woman was elected into a rule that limited women to a single position. In order to facilitate and guarantee the requirement that *at least one* female serve on the Executive Committee of the various confederations, while making it possible for more than one woman to serve, the Governance Committee provided guidelines for electoral procedures to ensure just that. AFC failed to implement such guidelines in fact ensuring that only one female candidate would be elected rather than ‘at least’ one.

One could be forgiven for thinking that the villains in this story were only the election officials of the AFC which undermined the progressive policy of FIFA of striving towards gender equality in the governance of football at the

confederation and FIFA levels. That is true. But here, too, there is a behind the scene narrative which clouds that black and white image.

Already in 2016/17 the Governance Committee noted the discrepancy between its guidelines and their implementation by the electoral procedures of the AFC. It actually had to threaten not to recognise the eligibility of any of the officials elected by AFC under such discriminatory electoral procedures, leading AFC to cancel its elections in 2016. After the departure of the majority of the independent members of that Governance Committee, AFC continued, however, with its discriminatory practice against women in the elections. A practice that has now been clearly disavowed and censured by CAS.² What is sad is that a recent article by the New York Times reveals that FIFA and the current Governance Committee not only did not identify anything wrong with the elections, but actually intervene in the case on behalf of AFC (Panja 2021).

The only signs of hope in this case come from the CAS decision (albeit claiming it cannot provide any effective remedy to Ms Mohamed) and the courage of Ms Mohamed, herself. As the facts proved in the case demonstrate she was subject to all kinds of pressures but persevered in standing for what she believed, and knew, was right. This is rare because, in football, anyone that challenges the powers that be becomes a pariah. This is why it was so important for the Governance Committee to preserve its independence and exercise its role forcefully in protecting the integrity of the electoral process. And that's probably, also, why that was not allowed to happen.

Conclusion: A not so happy ending

As we have written somewhere else, our experience at FIFA taught us that the latter is not reformable from within (Pillay, Maduro & Weiler 2017). FIFA works as a political cartel with a high concentration of power at the top. Such power requires checks and balances. This is supposed to be the role of independent committees. But how can their independence survive being dependent on those whom they are supposed to control?

As a judge and former UN High Commissioner of Human Rights, I adhere to principled conduct at all times; and cannot countenance serving in an Institution, whose officials violate the norms and standards of good conduct, that they themselves adopted.

One of the central planks of the 2016 Reform was to be the enhanced role of independent oversight committees within FIFA governance. They failed because the dominant culture at FIFA was stronger than the institutional safeguards put in place by those reforms. You now have some detail behind Navi Pillay's poignant letter of resignation (2017).

In what the Financial Times called the Night of the Long Knives FIFA demonstrated its limited tolerance of true independence and oversight replacing three chairs of the most critical oversight committees (Ahmed 2017). The human condition being what it is, one cannot but rue the chilling effect that this must have on the current committees: The real and present danger of dismissal if independence goes too far.

And as an epilogue, as if to give some credibility to this fear of chilling effect, these and similar incidents were reported in a formal complaint to the Investigative Chamber of the Ethics Committee to be buried without trace.

Notes

1. Article 22(3)(b) of FIFA Statutes (FIFA 2019); Article 70.3 of the FIFA Governance Regulations (FIFA 2016).
2. Full disclosure: both of us participated as expert witnesses, on behalf of Ms Marian Mohamed, in the CAS proceedings.

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Section B: Academic reflections



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Institutional enforced board diversity in sport clubs as trigger of us–them divisions

Michel van Slobbe

Introduction

Over the course of the past two decades, there have been many attempts to bolster diversity in governance bodies, in both the private and the public sector. These attempts have been guided by the general expectation that enhancing diversity will bring about more equity and multivocality, better representation of the people being governed and diverse perspectives which provide better ideas (Callen, Klein & Tinkelman 2003). Accordingly, recent codes of good governance in sport and related indicators seem to assume that diversity in board compositions leads to better governance per se, e.g. National Sports Governance Observer (Geeraert 2018), Basic Indicators for Better Governance in International Sport (Chappelet & Mrkonjic 2013), The Principles of Good Governance for Sport and Recreation (Sport + Recreation Alliance 2017) and Conceptual model for the corporate governance of sport (McNamee & Flemming 2005). These codes of conduct and indicators as institutional products make this claim on the positive outcome of diverse board composition self-evident. Hence, we should ask ourselves the following: Is diversity in board compositions positive *a priori* and which power dynamics occur when diversity is enforced by institutional interventions? This contribution reflects on these two questions and argues that reform strategies aimed at diversity in board compositions should consider a political perspective to avoid paradoxical effects. It argues that well intended policies aimed at diversity can lead to unintended consequences, namely social exclusion and decreasing policy legitimacy.

This chapter describes and reflects on a reform strategy enforced by the municipality of Utrecht, the Netherlands aimed at the transition from an all-white Dutch board towards an ethnically and gender diverse board of an amateur football club. The case of this local football club represents broader issues that deal with the real and alleged meanings of sport for social integration in the Netherlands and elsewhere as well as with good governance reforms and their meanings (Van Slobbe 2019). In recent years, Dutch policymakers have embraced the idea that sport is both device and locale for promoting an inclusive society. This corresponds to wider-held views about sport as ‘the great social leveler’ (Donnelly 1996) and about the masculine white ‘hegemony’ in sport boards (Atkinson 2011).

Expectations are high concerning sport's potential for bridging social differences and removing inequality. In particular, this is reflected in the desire to achieve greater diversity in sport boards as part of good governance reforms.

Ethnic minorities in the Netherlands, including the Moroccan Dutch, have established their own football clubs as far back as the 1960s. However, current public opinion and policy emphasise the need to create so-called ethnically mixed clubs. Ethnically 'separate' or ethnic-specific clubs are considered undesirable, as they allegedly hinder the social integration of ethnic minority groups into wider Dutch society. Comparable discussions about ethnic minority clubs are found in England about British Asian amateur football clubs (Burdsey 2009). At the same time, many individuals from ethnic minority groups opt for membership of what can be described as 'established' Dutch football clubs. These clubs are becoming increasingly ethnically 'mixed'. For the most part, the board of these clubs remains in the hands of white Dutch men. Hence, in their effort to promote inclusive sport, institutional actors like governments (national and local), sport federations, consultants and researchers encourage and enforce board diversity in sport organisations.

Studies of board structures and composition represent a popular area of corporate governance research and there is still relatively little attention paid to the dynamics of how such groups actually work, or to potential solutions when dynamics break down (Durisin & Puzone 2009). Considering this gap, the present contribution examines how board members of a sport club enacted an enforced transition towards a diverse board composition and analyses the power dynamics involved.

Argument

In the endeavour to realise effective boards, accountability to, and engagement with stakeholders, and driving sustainable practices, 'diversity' is incorporated in good governance codes. This institutional process carries the danger of reification, making diversity a naturally, fixed 'thing' and a goal in itself. Sport organisations are increasingly held accountable and will feel compelled to adjust, at least numerically, their board composition. At the same time, we know little about enforced diversity, related power dynamics in the board rooms and the interplay with the organisation as a whole. In this study, power is understood as a dynamic and interdependent social relation, in which individuals and groups to a greater or lesser extent are able to define the social norm and impose their will on others. Dynamics occur when an actor does not abide by his inferior position and seeks improvement. This subsequently endangers the superior position of the other actor or can at least be perceived as such. So, enforcing diversity in the board compositions of sport organisations is not entirely unproblematic and power dynamics will play a role. This raises the question how diversity in real life boardroom situations relates to effectivity, transparency, accountability, engagement and sustainability. To be clear, the present does not question diversity in

itself. Instead, it argues that reformers should be aware of how shifts in the balance of power, as a result of changing board composition, may lead to competition instead of cooperation.

The sport club board as established-outsider figuration

In the Netherlands, ethnic minorities increasingly participate in boards of sport organisations, notably in amateur football clubs run by volunteers. These minorities are often considered as ‘space invaders’, as Puwar (2004) terms it. Sport clubs encounter new contestations from ‘outsiders’ invading the club’s boardroom space and from policies aimed at diversity and inclusive sport. According to Cohen (1985), sport clubs, are symbolically constructed communities of people who share common understandings. Those who belong to the community share the ability to use, interpret and understand the communal symbols. As Cohen argues, people become ‘most sensitive’ to their own shared meanings and symbols when they encounter ‘others’ (1985, p. 70). When people feel that the base of their community is undermined as a result of the interactions with ‘others’, people tend to reinforce the symbolic boundaries of their community (Cheska 1984).

For the analysis of the power dynamics related to the enforced transition towards an ethnically mixed club board, I turned to the concept of ‘established and outsiders’, as presented by Norbert Elias and John Scotson (Elias & Scotson 2008). In Elias’ established-outsider theory, the concepts of ‘mutual dependency’ and ‘balance of power’ play a central role. According to Elias, people are to be understood in their mutual dependency; what he terms, a ‘figuration’ (Elias 1978). Interdependencies are related to power, which Elias sees as relational and reciprocal, with the more powerful group dependent on the less powerful group and vice versa. The key issue in a figuration is that within such a social network, different valuations are assigned to the separate groups. For Elias, the existing balance of power is a result of the search for the order in which both groups are mutually dependent. In their study of the power relationships between ‘established’ and ‘outsiders’ among resident groups, Elias and Scotson found that the longer individuals live in the neighbourhood (what they call ‘oldness of association’) the more this enables the ‘established’ to develop greater cohesion relative to the outsiders. This then enables them to monopolise key positions in local associations (Elias & Scotson 2008; cf. Lake 2011). Consequently, the ‘established’ are able to define the local rules of the game and reproduce a historically grown position of power. In such a ‘figuration’, the established group aims at maintaining its position and the ‘outsiders’ strive to improve their position in the balance of power. According to Elias and Scotson, ‘stigmatising’ and ‘the possession of key positions’ appeared to be the main sources of power in the contest between the two resident groups (Elias & Scotson 2008).

No figuration—whether sport in general or sport club boards in particular—are fixed entities with unmovable boundaries. On the contrary, the symbolic understandings and the identities these produce are always contested. Moreover,

figurations are shaped in the relationships among established members and outsiders and in the relationships between both groups. Following Elias, this contribution conceptualise both sport clubs and their boards as interacting figurations in which members make claims about difference and similarity, and construct divisions between 'us' and 'them'.

The club board as arena

Understanding institutional influence on established-outsiders relationships in sports club boards as a *voluntary setting* requires an analysis, in which attention is paid to both formal processes (goal rationality, roles, policy and plans) and the dominant informal processes (personal relationships, preferences and differences of interest). The arena model offers a suitable framework for analysis for this because it can be described in terms of both, process and system (Verweel 1987). Turner (1974) speaks of controversial acts that are fought out in the arena. He defines the arena as "a bounded spatial unit in which precise, visible antagonists, individual or corporate, contend with one another for prizes and/or honor" (1974, p. 132). Turner sees the arena as an explicit framework where people's choices are visible to everyone, people are outspoken and actions have definitive and direct consequences.

Verweel (1987) further elaborated on Turner's arena model for insight into power dynamics in boards and emphasises the invisible governance processes. He defines the political arena as "the dynamic inclusion and exclusion structure, including regulation, which functions as a focal point for the competitive interaction of practices" (ibid, p. 96). As structuring elements of the arena, Verweel distinguishes the arena as the demarcated space of the battle, the positions of the players and parties, the rules of the game (meeting conventions), the weapons and the power relations between the players (Verweel 1987, p. 96). According to Verweel, these elements structure the dynamics in board interactions of the warring parties. The arena model implies, as Elias and Scotson (2008) also indicates with his concept of 'balance of power', a changeable balance of power, which will start negotiations again.

Regarding the power relation with a diversity-enforcing government, it should be noted that vulnerable sport clubs like the football club studied are dependent on municipal support. These clubs tend to follow the institutional expectations and 'go public' instead of staying private (Meijs 1997). Therefore, the government is regarded as the third actor intervening on the power balance of the established-outsider figuration for the purposes of this study.

The case: The making of an ethnically diverse club board

This chapter emerged from ethnographic research on the enforced transition from an all-white Dutch board towards an ethnically diverse board of an amateur football club. Ethnography, both as an epistemology and as a method, is

appropriate for trying to grasp interpretations and understanding of complex processes and actions that are characteristic of local settings (Blommaert & Jie 2010). Lake argues that the relatively autonomous nature and established hierarchical structure of voluntary sport clubs “provide excellent locations for analyzing power relations between members, and how social status and cohesion are emphasised” (2011, p. 9).

During the fieldwork, I collected data through participant observation of naturally occurring events, informal talks and interviews. My role is best described as ‘participant-as-observer’ (Bryman 2008). That is, during my research I was functioning as a member of the social setting at the football club. For three years, I participated in the club board with an administrative role and was responsible for the membership records and fees, among other things. Members of the football club were informed about my research. The collected data provided insight into the ways through which the board members of the football club interacted and enacted the enforced transition towards an ethnically diverse board.

Before presenting three key incidents in which power dynamics occurred and the balance of power within the board turned, the municipal intervention will be introduced.

The municipal intervention

In 2008, amateur football club *Onder Ons* (Among Ourselves) was experiencing financial distress and became dependent on the municipality. The club (founded in 1948), located in an ethnically diverse neighbourhood in the city of Utrecht, was close to bankruptcy, as a result of chaotically fluctuating membership, unstable income and stable fixed costs. In a ‘club saving’ meeting, a municipal official declared:

Onder Ons is having some troublesome years, for both management and finance and also in organizing the youth section. With the social problems in that specific neighbourhood of the city, with its young dropouts, we see this club as one of the most important clubs. In that part of Utrecht, the need for organised football is enormous... This club is needed there. But at the moment it is organised and managed poorly. Eventually, the club and its management should also represent the population of the neighbourhood.

The meeting resulted in a twofold intervention. The club was given a lifeline, when a substantial part of its debts was paid off by the municipality. Along with this financial assistance, the municipality imposed a condition on the club. The municipality installed two external professionals who, together with two established board members, would form a task force, i.e. a temporary board. The task force assignment involved stabilising the club financially; organising volunteers

and voluntary management, making a policy plan and nominate a new representative board, at least a Chairman, Secretary and Treasurer.

The municipal intervention was far-reaching and the autonomy of the club decreased. The club was hooked up to a 'municipal drip', as it were. By consenting to the municipal condition, the established board members, were forced to embrace the strategy of 'going public', thus capitalising on the public value ascribed to football club *Onder Ons* (Meijs 1997).

Both the municipal official and the task force assignment speak of 'representation' by the new diverse board. This purpose fits within a municipal policy aimed at voluntary sport clubs becoming more open, removing membership restrictions and implying an ethnically mixed board, consisting of both 'established' members and the more recently arrived residents of the neighbourhood, the Moroccan Dutch. The premise here is that better representation of different ethnical backgrounds in the club board (comparable to the social composition of the neighbourhood) contributes to a sport environment in which everyone feels at home.

The municipal authority no longer merely formed part of the 'supralocal space' of the club figuration, but also entered and influenced the club's political arena as a third actor enforcing board diversity (Elias & Scotson 2008). The following three key incidents show how well-intended acts can lead to unintended consequences. As will be seen, the municipal intervention acted as a catalyst for generating a clear us–them division.

Giving a voice to social inequality

At an annual membership meeting, the 'voice' of the Dutch Moroccan mother of a youth member challenged the position of established members. It turned out to be a prelude to a shift in the balance of power in the recently installed task force.

This first key incident shows the contestation of meanings between the 'established' and the 'outsiders' attached to particular practices and artefacts in the club's organisational culture. It relates specifically to the selling of food and drinks in the club's canteen. In the canteen, a prominent place was reserved for the bar with two beer taps and lightened signboards with beer brands. Shortly after the task force had started its work, the external professionals encountered the 'symbolic boundaries' and 'us–them divisions' of everyday club life. The task force organised a members' meeting to present itself, learn about the club's daily challenges and listen to members. For voluntary sport organisations, the annual members' meeting is an important manifestation of its democratic principle.

At the members' meeting, Fatima, a Moroccan Dutch mother of one of the youth players, raised the issue of selling tea in the club's canteen. At the crowded meeting, she stood up and asked the taskforce: "Can't we buy a cup of tea here?". At that time, tea was not served in the canteen. The tea box had been missing for two weeks and left without replacement by the canteen volunteers. Most of the Moroccan Dutch members were Muslim and did not drink alcohol. Instead, they had coffee or soft drinks. They welcomed the idea of serving tea. Frank,

the chairman of the task force, promised to talk to the canteen manager, Ari, to arrange for the sale of tea. Two weeks later, after a task force meeting, Frank went to Ari, an active and appreciated volunteer, who fiercely countered the idea and shouted to Frank: “We will not sell tea or halal food in our canteen. Over my dead body!”

Despite Ari’s objections, shortly after this confrontation, the tea box reappeared in the bar and ‘Moroccan’ tea was served. Furthermore, a Moroccan Dutch canteen volunteer started to sell halal meat. However, these actions were not without resistance. Although several white Dutch members started to appreciate the Moroccan tea, several others questioned the ‘unnecessary’ investment in an extra halal deep fryer and explicitly doubted whether this would benefit the club financially. The municipal official, when informed about the development, acknowledged the resistance to selling Moroccan tea in the canteen. In an interview, he argued that he and his colleagues were worried about the club’s financial situation: “Here [at the club], parents only drink Moroccan tea and that does not generate enough turnover. You just need members who drink beer”.

However, it is arguable whether the profit on tea is lower than on beer, knowing that herbs and water for Moroccan tea are very inexpensive. When this was brought into discussion, the official reinforced the notion that selling and drinking beer is an essential component of football culture—the ‘third half of the match’—and would therefore be an unquestionable source of income for *Onder Ons*. At the club, the issues of alcohol and halal food did not articulate religious differences, but it marked the Moroccan Dutch members as outsiders.

By standing up publicly and asking about the tea, Fatima gave voice to a feeling of social inequality and uneven power relations shared by other Moroccan Dutch members at the club. Through her act, she explicitly claimed a part of the canteen’s space. The beer taps, the painting on the wall, the photos of white Dutch teams and the possession of key positions in the canteen symbolise the ‘oldness of association’ of the white Dutch members. The historically grown position of power gave them the opportunity to decide about the food and drinks in the canteen. In line with Cohen’s (1985) arguments, the white Dutch members became ‘most sensitive’ to their own shared meanings of drinking beer when they encountered Moroccan Dutch who abstained from drinking alcohol and preferred to drink tea. The attendance of many Moroccan Dutch members at the membership meeting and the task force chairman’s promise to arrange the selling of tea symbolised a change at the club; arguably, they represented a shift in power. Both Fatima’s question and Ari’s fierce reaction shows mutual dependency and articulated an us–them division, between the tea drinking ‘outsiders’ and the beer drinking ‘established’ members.

The candidacy of Fatima for a board position

The second key incident concerns the internal resistance by task force members towards the candidacy of Fatima for the new mixed board. In the second half

of the season 2008–9, Fatima presented herself as a candidate for treasurer in the new ‘representative’ board that was to be installed as part of the task force’s mission. She had financial experience as a member of the youth board, worked as a financial assistant for a bank and studied Financial Management. Fatima, then 43 years old, raised and educated in the Netherlands and recently divorced, lived with her only son of nine years old, in an apartment facing the club. However, two established members of the task force resisted her candidacy. At a board meeting they argued that Fatima was unable to commit herself to the club in the long term. They portrayed Fatima as an opportunistic person. Task force member Henk, for instance, argued: “Fatima will certainly leave the club when her son is accepted by another club. Besides, she is not willing to commit herself for three years”.

Fatima’s candidacy stimulated other Moroccan Dutch members and parents to become more involved with the club. More parents entered the canteen, they became members and players in senior teams and they took on voluntary work. The involvement of Moroccan Dutch volunteers also led to the refurbishment of the canteen. Even a few of the old team photos were replaced by photos of the current mixed youth teams. Actions such as these suggest that the ‘culture’ of the club was changing. However, task force member Henk wrote an email in which he expressed his unease about the developments at the club (i.e. the changing power relations). He accused Fatima of being part of a ‘coup’, in which she tried to convince Aziz, another Moroccan Dutch member, to stand as a candidate for the board as well: “(...) a secret talk between Aziz and Fatima (...) looks like a conspiracy to take over the club, from which I would like to distance myself”.

At a subsequent task force meeting, Henk insisted on looking for other candidates for the new board. He threatened to leave the task force if others decided to support the candidacy of Fatima. In order to ensure Fatima was not elected, Henk also stood candidate for treasurer, under the condition that he would not have any formal board responsibilities. In a private conversation between task force members and the intended new chairman, Martin, it was decided that Fatima should be advised not to nominate herself. Task force chairman Frank was tasked with advising her of this, arguing that she was unable to commit herself for three years. A few days later Fatima told one of the members that she had had a meeting with Frank in which he had discouraged her nomination. She was disappointed, but informed the task force that she still intended to pursue her nomination arguing that “there are enough members who support me”.

Henk and other club members argued that they doubted Fatima’s commitment to the club. Although she had been a volunteer for four years, the interactions demonstrate that she was still considered an ‘outsider’. Fatima, who had expressed her willingness to work for the club, encountered a negative attitude, while Henk, unwilling to take full responsibility, did not encounter any resistance. Henk’s petitioning was an attempt to stigmatise Fatima. Like the act of resistance by Ari, described in the first incident, Henk also gave voice to a sense of community ‘loss’. This illustrates how, when the transition unfolded, the established position

of the white male Dutch members and their 'symbolic boundaries' were at stake (Cheska 1984).

In June 2008, notwithstanding the resistance by the 'established' members (using stigmatising efforts as well as their key positions), both Fatima and Aziz were democratically elected by the majority of the members as new board members. Together with one white Dutch established member and an externally experienced white Dutch club manager as the new chairman, they formed the new ethnically mixed board of *Onder Ons*. From outside, the intervention seemed to have been a success. However, along with the board transition, the club's power balance had changed. This was not without consequences, which are discussed in the final key incident.

The exclusion of the last remaining all-white Dutch team

The name of the club works illustratively in this case. 'Onder Ons' (Among Ourselves) refers to Dutch ideas of familiarity, of being together in a friendly, intimate and safe atmosphere. These ideas were expressed on the club's website: "*Onder Ons* is a small, intimate and cozy football club where you can always enter the canteen and coffee is always ready". However, the phrase 'onder ons' also indicates a clique that excludes others. In 2010, two senior teams were playing in the regional football league. *Onder Ons I* started that year with predominantly Moroccan Dutch players and *Onder Ons II* was the only remaining all-white Dutch team. The latter consisted mainly of established players who were children of elder members. In a meeting with the new mixed board, the potential new coach for the 'established' team declared: "I do not want to desert these lads". As a former player, trainer and board member, he was a renowned club member. At the end of the meeting, he reiterated that he was willing to take up the coaching position, but under the condition of receiving improved support from the club's board. Somewhat surprisingly, he then blatantly expressed his disdain for the 'outsiders' and the (not present) new board member Aziz when he emphasised: "And I am not communicating with that Moroccan, only with you guys".

The new chairman, Martin, reacted with surprise: "You mean Aziz?". The coach confirmed non-verbally and the chairman failed to show his disapproval subsequently. When Aziz heard about the tacit agreement with the coach, a major conflict in the new board unfolded. Comments and enactment such as these, though not representative of all the respondents, do demonstrate the inveterate and institutionalised 'us' and 'them' dynamic within the club and its board. During the season, six of the players of the 'established' team lost their jobs in construction work due to the economic crisis. They stopped paying their membership fees and, moreover, grew very agitated: "*Onder Ons* is not the club it used to be". After several quarrels with players and fans of opposing (also white Dutch) teams, the Dutch Football Association fined the club and banned the players involved. Finally, the club board forced the second team to leave the league. Its players and other club members reacted angrily and planned to go to another club.

Though it was a board decision, the opinions in the board differed strongly, and dissensus and ongoing conflict finally led to the breakup of the newly installed mixed board.

When the municipal official was informed about the potential exit of the team and the breakup of the recently installed mixed club board, he was certainly not amused, as he saw the potential for 'white flight' across the club. Indeed, as expected, as white players of *Onder Ons II* left the club, so too did most of the remaining white Dutch members and volunteers. Despite the club's financial betterment, its increasing youth membership, the participation of Moroccan Dutch parents and the representative board members, the municipal official seemed to conclude that the intervention had failed.

The final key incident shows how the balance of power in the football club and in its board had turned. The domination of the established club's culture did not prevent the exclusion of the white Dutch team and white board members. The 'oldness of association', as the predominant source of power of the 'established', no longer connected to the positions in the club's board.

Conclusion

The three key incidents demonstrate how the board of an amateur football club functioned as a political arena after a municipal intervention. In the club board of *Onder Ons* both established members and newcomers strived to maintain and gain key positions to validate themselves and the member groups they represent. The board meetings and members' meeting functioned as the demarcated spaces of the battle between established members and outsiders with changing positions of 'outsiders' Fatima, Aziz and volunteers. The rules of the game (majority votes), 'stigmatising' and 'key positions' were used as weapons during the transition (Verweel 1987). We return to the two questions raised at the beginning of this chapter: Is diversity in board compositions positive *a priori* and which social dynamics occur when diversity is enforced by institutional interventions? The following can be concluded.

Based on the findings, I argue that the enforced transition towards an ethnically diverse board led to a shift in the balance of power in the club board and in the club as a whole. 'Parachuted' by the municipality and by means of the task force and its assignment, the external professionals changed the interdependencies and provided the outsiders with formal positions that gave them the opportunity to break through the existing dominant informal order. The relations within the task force became increasingly strained leading to an increase in mutual stigmatisation. The positions of the outsiders in the board improved and the positions of the established members grew feeble. The balance of power tipped and ultimately, no ethnically mixed board emerged with all key positions ending up in the hands of the former outsiders. As a result, the formerly established board members no longer felt at home and left the club amid conflict and a feeling of dissatisfaction.

According to Elias, the core problem in a social figuration is an unequal balance of power and the tensions embedded therein (Elias & Scotson 2008). Changes in interdependent relationships of individuals lead to power shifts and imbalance. The balance may shift from one end to the other from a seemingly stable equilibrium and the more equitable the positions of groups in the balance of power, the greater the tensions will be. The case *Onder Ons* shows how an institutional intervention aimed at board diversity acts on this local balance of power and leads to unintended power dynamics and exclusion. The municipal intervention triggered us–them divisions that impede the process of establishing an effective, creative, transparent and sustainable club board. When an ethnically diverse board was eventually installed, the us–them divisions continued to exist.

I conclude that apparent equity in terms of shared participation in the club board does not necessarily lead to bridging ethnic differences. Instead, us–them divisions may lead to mutual stigmatisation and finally, exclusion of members. Despite this, diversity in board compositions ideally brings about more social equity, better representation, more creativity and effectiveness as assumed in good governance codes.

In conclusion, the municipal intervention at football club *Onder Ons* did contribute to the survival of an amateur football club in the neighbourhood, but unintentionally did not improve board diversity. This highlights a policy paradox, which results from the lack of insight into the power dynamics between members in an established-outsider figuration. In addition, the government ambition to achieve more board diversity, in fact, led to an increase in tensions, because “the need and the ambition to achieve self-esteem is expressed in a universal tendency to increase the value of the individual group, at the expense of that of other groups” (Elias & Scotson 2008). From a power perspective, ‘social equilibrium’ has another meaning than is often assumed in the diversity paradigm. Ethnic equity cannot simply be achieved by changes in the formal positions at the board level, as this would neglect the informal day-to-day processes in sport organisations and power dynamics that are related to individual position improvement as well as to position preservation. The numerical representation of ethnic minority groups in sport boards does not necessarily mean the acceptance and integration of outsiders, especially when board positions are concerned. Outside interventions which aim at establishing diversity and equity between groups may result in a situation in which the players change, but the game remains the same.

Reform strategies aiming at inclusive sport and diversity in board compositions need a political (established-outsiders) perspective to avoid paradoxical effects, such as social exclusion and related decreasing policy legitimacy. Governments, sport federations, consultants, researchers and other institutional actors should consider the impact of their interventions on the dynamic balances of power in organisational boards. Contemporary board members of sport organisations should consider the impact of enforced diversity in their boardroom. They should be aware of their interdependent relationships, the respective superior and inferior

positions of the established and the newcomers. Ultimately, they should avoid either becoming outsiders.

Intervening in the social composition of sport governance can have the unintended effect of triggering us–them divisions and deteriorating social relations. In such boardroom circumstances, equity and multivocality are difficult to realise. Further research is needed to understand the power dynamics in different board compositions and contexts, the extent to which voluntary, nonprofit differs from a profit-based organisational context and ways in which social divisions (education, ethnicity, gender, age, income) work differently in board dynamics.

The case presented in this chapter shows a municipal reform strategy which enforced board diversity externally. It would be conducive to this discussion to learn how the power dynamics develop in a diverse board that is constituted according to the needs of diverse club member groups. Would it be possible for a diverse board to create any kind of ‘Onder Ons’? What are the enabling and constraining factors? And what can policy makers and intervening actors learn from it? Research that seeks answers to these and related questions would make a valuable contribution to finding ways how to better achieve the intended outcomes while avoiding negative ones.

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Indicators of good governance in sport organisations

Handle with care

Arnout Geeraert

Introduction

Having authored the Sports Governance Observer 2015 and 2018 (Geeraert 2015, 2018a), the National Sports Governance Observer (NSGO) (Geeraert 2018b) and the National Anti-Doping Governance Observer (Geeraert 2021), I am happy to see that these sets of indicators are increasingly applied across different fields to benchmark good governance in international sport federations, national sport federations, and national anti-doping organisations, respectively. Yet, I can state with certainty that they are all flawed: none of them provide a completely valid and reliable quantification of good governance. I do not think, however, that this is problematical per se. No measurement of governance is or will ever be perfectly reliable and valid. I do feel that these (inherent) limits are not always well-understood, particularly in the field of sport, where indicators that aim to assist and inspire good governance have been mushrooming in recent years without much critical reflection. As a result, indicators of good governance in sport organisations, including those I developed, risk inducing seriously misguided good governance policies.

The purpose of this chapter is therefore to question and challenge the development and use of indicators of good governance in sport organisations. Adding to the aforementioned instruments, a few other influential initiatives should be mentioned. Chappelet and Mrkonjic (2013) developed the 'Basic Principles of Governance in International Sport' (BIBGIS), the first academic attempt to formulate a comprehensive set of indicators for assessing good governance in international sport federations. The Olympic and sport movement promotes three particular sets of indicators. In 2008, the International Olympic Committee (IOC) introduced the 'Basic Universal Principles of Good Governance of the Olympic and Sports Movement' (PGG) (IOC 2008). In 2016, the Support the Implementation of Good Governance in Sport (SIGGS) project funded by the European Union (EU) Erasmus + programme and managed by the European Olympic Committees European Union Office introduced a set of indicators that built on a previous EU funded project (Zintz & Gérard 2019). They were developed to assist national Olympic committees and national sport federations

with the implementation of good governance through self-evaluation. Finally, the Key Governance Principles and Basic Indicators (KGP) were introduced by the Association of Summer Olympic International Federations in the same year (ASOIF 2016). The KGP are part of a voluntary monitoring system implemented and managed by ASOIF to achieve better governance in Olympic international sport federations (Geeraert 2019). In an increasing number of countries, including Belgium (Flanders), the Netherlands, the United Kingdom, and Australia, codes and derived indicators are applied by public or sport authorities to induce sport federations' compliance with standards of good governance.

The popularity of indicators of good governance in sport organisations can be explained by their potential for knowledge building. They inform policy formulation and decision-making and facilitate advocacy by civil society organisations. They do so by providing readily understandable information about performance and institutional quality and by alerting policymakers to specific trends and significant shortcomings (Coppedge et al. 2011; Espeland & Sauder 2007; Marlier & Atkinson 2010; Saisana & Tarantola 2002; Saltelli 2007). This is especially useful considering the uncertainty about the status quo of quality of governance in different types of sport organisations. From an academic point of view, moreover, gathering comparative governance data constitutes a necessary step towards testing theories about both factors that contribute to good governance and the impact of implementing good governance (Coppedge et al. 2011; Gisselquist 2012).

Despite these advantages, the increasing use of governance indicators in sport also entails substantial risks. While governance indicators are often perceived as certain and objective, in reality they are not. As Sarfaty (2015, p. 123) aptly observes, "behind a veil of scientific truth and neutrality, they mask potential problems". These problems can be quite severe. Indicators produce powerful knowledge effects—they increase awareness and induce acceptance of specific standards and practices, as well as governance effects—they influence decision-making and power dynamics (Merry 2016, pp. 4–5). Yet governance indicators tend to lack adequate methodological transparency, which leads to "questionable knowledge and governance effects" (Nelken 2015, p. 332). Most importantly, however, indicators that are poorly constructed, misinterpreted, manipulated or misused can produce flawed knowledge and misguided decisions (Malito, Umbach & Bhuta 2018; Nardo et al. 2005; Saisana & Tarantola 2002). In other words, indicators of good governance might just as well induce bad governance.

What exactly are the risks inherent to the use of governance indicators in sport and how, if at all, can they be dealt with? In answering these questions, this chapter aims to provide a better understanding of the pitfalls and methodological contingencies of constructing indicators and the implications for researchers and practitioners. It proceeds as follows. The subsequent section employs the concepts of validity and reliability to discuss the methodological dilemmas and tensions inherent to the construction of governance indicators and how they apply to indicators of good governance in the context of sport. Next, the chapter employs these insights to analyse the strengths and weaknesses of the NSGO indicators.

This brief case study reveals important areas for further research that can aid the development of governance indicators in sport but also alerts practitioners to the inherent limitations of quantifying (good) governance in sport. The final section concludes these insights and explores the way forward.

The construction and use of indicators of good governance: A critical discussion

When engaging in a critical discussion of indicators of good governance, it is important to clear the conceptual cloud about indicators, composite indicators, indices, and benchmarking. An indicator can be defined as ‘a named collection of rank-ordered data that purports to represent the past or projected performance of different units’ (Davis, Kingsbury & Merry 2012, p. 5). Some common examples include a country’s employment rate, a company’s net sales, and an organisation’s level of compliance with environmental standards. When quantified, each indicator is represented by a value. The values of these individual indicators can subsequently be aggregated and weighted into a ‘composite indicator’, which is ‘a mathematical combination of individual indicators that represent different dimensions of a concept whose description is the objective of the analysis’ (De Lombaerde et al. 2011, p. 333). Composite indicators thus summarise complex and multi-dimensional realities by combining subindicators into a single number or index. An index, in turn, aids comparison of performance (‘benchmarking’) across units in one or more measured dimensions of governance (Nardo et al. 2005; Saisana & Tarantola 2002; Saisana, Tarantola & Saltelli 2005). Recent years have seen a proliferation of indicators and indices that measure the governance quality of both countries and different types of organisations. But their construction and use have not been uncontested.

Scholarly criticism of governance indicators can generally be grouped into two categories. A first group of scholars rejects the positivist ontological and epistemological assumptions of an objective and measurable social reality upon which the construction and use of indicators ultimately rests. Rather than focusing on the development of indicators, this group scrutinises the inherently political processes through which indicators are developed and used (Aistleithner & Hamedinger 2003; see also the chapter by Claringbould et al. in this volume). A second group of scholars acknowledges the inherent limitations of measuring abstract dimensions of (good) governance, but nonetheless holds that assessing governance dimensions by measuring “imperfect proxies” is “both feasible and informative” (Kaufmann & Kraay 2008, p. 8). This group therefore focuses on developing methodologies that turn governance indicators into more accurate proxies for the abstract concepts they seek to measure (Gómez-Limón & Sanchez-Fernandez 2010; Marlier & Atkinson 2010; Nardo et al. 2005). To be clear, this chapter follows the reasoning of the second group only. While the reasoning of the first group has merit in that governance and its abstract dimensions are indeed generally unmeasurable, measuring proxies can still be meaningful, as

long as governance indicators' limitations are kept in mind. The remainder of this chapter therefore focuses on the methodological dilemmas and tensions that follow from the unavoidable subjectivity inherent to the construction of governance indicators. While it does not dwell on the political processes that underly the development of governance indicators, this issue is briefly addressed in the concluding discussion.

An increasingly large body of scholarly work scrutinises the construction of particular governance indices and explores the implications of particular methodological choices (Arndt & Oman 2006; Malito, Umbach & Bhuta 2018; Thomas 2010). Concerns about the technical dimensions of governance indicators and indices in this literature centre mostly on issues relating to validity and reliability. Though a comprehensive review of the existing tools is beyond the scope of this chapter, the following demonstrates how more general methodological concerns about governance indicators are also prevalent with regard to indicators of good governance in sport.

Validity

The first key criticism of governance indicators is their questionable validity. The central concern is construct validity, which focuses on whether indicators and indices measure what they intend to measure (Thomas 2010). Governance is a complex concept for which an agreed definition is lacking. This conceptual ambiguity has resulted in various operationalisations which, taken together, incorporate a diverse mix of macro, meso, micro, cultural, structural, input, process, or output factors. Consequently, different governance indices rely on varying criteria to assess the governance quality of countries and different types of organisations (Gisselquist 2012; Van den Berghe & Levrau 2003).

This diversity is not problematic *per se*. What is problematic, is that the construction of governance indices rarely rests on a basis of clearly specified concepts that are derived from a sound theoretical framework (Gisselquist 2012; Malito, Umbach & Bhuta 2018; Thomas 2010). This leads to overlaps and contradictions between dimensions and/or indicators, ends-means confusion (i.e. when input and process variables are inappropriately mixed with output or outcome variables), and ideological biases in governance indices (Malito, Umbach & Bhuta 2018; Nelken 2015). Most importantly, it implies that the producers of these indices have no basis for arguing that implementing the principles they put forward would impact some related variable in any way (Gisselquist 2014; Thomas 2010). When it is unclear *what* they intend to measure and how this correlates with other related variables, indicators do not constitute meaningful measurements of abstract dimensions of good governance (Thomas 2010).

The recently introduced sets of good governance indicators in sport appear to suffer from similar ills. Chapelet and Mrkonjic (2019) observe significant differences between these sets in terms of conceptual scope and operationalisation. They lament that most authors “do not explain why they chose certain principles

and not others, where these principles came from, and why they are set out in the way they are” (Chappelet & Mrkonjic 2019, p. 11). It thus remains unclear what aspects of governance these indicators seek to measure. Even when governance dimensions are defined, the theoretical framework that underpins these definitions is often implicit at best. Zintz and Gérard (2019, p. 56), for instance, simply note that the SIGGS governance dimensions and indicators were selected “after carefully analysing the literature”. In other words, while public discourse is characterised by the axiomatic use of good governance as a cure for the multiple failures of governance in sport, the expected impact of implementing different sets of principles remains ambiguous. This has two particular implications. First, it breeds confusion about the meaning of index scores. Pielke et al. (2020), for instance, question whether the Sports Governance Observer 2015 indicators accurately measure governance. The reason is their different, namely *output-oriented* understanding of (good) governance. Meanwhile, the Sports Governance Observer 2015 is an instrument designed to assess good governance in international sport federations based on an *institutional conceptualisation* of (good) governance (see also the case study below). Second, when the supposed effect of implementing particular principles is unclear, the appropriateness of these principles and the indicators that measure their implementation is questionable. Principles that are regarded as legitimate by some might actually have negative effects on the governance (outcomes) of sport organisations.

Reliability

The second major critique of existing governance indicators pertains to their reliability, that is, the extent to which they produce consistent results when applied by different people and across different case settings (Sarfaty 2015). Two particular reliability issues that preclude meaningful comparison emerge from the literature on governance indicators. The first issue pertains to the questionable reliability of the data that is systematically used to calculate indices that evaluate country governance. These data are typically either drawn from national databases or based on perceptions. The quality of the databases varies, and perceptions are typically influenced by external factors or changes and variations among evaluators (Malito, Umbach & Bhuta 2018). By contrast, corporate governance indicators often assess governance quality by triangulating publicly available data on firms with information gathered through interviews with executives (Van den Berghe & Levrau 2003). This produces more reliable data. Corporate governance indices that rely on companies’ self-reporting, however, suffer from self-overestimation and concealment (Sarfaty 2015). The second issue that negatively impacts the reliability of governance indicators, in both the public and private sector, is that they often do not rely on well-defined assessment criteria (Booyesen 2002; Sarfaty 2015). It goes without saying that indicators cannot be expected to produce consistent data, when there are no uniform measurement guidelines in place that can ensure their reliability (Sarfaty 2015, p. 111).

Similar reliability problems also appear prevalent with regard to governance indicators in sport. These indicators are assessed on the basis of data gathered via either self-evaluation, coding/analysis of publicly available information, or interviews or a combination of these (Chappelet & Mrkonjic 2019; Geeraert 2015, 2018b; Zintz & Gérard 2019). Self-evaluation is a very useful tool for stimulating reflection and learning. Yet it arguably produces the least reliable governance data of these three types (Geeraert 2019). When discussing the self-evaluation process that underpins the assessment of the SIGGS indicators, Zintz and Gérard (2019, p. 58) indeed acknowledge that “some organisations may have overestimated their level of good governance”. In addition, governance indicators in sport rarely specify precise criteria for measurement (Chappelet & Mrkonjic 2019). This poses problems when quantifying or categorising data. For example, ASOIF recognises that, when assessing the governance of the summer Olympic international federations on the basis of the KGP, the scoring criteria “lacked clarity in places” (ASOIF 2017, p. 7) such that “in many cases there was room for debate” (ibid, p. 8).

Functionality and transparency

While there is growing awareness of governance assessments’ validity and reliability problems, there is no commonly accepted method for attenuating these drawbacks (Cherchye et al. 2006; Gómez-Limón & Sanchez-Fernandez 2010; Marlier & Atkinson 2010; Nardo et al. 2005). A consensus has nonetheless emerged on a number of key methodological steps for constructing governance indicators, including (1) constructing a theoretical and conceptual framework; (2) selecting variables and constructing indicators; (2) devising a data-gathering strategy; (3) weighting and aggregating indicator scores; (4) robustness testing; and (5) devising a presentation strategy (Kaufmann, Kraay & Matruzzi 2011; Nardo et al. 2005). Yet, even the most ardent proponents of governance indicators stress that no measurement of good governance achieves perfect reliability and validity and that the construction of indicators inevitably involves a certain degree of inherent (methodological) subjectivity (Cherchye et al. 2006).

The literature therefore underscores the importance of functionality and transparency as guiding principles for dealing with subjective, methodological decisions. Functionality is, in essence, the practicality and usability of an indicator (De Peuter et al. 2007). In other words, when confronted with inescapable subjectivity, the researcher should aim to make indicators fit for the intended purpose (Cherchye et al. 2006; Nardo et al. 2005). Consequently, trade-offs have to be made between validity and reliability on one hand, and functionality on the other hand. For instance, while increasing the number of indicators might positively affect validity, measurement might become disproportionately costlier and even practically unfeasible. Validity will also suffer when indicators are formulated in broad terms, but this may be necessary in order to make them applicable to a diverse population of organisations (Astleithner & Hamedinger 2003). With regard to reliability, well-defined assessment criteria are necessary to

achieve consistent results. When indicators of good governance are formulated in an overly strict fashion, however, their application risks becoming too formalistic (Wymeersch 2006). Some flexibility is warranted, as (sport) organisations should have a degree of leeway to implement principles of good governance in accordance with their organisational culture and environmental context. Furthermore, consistent results may be essential for meaningful comparison, but arguably less important when indicators serve an educational purpose. For instance, broadly formulated indicators can be a very useful tool for stimulating debate within the context of an informal self-assessment. Indicators that are formulated in an overly strict fashion could be less fit for this purpose.

While there may be valid practical reasons for sacrificing some degree of reliability and validity, transparent reporting about the choices made in each of the key methodological steps is essential. It informs scholars as well as practitioners about the implications of (subjective) choices for the validity and reliability of the instrument (Gómez-Limón & Sanchez-Fernandez 2010, p. 1063; Marlier & Atkinson 2010, p. 289; Nardo et al. 2005, p. 22). In the absence of transparency about data and methodology, it is indeed impossible to assess what index scores actually mean. Given the governance effects of index scores, this lack of understanding is highly problematical.

Case study: The National Sports Governance Observer

To provide a better understanding of the pitfalls and methodological contingencies of constructing governance indicators in sport, this section critically explores the methodological choices that underpin the construction of the NSGO indicators (Geeraert 2018c). This comprehensive set of 274 indicators of good governance was the product of a recent project supported by the European Union Erasmus+ programme and managed by Danish NGO Play the Game. It measured and compared good governance in sport federations across nine European countries (Geeraert 2018c). Aiming to achieve methodological transparency, the section reports on the choices and trade-offs made in three key methodological steps. These are (1) constructing a theoretical and conceptual framework; (2) selecting variables and constructing indicators; and (3) weighting and aggregating indicator scores. The section ends with a critical reflection on the NSGO indicators, specifically in terms of validity, reliability, and functionality.

Theoretical and conceptual framework

The construction of the NSGO indicators followed the three-step approach for measuring abstract constructs as outlined by Thomas (2010). The first step requires defining governance, good governance, and its sub-components (Nardo et al. 2005). Because the NSGO was developed within the framework of a project that sought to improve sport organisations' internal structures, governance is defined from a narrow, institutional perspective (Treib, Bähr & Falkner 2007).

Institutions are understood here as sets of interconnected rules and practices that prescribe behaviour (Keohane 1988). In other words, governance is conceptualised as “a system of rules that shape the actions of social actors” (Treib, Bähr & Falkner 2007, p. 4).

Measuring governance, then, implies setting some normative benchmark against which the institutional design of organisations can be evaluated. In other words, it necessitates a clear conception of what constitutes ‘good’ governance in terms of appropriate rules and practices. The NSGO defines good governance as the embedding of transparency, democracy, internal accountability and control, and societal responsibility in the system of rules and practices that governs sport federations. Following Gisselquist, these four dimensions were chosen because they are recognisable to both academic and lay audiences, they are interrelated yet conceptually distinct, and they have theoretical utility since they build upon rich literatures (Gisselquist 2014, p. 517–18).

The second step outlined by Thomas (2010) involves formulating operational definitions, which allows translating the four abstract dimensions in observable institutional components (Gisselquist 2014, p. 519; Thomas, 2010). These definitions are elaborated in greater detail in Chapter 2 in this volume. Transparency refers to institutional arrangements that make information available about an actor “allowing other actors to monitor the workings or performance of this actor” (Meijer 2014, p. 511). Democracy here entails a system of rules that establishes competition (electoral competition between political alternatives), participation (affected actors’ influence over collective decisions) and deliberation (fair and open debates aimed at mutual understanding) (Coppedge et al. 2011). For the third dimension, a narrow and internal perspective on accountability is adopted which entails a clear separation of executive, judicial, and supervisory powers on one hand, and an internal system that enables independent entities to monitor decision makers’ compliance on the other hand. Fourth and drawing on the Corporate Social Responsibility (CSR) definition by Van Aaken et al. (2013), societal responsibility is defined as the institutionalisation of pro-social behaviour. The notion of pro-social behaviour is employed here to capture those activities where sport federations employ their private authority to address societal issues related to sport.

Thomas’ (2010) third and final step involves making causal predictions about the implementation of the four components of good governance. Following a set of rational assumptions that are elaborated in detail in Chapter 2 in this volume, it can be hypothesised that the joint implementation of the four components of good governance contributes to effective and impartial decision-making that is free from abuses of entrusted power for personal gain, to stakeholder trust, and to effective deployment of private authority to address societal issues.

Selecting variables and constructing indicators

Operationalising the four abstract dimensions of good governance requires replacing them with “intermediate objectives whose achievement can be observed and

measured” (Nardo et al. 2005, p. 5). Following a deductive approach, the NSGO indicators were constructed on the basis of the institutional rules and practices that best fit or express the four dimensions of good governance (Nelken 2015, p. 318). A review of more than 40 sets of good governance principles and recommendations issued by national governments, international organisations, and sport organisations as well as by the non-profit, corporate and cultural sectors was carried out. This led to the selection of 46 general practices, rules and procedures that fit the definitions of the four dimensions of good governance.

In order to make these 46 broad principles measurable, (sub-)indicators were constructed. For the sake of reliability, dichotomous variables were constructed, which have only two categories or levels (i.e. yes or no). These variables were quantified by giving the ‘yes’ category a value of 1 and the ‘no’ category a value of 0. This process resulted in 274 dichotomous indicators of good governance that evaluate the implementation of 46 broad principles of good governance, dispersed over the four dimensions. To further enhance reliability of the indicators, meta-data sheets were developed which explicitly detail the scoring criteria and possible data sources.

A three-fold strategy was followed in order to enhance the validity of the indicators. First, in line with the relevant literature, expert advice and feedback was sought and incorporated (De Peuter et al. 2007; Nardo et al. 2005). Both the selection of the 46 principles and the 274 indicators were informed by focus group discussions with Flemish sport federations and discussions with the academics and sport federation representatives that were part of the NSGO project. Second, the 274 indicators are both rules-based and outcome-based (Kaufmann & Kraay 2008). Though rules-based indicators are more straightforward to quantify, outcome indicators are able to capture bureaucratic practices that are not formalised but still relatively stable (Keohane 1988). Finally, a pilot study involving a mixed sample of small and large federations in nine European countries and Brazil ensured that the indicators apply to a broad range of different circumstances in a clear and unambiguous manner.

Weighting and aggregating indicator scores

In order to present the data in a meaningful, i.e. comparative way, the individual indicator values must be aggregated into one or more ‘composite indicators’. In the case of the NSGO, an ‘NSGO index’ score is calculated as follows. First, a score is calculated for each of the 46 principles on the basis of the average score of the underlying indicators. Second, each dimension (i.e. transparency, democratic processes, internal accountability and control, and societal responsibility) is assigned a score on the basis of the average scores of the principles that underlie the dimension. Finally, an NSGO index score is calculated on the basis of the average score of the four dimensions. Thus, like most composite indicators, the NSGO index, dimension scores, and principles score rely on equal weighting. This choice was informed by two considerations. First, the NSGO

index scores must be understandable for practitioners and equal weighting is the simplest weighting option. Second, weighting is especially subjective where academic research is still in its infancy (Nardo et al. 2005, p. 31). Equal weighting, while inherently subjective in its own right, is in this context arguably the least subjective solution.

While aggregation may aid comparison across federations, it is also important to ensure an objective comparison. Given that sport federations vary in terms of their administrative capacity and the governance-related risks they are subject to, the same governance standard cannot apply to all federations (Nardo et al. 2005). Three categories of sport federations were discerned on the basis of the samples selected by the research partners: small federations with fewer than ten full-time equivalent (FTE) employees, mid-sized federations (equal to or more than ten, but fewer than 30 FTE employees), and large federations (30 or more FTE employees). Accordingly, the indicators were divided into three categories, namely 'basic', 'intermediate', and 'advanced'. When indicators are not applicable, they are simply not considered in the calculation of scores.

Discussion: The limits of the National Sports Governance Observer

The key value of the NSGO is its ability to make a holistic and readily understandable diagnosis of potential institutional weaknesses and shortcomings of sport federations in four dimensions of good governance. A (modified) traffic light scoring system allows for an easily accessible yet nuanced interpretation of strengths and weaknesses. In addition, the Observer allows for collecting relatively reliable data that can be used for comparative research or for theory-testing purposes.

The instrument should be regarded as a barometer rather than a dogmatic tool that provides the ultimate assessment of good governance. Even though the indicators were constructed while paying specific attention to validity and reliability, the subjective choices that had to be made in the three steps outlined above are highly consequential. A brief, non-exhaustive overview of six particular limits to the instrument should suffice to inspire caution.

First, the instrument has a rational-structural bias. This is due to the underlying theoretical-conceptual framework's focus on material-institutional elements of governance. The NSGO index consequently provides an appreciation of the institutional qualities of sport federations in terms of four dimensions of good governance. This is the result of a trade-off with functionality: broadening the conceptual scope would multiply the already high number of indicators. However, this means that the NSGO index does not consider cultural-ideational (see also the chapters by Girginov and van Eekeren in this volume), personal (see also the chapter by Heres in this volume), or systemic (see also the chapter by van Bottenburg in this volume) factors. Even though the theoretical framework underpinning the indicators predicts a positive correlation between a high NSGO

index and organisational outcomes such as impact, effectiveness, or ethical conduct, the instrument does not provide a direct measurement of such outcomes.

Second, there is subjectivity involved in the selection of the four governance dimensions and the underlying principles and indicators. There is no point in denying that the selection of these dimensions is (implicitly) guided by normative considerations of “what ought to be” (Shapiro 2003, p. 2). These considerations are to some extent culturally inspired (see also the chapter by Girginov in this volume), as the four dimensions are in themselves considered “public values” in liberal democracies (see also the chapter by van Eekeren in this volume). Transparency, democracy, accountability, and societal responsibility may, however, have a different meaning in non-Western cultures.

Third, like most governance indices, the NSGO index relies on untested theoretical assumptions about institutional features (Fazekas, Tóth & King 2013). Because a theoretical framework accounts for the dynamics of implementing the four dimensions of good governance, achieving a high NSGO index is not meaningless. However, while these assumptions are always ‘true’ in the abstract world of theory, rigorous empirical testing is required to assess to what extent they hold in real-world circumstances and different (cultural) environments. The reality is, however, that the sport governance literature has thus far failed to address the impact of the implementation of principles of good governance on organisational outcomes (Parent & Hoye 2018).

Fourth, the choice for a total number of 274 indicators constitutes an imperfect compromise between practicality and validity. On one hand, the relatively high number of indicators arguably hurts the practicality and usability of the instrument. On the other hand, a case could equally be made for including more indicators in order to enhance the validity of the measurement. For instance, a sport federation that achieves a high score on the democracy dimension does not necessarily implement all relevant democratic processes (e.g. Coppedge et al. 2011).

Fifth, because there is no objective method for assigning weights, the weight of individual indicators and dimensions in the NSGO index is subject to endless dispute. In addition, the distinction between small, medium, and large sport federations in the construction of the NSGO index is equally subjective. This distinction, based on the number of FTE staff employed, is informed by expert opinion. As Parent and colleagues argue in their contribution to this book (see also the chapter by Parent et al. in this volume), this still constitutes a somewhat arbitrary benchmark since it is not based on empirical observation. It has, however, important implications, since ‘small’ federations are held to a lower standard with 66 of the 274 indicators deemed not applicable.

Sixth, because a degree of methodological subjectivity is inescapable, social processes likely play a significant role in the selection of indicators, dimensions, and weighting methods. There is no denying that this author’s own preconceived ideas about good governance, the project involvement of Play the Game as an advocacy organisation, the power relations between the project participants, and the participants’ attitudes and identities all have, to some extent, influenced the

construction of the instrument. Since these processes are largely unconscious, transparent reporting about them is nearly impossible, meaning that their impact remains indiscernible.

Conclusion

The recent proliferation of indicators of good governance in sport helps to fill important knowledge gaps, inform decision-making, and facilitate advocacy. At the same time, however, indicators that are poorly constructed, misinterpreted, manipulated or misused may induce bad governance. The brief case study of the NSGO indicators moreover demonstrates that even when particular attention is paid to validity and reliability, necessary trade-offs with functionality and inescapable subjectivity renders governance indicators inherently flawed.

For these reasons, it is indeed quite easy to criticise any set of governance indicators. Because abstract governance dimensions are unmeasurable and a fully objective and reliable measurement via proxies is impossible, one may even question the very existence of governance indicators. In my opinion, measuring governance can be meaningful and useful, but no measurement should be treated as final step. At the very least, scholars and practitioners should be attentive to several issues in order to mitigate the potential risks of using governance indicators.

Scholars have a special responsibility to ensure that risks are minimised and known. They should engage in the continuous improvement of existing indicators of good governance in sport, paying particular attention to know strategies for maximising validity and reliability. Two key areas for improvement regarding validity are constructing governance indicators on the basis of a sound theoretical framework and assessing the (unintended) impact of the implementation of governance principles across sport organisations in different (cultural) settings. There is room for diversity, as different indicator sets may have different functional goals, including education, advocacy, and inducing compliance. Different governance indices may therefore also quantify complementary aspects and dimensions of good governance in sport organisations. With regard to reliability, scholars should pay attention to developing clear and uniform measurement guidelines. In any case, they should report openly about contingent methodological choices and critically assess their implications. Yet, even the most transparent methodological reporting would fail to reveal the impact of the social and political processes that influence the construction and use of governance indicators. There is therefore a need for more critical academic research into these processes. For instance, on one hand, indicators are often used as a legitimisation strategy that privileges the status quo. On the other hand, they can be important tools for advocacy organisations that seek to delegitimise the status quo. Indicators can be manipulated to best serve either one of these aims.

Practitioners should handle governance indicators with care. They can be an important part, but they should not be the only component of any governance reform strategy. Governance indicators are particularly useful as first avenue to analysis of governance, as a way to suss out the situation. Subsequently, a more

in-depth investigation and discussion is required to establish the nature and severity of any established deficits. In any case, indicators should not provide a single rigid template for governance reforms. On one hand, the formalistic nature of indicators may induce box-ticking behaviours on the side of sport organisations rather than substantial reforms. On the other hand, these organisations should have a degree of leeway to implement principles of good governance in accordance with their organisational culture and environmental context. Awareness of the inherent shortcoming of governance indicators should also inspire a critical attitude towards the interpretation of governance indices. Practitioners should enquire about which aspects of governance are quantified by specific indicator sets. They should also inform themselves about the shortcomings of specific benchmarking instruments and demand transparency about contingent methodological choices and their implications.

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Sport integrity systems

A recommended system for promoting and safeguarding sport integrity

Lisa A. Kihl

Introduction

Globally, National Sport Governing Bodies (NSGBs), for example in Australia, Czech Republic, United Kingdom and United States of America, struggle to prevent and address integrity issues is not a new phenomenon (Kihl 2019). For example, during the past five years the Australian National Rugby League has experienced numerous on and off-the-field integrity issues including positive doping cases, salary cap breaches, player disorderly conduct, domestic assault, and sexual misconduct by different actors in several of their clubs, e.g. Cronulla Sharks, Canterbury Bankstown Bulldogs, Melbourne Storm, Parramatta Eels (Kinsella 2019). For over 20 years, Larry Nassar was enabled to sexually abuse more than 300 female athletes. Poor governance, ineffective oversight, and cover-ups by the United States Olympic and Paralympic Committee, USA gymnastics, and Michigan State University all contributed to Nassar's abuse. Whilst in 2019, UK athletics was labelled "the most dysfunctional Olympic sport in Britain" following a series of issues related to questionable leadership and relationships, doping, and substandard safeguard procedures (Ingle 2019, p. 6). The range of integrity violations illustrate the global need for NSGBs to rethink how they promote integrity and minimise integrity risks and violations by way of good governance and independent policy reforms.

The broad nature of sport integrity requires a multi-lens systems approach to promoting integrity and limiting risks and violations. Integrity risks are "conditions and behaviours within an organisation that increase its vulnerability to the occurrence of integrity violations" (Molina 2018, p. 873).

Integrity violations include both unethical legal behaviours and activities (e.g. abuse of power, code of conduct breaches conflict of interest, gamesmanship, poor governance practices, sport code violations) and unethical illegal behaviours (e.g. bribery of officials, illegal sport betting, match fixing, money laundering). A sport integrity system consists of individuals, institutions, policies, practices, and agencies that contribute to fostering and safeguarding the integrity of an NSGB (Kihl 2019). The central focus of an integrity system is outlining the components and conditions necessary for preventing integrity violations and limiting integrity risks in governance and sport competitions.

This chapter will briefly review sport scholarship on what is known about the effectiveness of good governance and policy instruments for addressing integrity violations and fostering integrity. The review leads to the conclusion that promoting and safeguarding integrity requires a system that includes sport actors, accountability mechanisms, and integrity management. Next, the different components that comprise a sport integrity system and their interactions are outlined. The chapter concludes with contribution of designing a sport integrity system and suggestions for future research.

Description of current practice and the problems that this entails

The strategy of choice for academics and sport practitioners for restoring integrity, in general, is to focus on a “*Band-Aid* response to particular emergencies” (e.g. such as doping, bribery, match fixing, sexual assault)” by adopting individual policies rather than promoting and safeguarding integrity through a coordinated holistic system (Cleret et al 2015; Gardiner et al. 2017, p. 16). As such, sport scholars and experts have leaned on two main reactive strategies to curb specific integrity violations: (1) implementing good governance principles (e.g. Chappelet 2018; Chappelet & Mrkonjic 2013; Geeraert, Alm & Groll 2014; Henry & Lee 2004), and (2) developing and implementing different individual policies (e.g. anti-doping, manipulation of sport, Safe Sport, concussion, gender equity, anti-racism). After a series of scandals (e.g. corruption and sexual assault) in both national and international sport organisations there was a call for good governance and extensive contributions to scholarship have been made. The literature has drawn from cooperate governance and democratic governance theory, where a series of national sport good governance publications (e.g. Chappelet & Mrkonjic 2013; Geeraert 2018; Henry & Lee 2004) have put forth a variety of principles to promote good governance and fight against integrity breaches (Chappelet 2018; Di Marco 2019). In the sport governance literature, integrity is perceived as a principle of good governance rather than a quality of sport and/or sport system. For example, Chappelet and Mrkonjic’s (2013) *Basic indicators for better governance in international sport* lists integrity as a principle to adhere to in seeking good sport governance. Numerous countries have implemented different principles of good governance in their respective NSGBs (e.g. Australia, Belgium, Brazil, Canada, Denmark, Japan, Norway, and the UK). Despite the adoption of these principles, we continue to see integrity risks and violations.

In this chapter, I am arguing that sport governance is an internal element of an overarching sport integrity system. An integrity system is much broader and involves both internal and external mechanisms and actors that aim for high integrity of NSGBs. Good governance in sport governing bodies is argued to be “the means to the end” in gaining organisational “legitimacy, effectiveness, and resistance to unethical practices” (Geeraert 2018, p. 7). However, its precise

meaning is contested and the application of the long list of indicators seems daunting.

The second approach used to curb corruption is the ratification of independent policies (Kihl 2019). As different types of roting, sexual assault, and harassment cases have surfaced, NSGBs have tended to adopt separate policy instruments to counteract these unethical and/or illegal activities. For example, anti-doping, anti-harassment, betting and crime reporting, equity and diversity, match fixing, and Safe Sport are the prevalent policies of many NSGBs. Depending on the country, the sport, and the integrity issues that are most pressing influence the policies that are implemented. An emerging trend is NSGBs with the financial capacity is hiring integrity officers to oversee the implementation of specific policies. For example, USA NSGBs require a safe sport program and an integrity officer whose role is oversee the prevention of sexual assault and harassment. Recurrent integrity violations within NSGBs strongly suggest that the various policy mechanisms adopted to control violations are inadequate and detached to respond to the variety and range of integrity risks and breaches they encounter (Kihl 2019).

For example, Australia and Finland have adopted specific sport integrity initiatives. Sport Integrity Australia is responsible for 'Safeguarding the Integrity of Sport' with a focus on policy development, intelligence, investigations, education and training to counter doping, match manipulations, child safety, and protection from harassment. The Finish Center for Integrity in Sports focuses on advocating ethical principles in sport that focus on anti-doping, prevention of match-fixing, spectator violence, and fair play. Whilst these sport integrity initiatives are extremely important and a good first step in safeguarding integrity, arguably these programs do not reflect a holistic integrity system. Furthermore, there is an emphasis on safeguarding integrity from certain unethical activities rather than acknowledging the multifaceted nature of sport integrity which requires a system approach that both safeguards and promotes integrity. By not acknowledging the multifaceted nature of integrity leads to safeguarding prioritised unethical behaviours whilst other types of unethical behaviour go unchecked and can prosper.

Sampford, Smith and Brown (2005, p. 100) suggested "institutions and relationships, are often weak individually but collectively potentially strong". Arguably the lack of clarity and understanding of the concept of sport integrity (Cleret et al 2015; Gardiner et al. 2017), along with the reactive governance in applying band aid and piecemeal reforms that aim to safeguard integrity requires a radical shift in how NSGBs go about doing integrity. To curb the persistent integrity risks and violations and promote integrity in NSGBs, requires more than good governance, integrity officers, and specific integrity policies and units. Institutionalising and sustaining integrity in NSGBs is contingent on a holistic system comprised of interdependent and cooperative actors, an internal integrity management infrastructure, and different internal and external accountability mechanisms (Kihl 2019; Sampford et al. 2005).

Description of an alternative approach: Sport integrity system

NSGBs are complex organisations (Pedras, Taylor & Frawley 2020) that encounter a myriad of integrity concerns. These national governing bodies are multi-levelled and endure external and internal environmental influences that generate a variety of novel and reoccurring integrity risks and violations commanding thoughtful management reflection. For example, the current COVID-19 crisis has created unique economic conditions, cultural influences, and political pressures on organisations regarding athlete well-being, training, and return to play. COVID-19 crisis and the related economic crisis has made NSGBs particularly vulnerable to different form of corruption including match fixing (in particular Ghost games), money laundering, and transnational crime (Kihl & Ordway forthcoming). Navigating novel and reoccurring integrity risks and violations requires more than just good governance. Integrity system theory posits a holistic perspective that focuses on the bigger picture and considers all the components and conditions necessary to the integrity of a sport organisation (Six & Lawton 2013). It “focuses on the connection between various components within and outside the organisation, how they are interconnected and how they are jointly responsible for the integrity performance of an organisation” (Huberts & Van Montfort 2020, p. 454). All components are interrelated, interdependent, and serve as the building blocks to a national integrity system (Pope 2008). A national sport integrity system includes actors who are responsible for coordinating and implementing the system, an integrity management infrastructure, and different accountability mechanisms (Huberts & Van Montfort 2020).

A sport integrity system is based on the notion that there is no one solution to preventing unethical behaviours; rather, it requires “institutionalisation of integrity” by several agencies, actors, laws, regulations, practices, and ethical policies (Head 2012, p. 9). For example the International Federation of Association Football (FIFA) member associations’ integrity programs possess the independence to create and implement their own program. Recognising each countries’ football federation is distinctive in terms of its governance system, economics, history, and culture, social development; thus allowing each confederation the autonomy to design and implement an integrity system based on that it corresponds with their respective strategic priorities (FIFA 2020, par. 2). As such, NSGBs have the flexibility to determine which actors, the type of integrity management infrastructure, and the appropriate accountability mechanisms in designing their integrity system.

The internal mechanism of an overall integrity system is an integrity management infrastructure (also referred to as ethics management), which is its internal operational arm. Ashby’s (1991) principle of requisite variety argues that the complexity of a system dictates the variety of monitoring and controlling systems to promoting and safeguarding integrity. An integrity management infrastructure has four functions: (a) determining and defining integrity, (b) guiding towards integrity, (c) monitoring integrity, and (d) enforcing integrity (Maesschalck & Vanden Auweele 2010). Assessing relevant integrity actors and other stakeholders’

perceptions of integrity and what values they aim to espouse in decision making, policy making, procedures, and processes is an important first task. This definition of integrity moulds the overall integrity culture through its mission and vision, rituals, symbols, structure, leadership and daily practices. Core integrity structures are devised and instruments selected that help promote, monitor, and enforce integrity. These include a combination of good governance principles (e.g. values-based mechanisms, compliance based mechanisms, structural, environment, equity, and political orientated structures and instruments).

Values-based mechanisms and compliance-based mechanisms are the two most commonly adopted ethical management orientations used to limit integrity risks and violations in sport governance. Values-based mechanisms (e.g. ethical codes, values statements, leadership) promote integrity and limit risks by using individual intrinsic motivation techniques that's build moral competence and integrity. In combination these techniques build an ethical culture that promotes ethical dialogue about integrity concerns, promotion of ethical behaviour, and decision making. The promotion of ethical dialogue is critical to high integrity management because it is a proactive way to promote integrity and not be reactive to unethical behaviour and thus is a demarcation from good governance. Compliance-based mechanisms use formal external control methods to reduce risks and violations. Compliance systems commonly entail four formal systems: (a) communications of organisational ethical values and principles (e.g. ethics committees, mission statements, education and training programs) (Constandt, De Waegeneer & Willem 2019; De Waegeneer, Van De Sompele & Willem 2016); (b) surveillance (e.g. whistleblower program, an Ombudsman) (Warren, Gaspar & Laufer 2014); (c) sanctions and investigations that reward ethical behaviours and punish violators (Maesschalck & Vanden Auweele 2010) and (d) formal organisational structures (e.g. authority structures, division of labour, good governance principles, and level of empowerment) (Treviño & Nelson 2017). In addition, environmental practices that adhere to societal expectations regarding sustainability and global warming, social equity and political responsibility are all key integrity management orientations that may be implemented.

Integrity performance relies on effective internal coherence with instruments, structures, and processes all managed as one unit and interconnected across the entire NSGB integrity system. Auditing existing core integrity structures and instruments is necessary to determine if additional mechanisms need to be added to strengthened integrity promotion and safeguarding from risks (e.g. athlete well-being, racial harassment, financial internal controls). Reinforcing existing instruments and/or implementing additional ones is critical for system coherence and effectiveness. A core and vital part of integrity management strategy is instituting the correct and quality processes to assure the different instruments are rightly implemented. Whilst time consuming, regular integrity management evaluations are necessary to appropriately address risks but also proactively address internal and external environmental forces that may create novel integrity concerns. Consequently, the integrity management infrastructure will require modifications

(e.g. revising policy documents), changes (e.g. how programs are delivered, monitoring practices, and intelligence sharing), and/or in some cases mending (e.g. enhancing the ethical leadership of board members or presidents, mending trust with external watch dog agencies and whistleblowers (Hoekstra & Kaptein 2020).

Importance of different forms of accountability

The historical autonomy of sport organisations and persistence of integrity issues across NSGBs illustrates their inability to suitably self-regulate and/or generate a culture of integrity (Chappelet 2016, 2018; Geeraert 2019). Manoli, Comille and Downward's (2020) research on individuals' perceptions of sport integrity supports this argument. Individuals' believed that sport was unable to manage its integrity and was unmotivated to protect its integrity because of peoples continued engagement in sport. Good governance principles rely on free and fair elections and watchdog groups as the primary means of accountability. The complexity of NSGBs (Pedras et al. 2020) and the breadth and depth of integrity concerns they are confronted with, warrants an integrity system that is dependent on several integrated accountability mechanisms to manage and regulate unethical behaviour (Heinrich & Brown 2017).

Integrity systems require four types of accountability: vertical accountability, horizontal accountability, mutual accountability, and social accountability (Heinrich & Brown 2017). Vertical accountability is similar to the democratic principle of holding regular, free, fair and transparent elections (Di Marco 2019). Vertical accountability alone is deemed insufficient for accountability. Pope (2008, p. 19) argued officials escape reelection by an unsatisfied society "through a combination of secrecy (so that the electors are unaware of what is transpiring) and the building of systems of patronage" as well as "indulging in short-term populist acts, which may be to the longer-term detriment of the public". Horizontal accountability represents the separation of powers and involves formal institutions who hold the authority to perform checks and balances (Howe & Haigh 2016). Integrity institutions (i.e. organisations that have the responsibility of integrity) function to oversee the integrity of governing bodies, administrative units, and other institutions responsible for integrity operations. There are core integrity institutions (e.g. watchdog groups, integrity agencies, law enforcement) whose primary role is monitoring. Distributed integrity institutions play an auxiliary role of integrity monitoring in addition to their regular core business (e.g. governing, statutory bodies). As previously noted, good governance advocates tend to focus on vertical accountability and horizontal accountability.

Vertical and horizontal accountability do not sufficiently address the concern of 'who guards the guardians' (Howe & Haigh 2016). Mutual accountability is a means for guarding the guardians through a collective set of institutions hold each other accountable by means of cross checking, coordination, consistency, and operational arm relationships (Sampford et al. 2005). Jurisdictions are defined and relationships are required between a president, governing board, integrity units, and ethics

committees to ensure who is performing specific check and balance roles. Effective integrity management entails coordination and consistency of sport integrity policies. Actors carry out these integrity operations by implementing respective sport policy processes. Integrity performance entails a system of functioning networks where each actor is accountable to one or more actors (Mulgan 2003). Managing the various complex integrity relationships is critical in order to nurture relationships rather than creating barriers that can lead to non-cooperation.

Sport integrity systems also require civil society's buy-in to performing as an accountability arm. Societal accountability depends on the civic engagement of different actors to use their collective voice to hold NSGB actors accountable (Jayal 2008). Civil society actors involve private sector actors (e.g. media, sponsors), fans, and collective social movements to use their combined power to expose transgressions and place pressure on NSGBs to operate effective integrity systems. "To be effective, they have to generate sufficient public pressure to strengthen horizontal accountability and to create a credible threat of sanctioning power through the mechanism of electoral accountability" (Schatz 2013, p. 171). To date, civil society is not shown a consistent commitment to holding NSGBs accountable. Fans, sponsors, media, and the general public might display outrage in cases of severe unethical behaviour (e.g. athlete acts of sexual violence, administrative abuses of power and fraud); however, they do not hold the NSGB accountable and people continue to engage (Manoli et al. 2020). Good governance generally includes vertical accountability and strong internal accountability and control (similar to horizontal accountability). Internal accountability and control do not include external accountability institutions (i.e. integrity institutions). Furthermore, good governance does not include mutual or social accountability. The strength of a NSGB's integrity system and separates it from good governance is the interplay of vertical, horizontal, mutual, and social accountability mechanisms (Schatz 2013).

Application to NSGBs: A sport integrity system

An NSGBs integrity system comprises of three main components: actors, an internal integrity management infrastructure (i.e. operational arm), as well as external accountability guardians of the NSGBs administration and governing board. Components of the NSGBs integrity system and their respective relationships require coherent management to ensure integrity risk containment, including appropriate exercises of power. In such a system, depending on the NSGB's governance type (i.e. federated or unitary), NSGBs collaboratively support and coordinate with their respective sport network to implement specific measures, policies, and practices considered important to ensuring integrity. An NSGB also coordinates with the external accountability guards to assure cohesion with the internal environment and integrity actors. A sport integrity system is therefore multidimensional and elements comprising the system can vary significantly depending on the sport governing body, the level in which the elements operate, the location (e.g. urban or rural), and the political and economic environments.

Actors

Several NSGB internal and external actors are responsible for generating and guarding integrity. Internal integrity actors oversee and coordinate the integrity management infrastructure as well as harmonising with external actors and institutions of the larger integrity system. The governance structure of the organisation (i.e. federated or unitary) will influence how the system is managed, coordinated, and the nature of accountability. The delineation of their respective roles and responsibilities is critical in coordinating initiatives at the local, regional and/or state levels accord with the overall national system. Furthermore, they are responsible for overseeing and managing the different actors administering the integrity management infrastructure across the system.

External actors (e.g. community, government actors, legal actors, media, sponsors and their integrity units, sport betting intelligence agencies) hold horizontal and social accountability roles. In the contexts of event management, the public sector (e.g. betting monitoring agencies, sponsors, broadcast agencies) will also take on mutual accountability roles in the implementation and communication of their respective security infrastructures. It is important that NSGBs identify actors who are internal and external to the system, as well as define their responsibility and roles at the club, regional, state, and national levels. The effective coordination of the various integrity actors within a national system is imperative.

Internal environment

The internal environment includes an integrity management infrastructure that is harmonised with the broader national integrity system. An integrity management infrastructure makes-up the internal environment and contains three main components: instruments, structures and processes. The goal of the integrity infrastructure is to institutionalise integrity throughout the NSGB byway of official and explicit guidelines that infuse ethical values into day-to-day sporting decisions and practices. The management infrastructure is custom built so as to parallel the NSGB's expectations for promoting and safeguarding their integrity vision. NSGBs are complex organisations that experience a variety of integrity concerns in the governance and delivery of sport; therefore, the integrity infrastructure will require an array of practices within each component.

External environment

The external environment contains guardians that function as external checks and balances. Checks and balances are the mechanisms for guardianship and accountability that ensure that local, regional, and national sport governing boards operate within legal and social boundaries. External guardians consist of an independent regulatory environment and the social environment that serve mutual, horizontal and social accountability roles.

Regulatory environment refers to the laws, regulations, and external regulatory oversight agencies that serve to work in coordination with a sport integrity system. Standard regulatory watchdogs include law enforcement, state and national legislation, government regulations, and specific sport and non-sport regulatory oversight bodies including anti-corruption and safe sport agencies. These external regulatory agencies play mutual and horizontal accountability functions. For example, international anti-corruption agencies include the world anti-doping agency, INTERPOL, and government agencies such as the Australian National Integrity in Sport Unit who can aid NSGBs in combating corruption in sport. Safe sport agencies like the US Center for SafeSport aim to end different forms of abuse in sport. Integrity-specific watchdog groups have also emerged including organisations such as the Sport Integrity Global Alliance and the Sport Integrity Unit, which focus on promoting integrity by providing governance resources and leadership.

The social environment (e.g. media, the private sector, and community members) serves horizontal, social, and/or mutual accountability roles. In a sport integrity system, private sector agencies generally involve sponsors and sport betting monitoring. During sporting events sponsors might play a variety of integrity roles including security (e.g. Visa provides secure payment infrastructure), digital intelligence (e.g. Samsung). Intelligence is also shared by sport data companies (e.g. sport radar) who monitor betting patterns. The main role of the media and the community is to be active participants in ensuring NGSB transparency and accountability by raising concerns and demanding strong integrity systems.

By accessing public information, the media, in particular, play a critical role in social accountability by exposing and calling for acceptable accountability for integrity risks and violations. In particular, the media's reporting on corrupt practices such as illegal gambling on sport, match fixing, state doping systems, and poor governance practices (e.g. the USOC failure to address numerous cases of sexual harassment coaches and/or support staff) have assisted in exposing both systematic integrity risks and violations. Equally important is the persistent (a) reporting on the lesser so called 'scandalous' behaviours and activities not just the cases that make good headlines, and (b) scrutiny of NSGBs in that they suitably respond to 'fixing' the risks and insisting on accountability of individual and organisational offenders. Exposing both corrupt and unethical/legal integrity violations and cases of a lack accountability to the public pressures NSGBs and their partners to be suitably responsive to all integrity breaches and not just the sensational corruption cases.

Conditions for effective functioning of components

Ideally, an integrity system promotes integrity and minimises risks by creating functional systems, practices, and ethical decision making. An effective system requires sufficient capacity (e.g. resources, financial support, individuals) to support the functioning of the system, and involve coherent institutional cooperation

(functional system interactions). Within and across the system, a NSGB ought to facilitate necessary human and financial resources to help realise their integrity goals. This requires coordination with local clubs and regional and state/provincial governing bodies to ensure polices and processes are suitably implemented.

Recognising the potential differences in the structure of NSGB and their sport integrity systems, the number and nature of institutions, policies, practices, actors, and agencies that make up the system is not prescribed. The country and nature (e.g. sport, funding, size, actors, location, and so forth) of the NSGB will influence which components are the best fit for an effective integrity system. A NSGB could quite possibly select a number of different configurations to achieve high integrity. Relevant NSGB stakeholders will need to determine the appropriate configuration of policy, practices and agencies that best suit their mission and context. Additionally, given the dynamic context that where sport operates and is delivered, the integrity system configuration requires adaptation over time. As new integrity risks emerge and integrity breaches occur, the system will require some adjustments to address such situations.

Conclusion and implications for research

In this chapter, I have argued that the NSGBs current approach to promoting and safeguarding integrity is not working. Scholars and experts perceive the solution to the persistence of integrity violations is the adoption of good governance principles and independent policies to ensure competitions are played honestly, athletes are protected, and governing boards engage in ethical behaviours and practices. Policy instruments and good governance principles are part of a whole integrity system. A sport integrity system entails actors, constructing an internal (integrity management infrastructure), and external (regulatory and social) environment, and using a range of accountability mechanisms. The complexity of NSGBs and the range of integrity concerns (new and previous) calls for integrity management to be comprised of different orientations. The effective functioning of components that make up a sport integrity system requires coordination, capacity building, and ongoing evaluation of the effectiveness of the system as a whole as well as its individual components. Individual NSGBs will need to determine how a sport integrity system is initiated and managed as well as decide the criteria for assessing high-performing integrity systems. Providing sufficient capacity support for local, regional, and state levels is essential to minimise system gaps that undermine overall performance. Last, to promote integrity and limit risks and violations NSGBs will need to develop performance targets and monitoring systems to evaluate their progress. Carrying out such performance appraisals can help build public trust by demonstrating that NSGB leaders are serious about integrity, and sport is perceived as being clean, fair, and justly managed.

The proposed sport integrity system provides several opportunities for future research. Gaining an understanding of different NSGBs integrity system configurations and how country and sporting culture may influence integrity

management, accountability mechanisms and actors is a plausible first step. Empirical research that tests the proposed system, and thereby determining necessary adjustments is also an important theoretical contribution. Another important line of research is assessing the overall performance of an integrity system. Current integrity system literature does not have a reliable assessment design or agreement on how to measure system effectiveness (Head, Brown & Connors 2008; Heywood & Johnson 2017; Huberts 2014). Thus, the first step in assessing the system and the performance of integrity systems is generating valid and reliable criteria to measure performance. Research that identifies integrity risks of a NSGBs system including the coherence, coordination, capacity, instruments, structures and processes would provide important theoretical, empirical and practical contributions. In particular, examining NSGBs coordination of the integrity system at local, state/regional, and national levels and how the type of governance system influences this organisation can contribute broadly to the integrity system literature and sport literature in particular. Last, exploring what set of instruments as a whole make up an effective integrity management infrastructure is important. Research has identified a small number of instruments for ethical culture creation (i.e. ethical codes, ethical leadership, and ethics training) (e.g. Constandt et al. 2018, 2019; De Waegeneer et al. 2016). Investigating what set of integrity instruments as a whole influences integrity management effectiveness is key to understanding what ethical mechanisms limit sport integrity risks.

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Good sport governance and design archetype

One size doesn't fit all

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Introduction

Following a range of cases of corruption and other governance performance issues among national and international sport organisations, the international sporting world has seen a spate of 'good' governance guidelines and indicators presented by various government and non-governmental organisations. In addition to the binary logic of 'good' vs. 'bad'—in contrast to seeking to improve governance (i.e. better governance) as no organisation is governed perfectly—we follow Chappelet (2011; Chappelet & Mrkonjic 2013) in seeing 'good' governance as being context sensitive and therefore difficult to apply universally to all sport organisations of all levels. Thus, we will use the term 'better governance' for the rest of this chapter.

For more than 15 years, organisations have proposed typologies containing three guidelines for better sport governance (e.g. Australian Sport Commission 2015), four guidelines (e.g. Alm 2019; Council of Europe 2005; European Union 2011), five guidelines (e.g. Council of Europe 2004), six guidelines (e.g. Australian Sport Commission 2007), seven guidelines (e.g. International Olympic Committee 2008; Sport England 2011; Sport and Recreation Alliance 2017; Sport New Zealand 2006), 10 guidelines (e.g. United States Olympic Committee 2005), 11 guidelines (e.g. Union Cycliste Internationale 2004; Wales Sports Council 2006), and 31 guidelines (e.g. UK Sport 2004).

Some of these guidelines have been suggestions, others have become mandatory. For example, the Canadian federal government enacted a new non-profit act setting out very clear governance rules and procedures for all national non-profit organisations in Canada, and not just in sport; Canadian national sport organisations (NSOs) had to update their governance policies and procedures to follow the new Canada Not-for-profit Corporations Act (NFP Act) (Minister of Justice 2017) or face dissolution. In the United Kingdom, any sport organisation requesting government funding is required to follow a set of transparency, accountability, and financial integrity guidelines (Sport England, n.d.).

There has been a tendency for these organisations to present one view of so-called good governance, in effect presenting a one-size-fits-all approach, such as the International Partnership Against Corruption in Sport's (IPACS) decision

to produce a single set of good governance indicators and guidelines for sport based on the existing set of indicators and standards (IPACS 2019).

On the surface, such efforts are laudable to help combat problems with corruption, conflicts of interest, financial mishandling, abuse, and so on. But different sport organisations have different capacities and different contexts to consider. For instance, while it may be legal and appropriate to have board members appointed solely for representation purposes (e.g. gender, stakeholder group) in other jurisdictions, this cannot be the case in Canada as the NFP Act mandates that board members must be elected and skills-based. Of course, Canadian NSOs can seek to have representation on their board, but individuals must still be elected and fill a required skill-set. Yet, this only applies at the national level. Provincial/territorial and local sport organisations in Canada are not beholden to the NFP Act's rules and guidelines.

Therefore, how can a one-size-fit all approach to good governance be appropriate, even if it would make policymakers' and decision-makers' lives easier, when sport organisations within a country do not need to follow all the same laws? Furthermore, sport organisations do not all have the same financial, human or material capacity. Additional governance processes and expectations can burden already-resource-stretched organisations.

Moreover, even when capacity and/or size are considered, suggested good governance indicators use somewhat arbitrary benchmarks, as is the case with the International and National Sport Governance Observer projects (Geeraert 2015, 2018).

A key reason for this issue is that many of these proposed or imposed principles, guidelines, indicators, and/or codes are typologies, that is, they are theoretically-derived. Even if they stem from a review of the existing literature, most remain conceptual in nature, and therefore empirically unsupported in relation to their efficacy in delivering better governance (Parent & Hoye 2018). Without empirical analysis of the indicators, guidelines, and so on, we have no proof that they are the right indicators or that they will be effective in improving sport organisations' governance.

As such, an empirically-derived approach to develop good governance principles is required. Furthermore, this empirically-driven approach should consider multiple governance ideal types or archetypes.

Therefore, this chapter will show the value of empirically deriving better governance principles. It will demonstrate different factors that can be considered in an analysis of governance principles and indicators, as well as offer an example of governance archetypes that are empirically derived for Canadian NSOs.

Argument

Fundamentally, we agree with past efforts to determine better governance practices and indicators of better governance to improve sport organisations' practices and increase their effectiveness and efficiency. We also agree with the idea that

society and institutions (e.g. the Olympic Movement) set out a common set of guidelines or principles to normatively define better governance, such as accountability, transparency and democracy (cf. Chappelet & Kübler-Mabbott 2008; Chappelet & Mrkonjic 2013; Geeraert 2015, 2018; Parent & Hoye 2018; Zintz & Gérard 2019). But, as better governance appears to be context-specific, we take issue with the fact most sets of better governance guidelines and/or principles are not empirically-grounded.

We conducted a review of academic and grey literatures¹ and obtained a multitude of suggested better governance indicators. We ran a word frequency query in NVivo 11 Plus on the large number of sets of suggested indicators (Alm 2019; Association of Summer Olympic International Federations 2020; Australian Sport Commission 2007; Australian Sport Commission 2015; Burger et al. 2006; Chaker 2004; Chappelet & Kübler-Mabbott 2008; Commonwealth Games Federation 2006; Council of Europe 2004, 2005, 2012; De Zwart & Gilligan 2009; Dutch Olympic Committee*Dutch Sports Federation 2005; European Olympic Committee & Fédération Internationale de l'Automobile 2001; European Team Sports Association 2008; European Union 2000; European Union 2007; European Union 2011; European Union Expert Group on Good Governance 2013; Geeraert 2018; Henry & Lee 2004; Hoye et al. 2015; International Olympic Committee 2008; Katwala 2000; McNamee & Flemming 2005; Mowbray 2012; One World Trust 2007, 2008; Play the Game 2011; PriceWaterhouseCoopers 2012; Sport England 2011; Sport and Recreation Alliance 2011, 2017; Sport and Recreation South Africa 2004; Sport New Zealand 2006; Taylor & O'Sullivan 2009; Transparency International 2010, 2011; UK Sport 2004; Union Cycliste Internationale 2004; Union of European Football Associations 2008, 2011; United States Olympic Committee 2005; Wales Sports Council 2006). Results indicate that most of these sets of indicators are focused on the board of directors, their transparency, accountability, responsibility, and corruption issues.

Beyond these more common governance principles seen across different sets of guidelines and indicators, the number of proposed guidelines highlights an inconsistency in approaches to analysing better governance. By inconsistencies, we mean the variations in the number and types of better governance guidelines, which makes their interpretation ambiguous and choice of applicability difficult (Parent & Hoye 2018). These inconsistencies are exacerbated by the often seemingly arbitrary cutoffs of specific numbers of indicators for a governance principle and means of measuring these indicators. For busy managers or directors to answer governance questionnaires, the number of indicators is often kept to a minimum and assessment is done on a simple Likert scale or basic descriptive scale (Fowler 2014). That managers and directors usually self-report their governance efforts is fraught with methodological issues as well (Tacon & Walters 2016). Support for these methodological issues can be seen in, for example, Fédération Internationale de Football Association (FIFA) obtaining the second highest governance score in the Sport Governance Observer rankings (e.g. Geeraert 2015)

when it was in the middle of a corruption scandal, albeit while it was also developing reforms to its governance.

With a few exceptions examining national-level sport organisations aside (e.g. Geeraert 2018; Zintz & Gérard 2019), a closer inspection of the sets of guidelines and indicators points to these being focused on international federations (IFs). IFs have different responsibilities and operational foci compared to sport organisations at other levels of the sportscape. One key difference is that IFs are not beholden to a particular government, save, perhaps for the generous Swiss laws for those headquartered in Switzerland. In fact, IFs can be considered as masters of their sport domain and are the regulators for the lower-level sport organisations. Thus, the stakeholder network—and therefore stakeholder pressures, expectations, and inter-dependencies that drive an organisation to achieve more robust and transparent governance—can differ according to the level of the organisation. In addition, the activities of IF directors and their paid staff who are focused on delivering large international events and setting of rules for competition for example, differs to the dynamic between the elected board members and paid staff of national, provincial, or local level sport organisations who are focused on fielding national teams, club development and other more fundamental operational matters. The governance context is different; so it follows that the guidelines for better governance should also differ between organisational contexts. Funding is also an issue; and sport organisations' minimal resources are maximised for efficiency. As such, better governance principles and indicators may or may not apply in the same manner for lower-level sport organisations compared to IFs.

Moreover, the sheer number of guidelines and indicator proposals as noted above has flooded the sportscape with options making it hard to know which approach is good, better, or best. Which set of guidelines and/or indicators should a sport manager favour? An analysis of these different governance indicators is therefore needed to clear the path, so to speak. Yet, as Parent and Hoye (2018) found in their systematic review of 2,155 studies on better governance principles and their impact on organisational performance (however defined by the studies' authors, though always about an organisational outcome), only 0.9% empirically examined this relationship.

At the same time, these proposals rest on a fundamental assumption: by following these better governance guidelines, sport organisations' performance will improve. While 19 empirical studies in Parent and Hoye's (2018) systematic review demonstrated a link between board structure and organisational performance, no empirically-demonstrated link between any other governance principle or guideline and organisational performance was found.

Finally, many governance analyses provide scores and rankings of organisations (e.g. ASOIF 2020; Geeraert 2015). While some scores may seem odd—such as FIFA's high scores when in the middle of a corruption scandal—they can also stigmatise organisations ranked/scored at the lower end. The assumption in such rankings and scorings is that there is one ideal 'good' governance type. Yet, with the variations in capacity and objectives between organisations, for instance, how can we compare

all organisations to the same ideal type? A set of archetypes or range of ideal types would be preferable, more representative, fair, and more accurate.

In sum, the sheer number of proposed guidelines/indicators, the inconsistencies between these guidelines/indicators, the questionable transferability between organisational levels, the measurement issues, the unsupported assumption of better governance leading to organisational performance, and the assumption of one ideal good governance type, lead to the need for a different approach. With the slew of conceptual pieces, we suggest using an empirical approach to ascertain the key governance principles and indicators that can differentiate between organisations and can impact organisational performance (cf. Parent & Hoye 2018) by looking at an archetypes option for better governance, thereby taking the context into consideration. Using an archetype approach will immediately address this shortcoming.

Illustrative case—Determining governance-based archetypes in Canadian NSOs

To illustrate the value of empirically deriving indicators, we detail our efforts to revisit NSO design archetypes and how empirical results can help discriminate between indicators.

Design archetypes are useful to compare and contrast organisations and also explore organisational change (Hoye et al. 2019), which is necessary for organisational survival and growth. At the NSO level, Kikulis et al. (1992, 1995) derived three design archetypes: the kitchen table, the boardroom, and the executive office. These archetypes were derived based on (Kikulis et al. 1992):

- *Organisational values* defined as the organisation's orientation (private, volunteer, non-profit, and funding source), domain (from mass sport participation to high performance sport), organising principles (hierarchy, decision-making locus, work done by volunteers vs. professional paid staff), and effectiveness criteria (e.g. effectiveness, efficiency, membership numbers vs. medals)
- *Organisational structure* defined as specialisation, standardisation, and centralisation.

These criteria highlight legal considerations, financial and human resource (HR) capacity, values, complexity (structural aspects, strategic goals, and performance aspects). However, they also, arguably, stigmatised NSOs falling into the kitchen table archetype given the negative 'unprofessional' image of kitchen table organisations. For more details on these concepts, the three archetypes and their implications for today's sport organisations, e.g. Hoye et al. (2019).

In today's sportscape and for an archetype analysis meant to discriminate between organisations, the legal consideration is a moot point, as all NSOs are private, non-profit organisations. They can, however, differ on potentially all other factors. Though innovative at the time, Kikulis et al.'s (1992) factors require

some updating in light of the more recent expansion of the better governance guidelines/indicators research.

If we had followed the lead of previous governance guidelines/indicators research, we would have simply put all these factors together to create a new set of archetype factors. However, two issues remain with this approach: (1) we would just have a long list of factors, not knowing if any are more important than others to add to yet another set of conceptually-defined guidelines and indicators to the literature; and (2) we would not have descriptors to populate the factors or discriminate between NSOs. For instance, as board characteristics (composition, gender representation) and processes have dominated the sport governance literature, we would have to assume that the nature of the board would be a key part of our new set of guidelines and indicators. Likewise, we would assume accountability, transparency, democracy, and responsibility to be high up on the list. But, as our empirical analysis will show, the nature of the board is not a key discriminating factor, nor is internal accountability processes and procedures.

Method

To empirically ascertain the relative importance of the different factors and their ability to discriminate between NSOs, we undertook a landscape survey of Canadian NSOs. Fifty-five per cent ($n=32$) of NSOs listed on the Sport Canada website completed an online survey, which included questions related to their organisation and governance, as well as questions to address six different potential archetype options: (1) capacity, (2) values & complexity, (3) nature of the board, (4) funding sources, (5) governance and (6) a combination of the previous. These options were based on the governance literature as well as discussions with sport governance colleagues around the world. We also conducted follow-up interviews to clarify certain answers and examined organisational documents (e.g. strategic plans and financial statements, organisational charts, and bylaws).

We first ran descriptive statistics using SPSS and content analysis using NVivo to understand the dataset. We then converted the raw data into analysable data for each archetype option. Next, we ran cluster analyses using SPSS. Because cluster analyses are open-ended analyses, we tried analyses of two, three, four, five, and six clusters to determine the best fit for each option.

Results

Organisational values and structure

NSOs ranged from no employees to 58; \$140,000 CAD to \$24 million CAD in budget; four to 15 board members, with zero to 71% of women on the board ($M=36\%$, $SD=17\%$). NSOs funding came from public (49.5%), commercial (sponsorship and events/hosting; 30.7%), memberships (17.8%), and other (e.g. donations; 2%) sources.

Unlike Kikulis et al. (1992, 1995), all NSOs included both mass sport participation and high performance aspects in their domain activities and values. NSOs were also all private non-profit organisations. Thus, these factors, common characteristics among NSOs, no longer discriminated between them as they did for Kikulis and colleagues in the early 1990s.

In terms of organising principles, we found NSOs' volunteer boards focused on strategic, long-term decision-making. For 62% of NSOs, the chief executive officer (CEO) assisted in this regard. 95% of NSO boards and their CEOs also shared financial decision-making responsibilities. In turn, CEOs were responsible for

- Sport-related decision (86% of NSOs),
- Marketing-related decision (81% of NSOs), and
- HR-related decisions (95% of NSOs). Here, 48% of boards also make HR decisions or assist in HR decision-making.

Most communications and social media decisions (86%) are made by lower-level NSO staff. Thus, there are more policy governance boards than before and a greater distinction between governance/strategic and management/operational actions than in the early 1990s.

Finally, in terms of effectiveness criteria, 75% noted meeting organisational objectives, 69% international success, 44% financial results, and 42% memberships. Thus, other than meeting organisational objectives, we found little consensus in effectiveness criteria, which could indicate potential discriminant behaviour for this factor. However, this also means organisational performance definitions vary, even within an organisational field.

Other governance factors

First, in terms of transparency, 100% of NSOs offered reports at their Annual General Meeting (AGM), 97% had bylaws and 97% published key documents (e.g. strategic plan) on their website for all to see. As such, all Canadian NSOs are highly transparent—a key good governance indicator according to the existing literature. Second, NSOs agreed there were different types of accountability. Third, beyond the fact all NSOs now elect their board members, 50% of NSOs have stakeholders represented on their board. Many NSOs also involve stakeholders in branding processes ($M=3.27$, $SD=0.98$ on a scale from 1= not at all, to 5=always) and strategic planning processes ($M=3.40$, $SD=1.33$ on a scale from 1= not at all, to 5=always). Though this information is useful to get a basic idea of the landscape, it does not provide much in the way of a potential analysis of the governance situation. While most authors have turned to providing scores and rankings from these results, we developed governance archetypes to determine different ideal-type options for analysing NSOs without the potential stigma of a high or low score.

Archetypes development

We first examined the simplest option, capacity. Here, capacity focuses on human (personnel = number of full-time equivalents or FTEs) and financial capacity. After running the different cluster options, we determined that four clusters offered the best fit and discrimination. The results highlight we have small, medium, large and extra-large capacity NSOs but not much else could be gleaned.

Second, we turned to the Kikulis et al. (1992) factors. Examining only the values, three clusters were better; examining the different organisational structure components, clusters of three or four could work. When combining the values and structural components from Kikulis et al. criteria into one analysis, four clusters proved best. Thus, this demonstrates how the specific composition of the criteria to analyse can significantly change the (empirical) outcome of the analysis. Our empirically-derived results demonstrate that: (1) only the organisational values of governance, stakeholder engagement, and diversity offer any discrimination between groups, as all had sport participation and high performance equivalent domains/values; (2) four groups, not three like Kikulis et al. (1992), are a better fit and provide clear distinctions between groups; and (3) the traditional description of the kitchen table is no longer present in the results. We can also note a decision-making focus on the board for group 1, compared to a focus on the CEO for group 2, a shared focus on the board and CEO for group 3, and a decentralised approach for group 4.

Third, we examined the NSOs based on the nature of their boards. Results indicated we have small (5 members), medium (8–10 members) and large (14 members) boards. Also, the bigger the board, the less likely to have women represented. However, these results did not sufficiently discriminate between NSOs to help address our purpose.

Fourth, as funding appeared to be a key differentiator in the Kikulis et al. (1992, 1995) archetypes, we examined funding-based clusters, finding again that four clusters offered the best fit. Comparing the cluster analyses and the funding source dominance, we find commercial revenue sources (specifically sponsorship and broadcasting) help differentiate NSOs. Thus, funding appears to help distinguish between potential archetypes.

Fifth, we examined different cluster options for various governance principles.

- *Performance*-based (effectiveness and efficiency) analyses resulted in four clusters. We found different foci for effectiveness measures (throughputs vs. outputs) between clusters and differing degrees of efficiency or use of resources—financial (budget), HR (number of FTEs), and material (in the form of the number of headquarters).
- *Accountability*-based analyses:
 - Internal accountability: though three clusters were deemed the best fit, NSOs were found to generally follow internal accountability measures (all medium to high scores), so no real discriminant power was seen here.

- External accountability: three clusters were deemed the best fit and there appeared to be a range (from none to high) demonstrating potential discriminant power.
- *Transparency*-based analyses resulted in five clusters. Contrary to the basic descriptive analysis, low to high results were seen across the five clusters, demonstrating that transparency may actually be a good factor to use for discrimination because we incorporated a range of transparency indicators in the exploratory analysis: having stakeholders on the board, having transparency as a core value, having transparency in the strategic plan, having formal accountability structures, offering public access to all organisational documents, offering member-only access to some organisational documents, controlling information, discussing brand issues with stakeholders, and using social media to communicate. This finding highlights the importance of having multiple measures per governance principle.
- *Stakeholder participation* and democratic-based analyses resulted in four clusters. Like transparency, stakeholder participation is a complex factor found to provide good discrimination across clusters when examining the number of types of voters for boards of directors, the number of stakeholders dealt with formally, the number of stakeholders involved in decision-making, and the number of stakeholders involved in brand-based decision-making.

Finally, we combined all above criteria except internal accountability into one cluster analysis based on capacity, organisational values and complexity, nature of the board, funding, and governance characteristics. This resulted in four groups being the best fit. Table 14.1 presents the criteria and general descriptors of the resulting clusters. What is critical to see here is that being in the smaller NSO group does not mean that the NSO is bad at governance. In fact, these NSOs appear to excel at efficiency.

In sum, using an empirical approach to governance guidelines/indicators allows us to see that:

- What can be considered better governance behaviour by NSOs depends on their ideal type or archetype, which increases comparison fairness (i.e. not all to the same single ideal). There are different ways to be good at governance, depending on the context.
- The number of criteria chosen for the analysis affects the clustering outcome—that is, the determination of the archetypes or ideal types—and therefore the analysis of the quality or fit of the NSO's governance compared to its ideal type.
- The specific criteria chosen affect the distribution of NSOs across the clusters, as seen when comparing the n of each cluster between the different analyses undertaken.

Table 14.1 Combined NSO governance archetype criteria and descriptors

	Group 1 (n=8)	Group 2 (n=8)	Group 3 (n=3)	Group 4 (n=2)
Key values	Stakeholder engagement and governance	Governance, and some stakeholder engagement and diversity	Stakeholder engagement	Governance, stakeholder engagement and some diversity
Specialisation	Rather small & flat	Tall	Tall with 1–2 offices	Complex
# Revenue sources	2.63	3.00	3.00	3.50
Revenue sources	Public, membership, sponsors	Membership, sponsors, broadcasting	Public, membership, sponsors	Public, membership, sponsors, hosting
Revenue dominance	Public to membership	Public	Public to membership	Sponsors to broadcasters
Formalisation (# policies)	Lower	Medium	Medium	Higher
Centralisation	Centralised around the board	Centralised around the CEO	Mixed locus of decision-making	Decentralised
Personnel (#FTEs)	3.25	11.78	20.50	58.00
Budget (\$)	822,312.50	2,867,312.50	6,818,666.67	22,750,000.00
# BoD members	7.38	8.13	8.33	12.50
% women on BoD	35%	41%	39%	33%
Performance (effectiveness & efficiency)	Participant-based; high efficiency	Financial; Med-high efficiency	Meeting organisational objectives; medium-lower efficiency	Meeting organisational objectives; lower efficiency
External accountability	Medium	High	Medium	High
Transparency	Medium-high	Lower	Lower	High
Stakeholder participation	Lower	High	Medium	High
Interpretation/governance archetype	Boardroom-led	CEO-led	Professional-led	Corporate

- Not all criteria help discriminate between archetypes. As much as internal accountability may be lauded in the literature as part of better governance practices, in our case, all NSOs undertake internal accountability activities and therefore it does not help discriminate between ideal types.
- Using an archetypes approach allows for both structural and procedural aspects of governance to be considered when examining better governance options.

Conclusion

The existing governance guidelines and indicators literature demonstrates a number of issues, including:

- 1 The assumption that there is one good governance ideal type for all sport organisations;
- 2 Measurement issues associated with indicators; and
- 3 The popularity of scoring and ranking organisations to show the better ones and those who 'need improvement'.

As we highlighted in this chapter, an empirical approach to determining key governance guidelines/indicators, and the use of an archetype approach to determine ideal types for more appropriate governance analyses helps address the contextual and one-size-doesn't-fit-all issues by creating ideal types for, in this case, NSOs. This approach also addresses the three issues noted in the following manner:

- 1 There is more than one ideal governance type in a given organisational field. Canadian NSOs, for instance, have four options to choose from. By using a cluster approach, we can let the data tell us the best fitting model (e.g. three vs. four vs. five groups; which variables/indicators help to distinguish between organisations).
- 2 By using a combination of data sources (online self-administered questionnaire in combination with interviews and organisational documents), we move away from the self-reporting issue and obtain a richer dataset and more complete understanding of what is really occurring in these organisations. We also used multiple measures per governance principles (e.g. transparency) to ensure a more holistic understanding of the reality.
- 3 By using an archetypes approach, we present organisations with their ideal type (archetype) as opposed to giving a score to help them improve their governance for their ideal type. Thus, there is no stigmatisation of organisations linked to low scores.

Below we detail implications for researchers and practitioners wishing to use this empirically derived approach to develop good governance principles and guidelines that are specific to their context, as one size doesn't fit all.

Implications for researchers and potential future directions

The approach outlined in this chapter suggests future research should focus on empirically developing and assessing better governance guidelines that are germane to the scale and context of the specific sport organisations of interest. Researchers should focus on developing and testing guidelines that might have

the most impact on influencing director behaviour, are practical, and are focused on the organisational capacity of sport organisations to enact the guidelines and enable comparison between types and levels (international, national, provincial, local) of organisations. As Parent and Hoye (2018) argued, future research in this area should also move to assess the impact of an organisation adopting or implementing guidelines on their governance performance so as to develop greater understanding of what the governance principles or guidelines are that matter most, for what types of sport organisations, and how these principles or guidelines affect organisational performance.

As space was limited, only one case, governance archetypes of Canadian NSOs, was presented. A next step is to undertake similar studies for organisations at different levels (e.g. IFs, local) and in different countries, given the context dependence of better governance principles and indicators. Only once this empirical work is conducted could researchers conceivably look to develop common guidelines/indicators across contexts that are empirically-grounded and not top-down/theoretically-derived.

Implications for practitioners

Developing a clearer sense of the governance guidelines that take into account the organisations' context will have the most impact on a sport organisation's performance and quality of their governance. It will assist policymakers and sport managers make better evidence-based decisions on investments in director training, governance reform, and monitoring of governance changes. This will also enable sport organisations, all of which face capacity challenges, to invest in the governance activities that truly matter and undertake meaningful efforts to improve their sport's governance for the benefit of their stakeholders.

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Note

1. Search ("sport governance"; all-text, title, abstract, keywords) conducted on the following databases: (a) SCOPUS, (b) ABI Global, (c) SPORTDiscus, and (d) Business Source Complete on March 9, 2020.

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The transferability of western principles and values in the governance of sport

Ian Henry

Introduction

The literature on the governance of sport has grown exponentially over the last two decades (Downing, Leopkey & Smith 2018). This has been fuelled by heuristic concerns to describe and explain the evolving political economy of the sporting landscape, and by normative concerns to promote ethically sound, and managerially effective, practices in governing sport. However, the scoping review by Downing et al. implicitly highlights the western dominated nature of the English language literature on sport governance, identifying and reviewing some 243 articles published in academic journals on the topic between 1980 and 2016. A small but significant minority of these relate directly to non-western governance contexts or practices. The aim of this chapter is therefore to examine the significance of cultural differences in the identification and application of principles of sport governance.

The treatment of sport governance issues in non-western settings has for the most part focused on the shortcomings of approaches to sport governance in such contexts (e.g. McLeod, Shilbury & Zeimers 2020). The implicit suggestion in many such sources is the argument that non-western practices need to undergo modernisation, by which is implied the adoption of the professionalisation and 'modern' governance practices of 'leading' nations in sport. This is a reflection of the modernisation agenda (implicit here in the sport literature, but often evident more broadly in social commentary) in which there is an underlying assumption that the 'progress' achieved and enjoyed within sport governance in the West represents the model to be emulated by the non-west. The nature of western governance practices is not without its critics, indeed much has been written about the shortcomings of such practices in the literature, but there does seem to be an assumption that good practice is defined by the 'developed' sporting nations of the West.

Theories concerning the modernisation of sport, and the inevitable convergence (or the desirability of convergence) of governance systems may be subject to the same fundamental critique as modernisation theories more generally. Fourie (2012), for example, characterises traditional theories of modernisation as

suffering from flawed fundamental teleological assumptions. These include that modernisation is a single, unified, homogenising process, with the West providing the key points of reference in the 'onward march of progress'. The teleological assumption here is one which predetermines what will count as progress, that is the development of the institutions associated with modernity and modernisation. In generic terms this includes institutions such as liberal democracy, capitalism and the bureaucratic state (Fourie 2012, p. 54) such that those societies not exhibiting these features might be regarded as not having reached a mature stage of modernity. In terms of modernisation specific to sport, equivalent phenomena might include the autonomy of sport, commercialisation and sponsorship, and transnational regulation in the form of sport-specific bodies such as WADA, and generic regulators such as the European Union which represent the institutional signposts of modernity to be embraced along the way in the journey towards modernity in sport and its governance.

The rejection of such teleological assumptions has been promoted by those who have drawn the conclusion that modernity is not a homogeneous phenomenon since it will take on different forms (culturally, politically, and/or economically) in different contexts, and who therefore advocate the notion of 'multiple modernities' (Eisenstadt 2017) in which different instances of the phenomenon of modernity share a 'family resemblance' (Wittgenstein 1972) of overlapping characteristics rather than a unitary set of features attributable to a single model. What this chapter therefore seeks to do is to investigate the distance between western and non-western governance prescriptions, and practices and their implications for the governance of sport.

Meanings of governance

The uses of the term governance are multiple with different denotations (referring to different concepts or phenomena) and different connotations (drawing on different theoretical traditions and perspectives). Bevir (2009) provides a brief but well-illustrated map of the governance field, highlighting the range of such denotations and their connotative relationships to theory. In particular he locates the emergence of a concern with governance, as opposed to government, with the New Public Management of the 1990s in which direct provision of services by government gave way to forms of enabling of the voluntary and/or private sectors to deliver services and desired policy outcomes.

In an early attempt to characterise the dominant themes in governance policy and research, a distinction was made between what was argued to be the three most common and significant uses or conceptualisations of the term sport governance in the literature (Henry & Lee 2004).¹ The first of these is systemic governance, which rejects the characterisation of power in business or policy environments as hierarchical, or top-down. Instead, most such environments, including those of sport business or sport policy are characterised by the interaction of organisations and of groups working in horizontal networks within and

across organisations. Such groups might include media interests, major sponsors, players' agents, the major sport clubs and their shareholders in professional sport, as well as 'governing bodies' such as the IOC or FIFA, with power exercised not within a fixed, vertical, hierarchy, but where identifying the sets of actors which will be dominant will depend on the nature of the issue being dealt with, and the resources available to such actors in specific contexts. Systemic governance is thus concerned with the competition, cooperation and mutual adjustment between organisations in such transversal systems.

The second major application of the notion of governance is that of corporate, or 'good organisational governance' which refers to the accepted norms or values for the just means of allocation of resources, and profits or losses (financial or other) and of the conduct of processes involved in the management and direction of organisations in the sport business (Henry & Lee 2004).

The third major application of the term governance in sporting contexts is that of 'political governance'. This relates to the processes by which governments or governing bodies are characterised as seeking to steer the sport system to achieve desired outcomes by, for example, moral pressure, use of financial or other incentives, or by forms of licensing, or regulation to foster action by parties other than government (or sporting authorities such as governing bodies) to act in ways consistent with desired policy outcomes. This analogy of steering rather than rowing (Osborne & Gaebler 1992) is associated with the neoliberal distrust of state action and subsequent reliance on commercial or third sector agency.

While most of the discussion which follows in this chapter relates in particular to the nature of occidental and oriental values in good organisational, or corporate governance, and problems associated with the transferability of such values and prescriptions to non-western contexts, it is worth highlighting some preliminary points about cultural specificity and issues associated with systemic governance and political governance, and non-western engagement with the western dominated sport system.

Prior to the end of the Cold War systemic governance of sport had traditionally been dominated by a set of core western nations, with a semi-periphery of Eastern bloc countries pressing for representation and influence on the global sporting stage, and a periphery of countries largely in Africa and Asia, who were, for the most part, passive recipients of, rather than participants in, global sporting decision-making (Al-Tauqi & Henry 2008). Within the Olympic movement, for example, the overrepresentation of Western Europe, and the United States in the IOC and related decision-making bodies, in sponsorship roles, in sport media, in hosting major events, and in financial investment in sport, has been challenged in ways which have had a profound impact on sport governance (Amara 2008, 2012). Recently, this has been most evident in the attraction of rights to host major sporting events in the Gulf states, locations such as Dubai, Abu Dhabi, Bahrain, and perhaps most notably by Qatar's successful bid to host the 2022 FIFA World Cup. This last example is a high profile (and some might argue a high risk) attempt to promote national image through a soft power

strategy (Brannagan & Giulianotti 2018; Dorsey 2015). Even Saudi Arabia, the largest of the Gulf economies with the biggest population, which had, until recently, been a relative bystander in terms of sport policy and sport hosting, has adopted an explicit use of sport for political purposes. Commentators ascribe the country's recent engagement with sport to 'sportswashing': "Saudi Arabia's relatively sudden interest in sport can be construed as a soft power tactic to help distract from the kingdom's ongoing human rights abuses and the Yemen crisis. ... More recently, Saudi Arabia's sport-centric lobbying offensive has been the result of an urgent need for the kingdom to rebrand itself following the murder of Jamal Khashoggi, a US-based Washington Post columnist and Saudi dissident" (Zidan 2019).

The arrival of non-western capital investment in European soccer has had a profound effect, not simply on those clubs subject to investment—Manchester City and Paris St Germain being perhaps the highest profile cases—but also on players' salaries and transfer fees, and on the development of networks of investment. Sheikh Mansour bin Zayed Al Nahyan's purchase of Manchester City was the initiation of an ambitious project that has transformed world football. City Football Group invested not simply in Manchester City, but launched New York City FC, and invested in clubs in Australia, Japan and Spain (Sleightholm 2018). Its impact on the nature of inter-club competition (in which oligopolistic trends have been reinforced), and on relations between club owners and local fans, would have been unimaginable only a decade or so ago, and thus such non-western actors can now hardly be described as occupying the periphery of systemic sporting relations. The systemic governance of professional sport in the 2020s is thus of a different order to that which obtained in the 1990s.

In relation to political governance, an issue which is more prominent in non-western contexts is that of claims of government interference in the activities of sporting bodies which challenge sporting autonomy. In particular the IOC regularly addresses problems involving government influence on the make-up of National Olympic Committees (NOC). Rule 28(9) of the Olympic Charter seeks to protect the autonomy of sport, providing for suspension of a NOC where any governmental body has hampered the actions of the NOC. Recent examples of disputes between the IOC and governments include the suspension of the Indian Olympic Association in 2012 for breaching the requirements of the Olympic Charter; Iraq in 2008 for government intervention in the workings of its NOC; and Kuwait in 2015 over a new sports law which the IOC claimed impacted upon the autonomy of the Olympic movement. Such invoking of sanctions in the case of state intervention in the workings of a NOC is virtually exclusive to cases of nations of the global south. Interestingly, however, no action has been taken by the IOC in respect of governments such as Russia, China, and other former communist-led states known to exert direct influence on the membership of their NOCs.² These cases of government 'interference' in the autonomy of action of sporting bodies imply a rejection of a political governance approach of 'steering' in favour of direct control of decision-making.

Good corporate governance: Core values and the response of the non-west

While the concepts of systemic and political governance of sport might be said to be primarily heuristic, explaining the patterns of influence developing in sport, 'good' or 'corporate' governance provides a clearly prescriptive approach advocating the principles or values to be adopted or reflected in governance practices in sport. The list of principles of good governance varies to some degree from one source to another. For example, while the European Commission (2019) cites the basic principles of good governance in sport as 'integrity', 'accountability', 'transparency', 'democracy', 'participation' and 'inclusivity' the European Parliament (2017) cites the seven principles, identified in Henry and Lee (2004), namely transparency, accountability, democracy, responsibility, equity, effectiveness, and efficiency, which overlap to a significant degree in terminology and substance with the Commission's, and Geeraert's (2015) report of the Sports Governance Observer reduces the basic principles to four key dimensions—transparency and public communication, democratic process, checks and balances, and solidarity. A useful overview of the range of principles cited by 21 different bodies and nine academic authors is provided in Chappelet & Mrkonjic (2013).

Perhaps the core question in terms of the transferability or imposition of western principles and/or values relates to the extent to which there is a convergence of governance principles and practice both *de jure* (in the adoption of principles as stipulated requirements) and/or *de facto* (in the actual practices of organisations and individuals in sporting governance). The most widely cited account of pressures placed on institutions, organisations and individuals to conform to established organisational practices is the seminal account of DiMaggio and Powell (1983), who define three modes of isomorphic pressure namely, coercive, mimetic, and normative, which operate in a manner which reinforces the position of dominant actors within a particular field (in our case the field of sport governance). Coercive measures would include the use of legislative measures, or international regulatory frameworks. Mimetic isomorphism is a product of actors following the form, style, and *modus operandi* of other, 'leading' organisations operating in the field of sport. Normative pressures relate to the impact of formal and informal codes of practice advocating values and systems of governance, such as the IOC's *Basic Universal Principles of Good Governance of the Olympic and Sports Movement* (IOC 2008).

In contrast to isomorphic factors promoting convergence in governance practices, there are also local political, economic and educational factors which reinforce localism or cultural specificity of practices. As discussed above the political history of a nation state can be reflected in the expectations concerning the relationship between the state and civil society. Path dependency (Johnson 2001; Mussagulova 2020) is clearly reflected in post-Soviet history of sport governance not simply in issues such as state 'interference' in the appointment of members of NOC related bodies, but also in terms of state control of a

corrupt anti-doping system which persisted at least up until the Sochi Olympics when WADA identified the state's role in this practice (McLaren 2016). The economic context of sport governance is also a potentially constraining factor, with some small organisations, such as small NOCs with limited resources, unable to perform those governance tasks which are expensive and resource intensive, with, for example, some countries being unable to meet the costs of drug testing for even a small number of athletes. The impact of education (in particular management education), or lack of exposure to it, is noted by McLeod et al. (2020) as a factor which can promote convergence or cultural specificity. In reviewing sport governance convergence in India, the authors identify a perception that "domestic sport management programs are underdeveloped in the country, and thus, India is lacking a key mechanism through which the importance of good governance principles is typically taught in other parts of the world" (McLeod et al. 2020). However, as noted earlier in the findings, many Indians travel abroad to study sport management and thus good governance principles, and their impact on sport organisations are transfused to India through normative isomorphic pressures emanating from international educational networks. Nevertheless, despite this, the lack of established management education and training programs in the domestic context constitutes a significant barrier to convergence.

However, while political and economic factors may be significant influences in maintaining the divergence of practices in sport governance, cultural factors may provide a more subtle impact. Here we will focus on two examples, namely, the practice of *guanxi* in Chinese society, and more broadly of political clientelism. *Guanxi* is a practice which draws on Confucian thought, locating individuals in a set of reciprocal and trust-based, familial and social, and potentially political and business, hierarchical relations of obligation, such that *guanxi* relations can play an important role in deciding who will do business with whom. Western perspectives on *guanxi* often link this to corrupt business or political practice (Fan 2002). However, the practice of *guanxi* is not necessarily associated with dishonest or unethical practices. It may simply imply taking into account the level of trust or confidence one party has in another party's ability to deliver what has been promised (Barbalet 2018). Taking account of such considerations might be regarded as common sense, and indeed as an obligation in making sensible business judgements.

However, while there is no **necessary** connection between *guanxi* and unethical or corrupt practices, examples of unethical practice in government, in the judicial system (Li 2018), in business activity (Chang 2018), and even in the buying and selling of positions in the military in China (Wang 2016), are widely acknowledged. The existence of this phenomenon, and the need to take account of it when conducting business, may well undermine the ability of managers *de facto* to respect good governance principles including those promoted by European bodies such as the European Commission, or by the IOC in its declaration of the basic universal principles of good governance.

There are two important points to make in response to cultural factors undermining the promotion of good governance. The first is that this is not restricted to Chinese social and business practices. There are equivalent 'culturally specific' phenomena in other societies—see for example the concepts of 'blat' in Russia or 'vruzki' in Bulgaria (Hsu 2005; Onoshchenko & Williams 2014; Williams & Yang 2017) as well as in western societies. In the UK, the existence of 'old boys networks' is evidenced in, for example, the analysis by Reeves et al. (2017) of membership of Britain's political, law, business, cultural and military elites, which highlights that those educated at Britain's nine top private, fee-paying 'public' schools, "are about 94 times more likely to reach the British elite than are individuals who attended any other school" (Reeves et al. 2017, p. 1141).

The second point to make is that any assumption that western *de jure* governance arrangements will inevitably be superior to non-western approaches can be seen, in Said's (1991) terms, as a dangerously orientalist conjecture. We can highlight here the failure of major US professional leagues including the National Football League and Major League Baseball to adopt the WADA code with the consequence that an athlete recording a doping violation can receive a two week ban for an offence that would incur a minimum of a four-year ban under WADA rules (Morgan 2020).

If we turn to other cases of negative *de facto* behaviours in sporting governance, political clientelism (and other related forms of vote buying) are said to be a feature of traditional, non-western, rather than modern societies, and thus likely to be less evident in the developed economies of the West. Political clientelism relates to the exchange of material benefits (good, services, jobs, etc.) provided to a client from a political patron in exchange for political support (Allen 2011). A study of strategic relations and patterns of sport funding in Greece in the 1980s and early 1990s, for example, highlights how changes in elected national government from the Greek socialist party PASOK, to the economically liberal New Democracy were systematically associated with increased or decreased funding of those national sport federations whose president was a member of the incoming or outgoing party of government (Henry & Nassis 1999; Nassis 1994). Similar patterns of party-based favouritism have been identified in Turkish sport policy (Erturan-Ogut & Sahin 2014).

Political clientelism has historically been associated with pre-modern political contexts, hence its association with Southern European non-industrial economies. As a form of political behaviour, clientelism has been expected to decline as the development of modernity is associated with allocation of resources in society based on modern, 'rational', 'technocratic' criteria rather than on social obligations. However, its persistence in modern politics, for example in the context of contemporary populist, ethno-nationalist politics of Trump's presidential election campaigns, (Bonikowski 2019), is evident where benefits are selectively targeted at the constituencies of supporting those in power.

There are numerous examples of the inappropriate use of clientelistic incentives for political gain in modern industrialised economies. High profile

examples of clientelism in a modern western state include the resignations of two of Australia's ministers with responsibility for sport, namely Ros Kelly from the Keating government in 1994 (Wright 2020), and Bridget McKenzie from the Scott Morrison government in 2020 (Murphy 2020), following accusations of the targeting of marginal electoral constituencies in terms of allocation of community sport grants in order to influence the electorate, or 'buy votes'. Such cases demonstrate the unexceptional survival of political self-interest in funding decision-making, in place of the use of modern, technocratic, and logically argued principles for financial allocations (Di Francesco 2020; Smith 1999).

Thus, to summarise there is a variety of *de facto* and *de jure* differences in relation to governance practices generally, and in relation to sport specifically, between, but also importantly within western and non-western societies.

Seeking universal principles of good governance across cultures

Is universal agreement around social and political values feasible at all? One of the most influential arguments at a macro level of analysis which was evident in neo-conservative approaches to policy in the post-Cold War environment and which promoted the notion that convergence of values was impossible, was Samuel Huntington's 'clash of civilisations thesis'. Huntington argued that with the end of the Cold War era, the bi-polar politics of the East-West divide was replaced by a world constituted by nine civilisational blocks, Western, Latin American, African, Islamic, Sinic, Hindu, Christian Orthodox, Buddhist and Japanese, with multipolar values. Some commentators subsequently promoted the view that these blocks sponsor competing and incompatible foundational value stances which, at base, are not open to negotiation and hence compromise. This position may not be that which Huntington himself intended to convey and might be more closely associated with Francis Fukuyama's characterisation of the end of ideological debate in his book *The End of History and the Last Man* (Fukuyama 1993). As Kim and Hodges argue: "Civilisational coexistence is possible in Huntington's paradigm, whereas such coexistence seems to be impossible in Fukuyama's because the latter's paradigm of monocentric diffusion recognises no standard of civilisation other than the Western one" (Kim & Hodges 2005, p. 217).

There are two fundamental points to take issue with here. The first is that the argument that these cultures represent separate, pillarised, value systems is unconvincing (Tibi 2001). There is often far more commonality of values across these civilisational blocks, than there is within them. So, for example, Muslim, Christian, Jewish and secular feminist groups would often have more in common across cultures with one another than they would with the conservative patriarchal values of the male establishment within their own cultures. The notion of 'hermeneutically sealed' civilisational blocks associated with different value

systems, and thus with differences in prescriptions of good governance is thus an erroneous oversimplification (Henry 2007).

The second point is that not only are such claims about the separation of civilisational blocks erroneous they are also dangerous. As Kim and Hodges argue: “Fukuyama’s civilisational Paradigm of monocentric diffusion (...) seemingly [became] an epistemic basis for the neoconservative foreign policy of the Bush administration” (Kim & Hodges 2005, p. 217).

So, from the neo-liberal, neo-conservative wing, support for an account of the convergence of political values around neo-liberalism has been generated. However, the explanatory force of (and support for) Fukuyama’s argument has declined, with events such as 9/11, the financial crisis of 2007–8, the Arab Spring, and the failure of militarily enforced ‘democratisation’ of Iraq and Afghanistan (Milne 2012). The claimed inevitability of accepting neo-liberal values has thus been undermined.

While, from the perspective of the political right, the convergence of values around neo-liberalism was described in a teleological narrative, from a leftist perspective, a negotiated convergence of values through discourse is promoted in the discourse ethics approach developed by Jurgen Habermas (1984, 1990, 1992). Indeed, Habermas’s account of how discourse can be employed to foster consensus offers a philosophically sophisticated, but practical and inclusive, approach to achieving value consensus that can have clear implications for organisational management. Meisenbach (2006) provides an account of a practical case of a discourse ethics approach, which has been adapted below for the purposes of illustrating its application to decision-making criteria in the context of selection and application of criteria of good governance for a governing body of sport (see Table 15.1).

In this account the selection and application of criteria of good governance, and the identification of relevant stakeholders, is undertaken on the basis of Habermas’s requirements for the exercising of discourse. Habermas defines discourse as any social interaction involving opposing or alternative viewpoints aimed at achieving a new rational consensus (Habermas 1995). His discourse ethics does not seek to define or prescribe what is ethical (normative ethics), but outlines a procedure, which is based in intersubjective communication for addressing questions of what is ethical (meta-ethics). That procedure is a form of testing norms through practical communication in an inclusive and non-coercive rational discourse.

Development of the means of an inter-cultural agreement of what should constitute principles of good governance can thus, it is claimed, be drawn from Habermas’s discourse ethics approach. The practicalities of generating this means of agreement are briefly outlined in Table 15.1, where Meisenbach’s description of the steps to be taken in applying a discourse ethics approach to a specific business case study, is extended in the middle column of the table to the practical task of identifying and defining principles of good governance in a particular (but undefined) sporting context. Of course, there are problems in the adoption of

Table 15.1 Steps in the development of a discourse ethics framework

Steps	Description	Application to National/ International Sporting Contexts	Issues to address at each stage
Step 1	Generate an utterance or potential norm	Specify criteria of good governance in sport, e.g. gender equity in leadership roles in sport organisations.	Defining terms, meaning; use of strategic ambiguity.
Step 2	Determine who is potentially affected by the enactment of the utterance	Identify stakeholders: nationally and internationally, players, coaches, administrators, etc.	Guarding against organiser/convenor control and bias in selecting stakeholders; determining expanding circles of those affected.
Step 3	Articulate the utterance to all parties identified in Step 2	Articulate the criteria of good governance proposed to all stakeholders identified: e.g. gender equality or equity; targets or quotas.	Dialogic articulation of utterance; practicality in defining conformity to norm(s).
Step 4	All parties discursively debate the consequences and their acceptability	All stakeholders engage in full and open discussion.	Equal and full participation; practicality.
Step 5	Make a judgment about the validity and acceptability of the proposed utterance or norm	Decision taken in respect of application of ethical norms: e.g. anticipated norms; means adopted to achieve outcomes; sanctions.	Handling disagreement; privileging consensus.

Source: Adapted from Meisenbach (2006, p. 46).

this simplified model of decision-making. For example, in the real world, especially perhaps in inter-cultural discussions, not all participants in the discourse, or stakeholders, come to the table with equal resources such that all voices can be heard (with the result that principles of governance are for some groups imposed rather than discursively agreed). Furthermore, I have argued elsewhere (Henry 2007) that, while in practical terms *universal* agreement may be unattainable, nevertheless the approach has value in that *general* consensus among a majority might be reached by such a strategy.³

As an example of the practical outcomes that might be obtained. Ghadami and Henry (2015) outline in a case study of national governing bodies of sport in Iran, the development of a system for establishing local cultural preferences for specific criteria of good governance, and for weighting those criteria in a manner reflecting local priorities, employing the Analytic Hierarchy Process technique developed by Saaty (1980) to evaluate and weight alternatives in decision-making. The approach adopted promotes discourse about which governance

criteria are important to the local Iranian sporting community; how performance by particular sporting bodies might be measured (which operational indicators to employ); identifying the level of achievement of particular sporting bodies against those indicators; and allowing comparison and ranking of the performance of a range of sporting bodies which might be used, for example, for the purposes of deciding differentials in levels of financial grant allocations.

Concluding remarks

In the introduction to this chapter we highlighted the connection between arguments concerning the modernisation of sport and the modernisation thesis more generally. This was in part to warn against simplistic teleological accounts promoting a picture of an inevitable march towards cultural uniformity around western models of sport. Of course, with the advent of supranational bodies, or codes such as the WADA code, national bodies are required to sign up to the rules (*de jure*) though their local (*de facto*) conformity with the rules may be variable, but with supranational bodies seeking (for example through the Court of Arbitration in Sport) to enforce compliance.

However, in discussing this matter we should perhaps seek to avoid falling into the habit of the use of binary distinctions, the traditional and the modern; Islam and the West; religious and secular world views. Even the governance of sporting activities which have developed in particular contexts, such as professional football (soccer) manifests considerable variation as a phenomenon (Amara 2003; Amara & Henry 2004; Henry, Amara, Liang & Uchiumi 2005), in which local features persist and develop in parallel with the impact of globalising (or at least non-local) influences, evident in aspects of governance which have undergone modernisation. These enduring local diversities alongside the pressure for the uniform application of global rules means that the modernisation of sport is liable to take on subtly different forms in different local contexts which are modern but not uniform, supporting in effect a form of 'multiple modernities' (Wittrock 2002). The departure from globalising norms is not simply a feature of 'modernising' systems (such as gender inequities in the non-west), it is also a feature of 'advanced' sporting nations, as for example in the US adoption of double standards in anti-doping policy for American football and baseball as compared with Olympic sport. There is thus greater promise to be held out in promoting agreement concerning the *processes* through which sport governance principles should be decided, rather than in the imposition of definitive principles *per se*.

Notes

1. Despite the simplicity of the typology, it continues to have an heuristic value as evidenced by its subsequent use by a number of authors in reviewing the field since its initial introduction (e.g. Bruyninckx 2012; Downing et al. 2018; Winand & Anagnostopoulos 2019).

2. The explanation for this given by a senior IOC official in conversation with the author in May 2007, was that no formal complaints of illegitimate government intervention had been received by the IOC in relation to the work of these NOCs.
3. This promotion of a neo-Habermasian account is of course one with which purist 'Universal Pragmatists' would certainly take issue.

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Stimulating ethical behaviour and good governance in sport

The (non)sense of codes of ethics

Bram Constandt and Annick Willem

Introduction

Codes of ethics are implemented by sport organisations of all kinds—such as (inter) national sport federations, professional and amateur sport clubs, and local sport services—to prevent and counteract unethical behaviour within their organisation (De Waegeneer & Willem 2019; Mullane 2015; Walters & Tacon 2018). Since the scope of these codes of ethics has steadily increased over the years, they now often incorporate provisions on the desired conduct of staff and other stakeholders (e.g. with regard to respecting the values of the organisation, outlining conflicts of interest, and setting boundaries for relationships with external partners), on the expected good governance practices of the board of directors (e.g. in relation to such principles as transparency, democracy, and accountability), and corporate social responsibility (CSR) activities and strategies (Maesschalck & Vanden Auweele 2010).

Despite their popularity and increasingly broad scope, uncertainty remains whether codes of ethics are really effective (Constandt et al. 2019; De Waegeneer et al. 2016, 2017; Kaptein 2015, 2021). Whereas some scholars argue that a code of ethics represents the important foundation, cornerstone, and first tangible step of an organisational programme on ethics, others refer to the deceptive misuse of codes of ethics as a form of hypocritical lip service or window dressing to often falsely convince people that the organisation is really preoccupied with ethics (Constandt 2019; Greenbaum et al. 2015; Kaptein 2015; Schwartz 2013; Webley & Werner 2008). Whereas codes of ethics are frequently adopted by organisations in all types of sectors, these critiques further suggest that ethical challenges seem at least as prevalent as before the increase in popularity of codes of ethics (Downe et al. 2016; Kaptein 2021).

Codes of ethics should thus not be seen as a panacea to overcome all ethical dilemmas and issues within sport organisations (Lavorgna & Di Ronco 2015). Nevertheless, one key question remains largely unanswered: how can we make sense of ethical codes in sport organisations? In other words, how can codes of ethics be developed, implemented, and enforced to ensure that they render (maximum) effect? Positioning this question as the central focus of this book chapter, we will present and discuss current theoretical insights (originating from the fields of both business ethics and sport management) into codes of ethics in sport,

their functions, content, and structural characteristics, and their quality criteria and determinants of effectiveness.

Subsequently, we will study the case of the international football (soccer) federation FIFA (i.e. Fédération Internationale de Football Association) to highlight how the organisational policies and aims that are reflected in a code of ethics are (not) and could be brought to life in its organisational practices. On the one hand, FIFA has regularly been linked with unethical conduct and poor governance over the course of its long history (Bason et al. 2018; BBC 2015, 2020; Pielke 2013; Tomlinson 2014). On the other hand, containing 56 pages full of provisions on a wide number and different types of desired behaviours and good governance principles, FIFA's code of ethics is (at least in theory) a textbook example of a well-written code with a broad scope (De Waegeneer & Willem 2019). Drawing on the insights provided by this literature review and the FIFA case, we will conclude by highlighting the importance of internal organisational ethical leadership and external regulations. In the end, a number of avenues for further examination of codes of ethics in sport organisations will be presented.

Theoretical perspectives on codes of ethics in sport organisations

Conceptualisation

A code of ethics is a management and compliance instrument that is developed and used by an organisation to determine and guide desired behaviours of the people involved in (and sometimes also with) the organisation (Kaptein 2021; Stöber et al. 2019; Schwartz 2013; Webley & Werner 2008). Terms such as business code, ethical code, code of practice, code of conduct, and (good) governance code are often used as synonyms for a code of ethics (Kaptein 2021). As an extensive conceptual discussion on the communalities and differences between these terms is beyond the scope of this chapter, we will consistently use code of ethics throughout the remaining paragraphs. Yet we would like to state that a code of ethics has become a sort of container concept for many organisations that seek to combine very specific conduct related regulations with often vaguely formulated organisational values and almost technical good governance principles in one organisational policy document. Accordingly, many aspects of some so-called codes of ethics have in practice little to do with 'ethics'.

While many definitions of a code of ethics exist, most definitions agree that a code of ethics is characterised by four main elements (Kaptein 2021). First, a code of ethics is a document that is developed within, by, and for an organisation. Therefore, codes of ethics should be seen as a self-regulative tool regardless of the fact whether or not an organisation is obliged by law to have a code of ethics (Kaptein 2021). Second, a code of ethics is a formal document, that is approved and officially confirmed by the main decision-making body of the organisation (Kaptein 2021). Third, a code of ethics is prescriptive in terms of behaviour, as it

describes how people involved in (and sometimes also with) the organisation should behave (Kaptein 2021). Fourth and finally, a code of ethics stipulates these desired behaviours in regard to a number of different topics and issues (Kaptein 2021). For example, a code of ethics of a sport club might entail different sections on expected values and behaviours on (e.g. fair play and aggression) and off (e.g. gambling behaviours and substance use) the playing field (Constandt 2019).

Functions and types

A code of ethics combines different internal and external functions (Kaptein 2021). In a broad sense, a code of ethics operates as both a risk management tool to prevent and deal with ethical issues within the organisation, while it also functions as a communication and public relations tool to show people inside and outside the organisation where the organisation is standing for in terms of values, norms, and principles (Adelstein & Clegg 2016). In addition to these controlling and signalling functions, Kaptein (2021) further suggests a number of additional functions. For example, a code of ethics might also represent a clarifying (i.e. offering an overview of the behaviours that are (not) allowed), guiding (i.e. showing the right way), motivating (i.e. inspiring and stimulating people to comply with ethics policies), and correcting (i.e. providing people a base to evaluate and judge the organisation concerning its accountabilities) function (Kaptein 2015, 2021). In their study on the code creation process in a national sport federation in the UK, Walters and Tacon (2018) argue that a code of ethics is often adopted to create external legitimacy. Nonetheless, once adopted, a code of ethics can also generate internal legitimacy.

When it comes to codes of ethics in sport organisations, three types can be identified (De Waegeneer & Willem 2019). First, a so-called *sport ethical code* is directed towards athletes and aims to guide their behaviours on the playing field. Second, an *off-field ethical code* entails regulations and behavioural prescriptions outside the playing field, for often different types of stakeholders (De Waegeneer & Willem 2019). For example, a code of this type might contain regulations on gambling for players, coaches, and referees, or might be focused on the behaviours the sport organisation expects from external player agents. Third, an *ethical and good governance code* focuses on the high level decision-making actors within the sport organisation, such as the board of directors or the management, and stipulates the behaviours that are desired on their behalf, both in terms of general ethical principles and good governance standards (De Waegeneer & Willem 2019). In practice, sport organisations have often only one, often broadly conceptualised code of ethics, which focuses on different stakeholders and mixes aspects of different types of codes (Constandt 2019).

Quality criteria

When considering quality criteria for assessing whether a code of ethics makes sense (i.e. is effective) in stimulating ethical behaviour and good governance,

a distinction is often made between content-related and structural determinants of effectiveness. Studying the content of codes of ethics in sport clubs, De Waegeneer et al. (2016) suggest that the use of code statements that focus on the consequences of certain behaviours (i.e. a consequentialist oriented code), a combination of regulative and inspirational tone and language, and the inclusion of clear and explicit guidelines towards board members generate a positive effect. Based on these findings, they argue that a code of ethics can be more than a regulative tool of compliance, as it can also function as a document that inspires people while raising their moral awareness at the same time (De Waegeneer et al. 2016).

Next to the content of the code, three other sets of structural characteristics of a code of ethics can be identified. First, in terms of the creation of the code, the code should be linked to a strategic planning process in which different stakeholders are consulted. The code should also be revised regularly (i.e. at least every two years) (Singh 2011). Second, concerning the implementation of the code, the code should be easy to find, communicated broadly to at least everyone that has to adhere to the code, and accompanied by ethics training and a hotline or helpdesk for questions (De Waegeneer et al. 2017). Third, a code is a 'toothless tiger' (e.g. Kaptein, 2021) when the content of the code is not enforced in practice. Therefore, the code should contain sanctions for code violations, support for whistleblowers, and evaluation mechanisms (De Waegeneer et al. 2017; Singh 2011).

To date, there is little work that assessed the (non)sense of codes of ethics in a sport context based on a longitudinal study design that enables causal claims. In their study in football clubs, Constandt and colleagues (2019) examined the effectiveness of ethical codes clubs with a three years' time horizon. They conclude that the motivation to professionalise when installing the code, the involvement of sponsors during the code creation, the availability of a helpdesk in the form of an approachable board of directors, and the presence of whistleblowing protection mechanisms all have a positive impact on the ethical climate in football clubs. Hence, these results imply that adopting a code is an essential step to create a formal organisational program on ethics, while the code itself needs to be supported by stakeholder management and organisational leadership to render more (or even any) effect (Constandt et al. 2019).

Walk the talk? A reflection on the case of FIFA

The international football federation FIFA represents an interesting case to study the (non)sense of codes of ethics in stimulating good governance and ethical behaviour in sport. In other words, the case of FIFA can assist the examination of the potential discrepancy between organisational policies and practices regarding the implementation and enforcement of codes of ethics in sport organisations. While FIFA was already founded in 1904, the organisation has long lacked a code of ethics (first adopted in 2004) and an independent ethical

committee (first installed in 2006) (Bayle & Rayner 2018; Lavorgna & Di Ronco 2015; Tomlinson 2014). This observation has led Tomlinson (2014, p. 1161) to conclude that “ethical issues have been peripheral to FIFA’s concerns for most of its history”. However, other scholars have reasoned that the 2012 version of FIFA’s code of ethics complied strongly with some of the major guiding principles outlined in the academic literature (and discussed above). In particular, De Waegeneer and Willem (2019) suggested that FIFA’s 2012 version of their code of ethics was in line with most quality criteria for codes, such as being communicated broadly, revised regularly, containing a mix of deontological (focusing on intrinsic values) and consequentialist (focusing on the consequences of behaviours) statements, and offering safe reporting mechanisms as well as whistleblowing stipulations.

Albeit FIFA’s code of ethics can thus be seen as a textbook example of how a code should look like in terms of content-related and structural characteristics, its most recent versions generated considerable concerns. Moreover, FIFA’s code of ethics has not prevented numerous members of its organisation from engaging in different corrupt activities (e.g. taking bribes in regard to the allocation of FIFA’s 2018 and 2022 World Cups) (Tomlinson 2014). Due to ongoing ethical scandals and the lack of appropriate and accountable governance responses within FIFA, the organisation was considered ‘clinically dead’ by 2015 (ABC 2018; Tomlinson 2014). Accordingly, the hopes of the international football community were high when FIFA’s former president Joseph Blatter—named as a central actor in a number of corruption investigations by the US and Swiss authorities—was replaced by Gianni Infantino in 2016 (BBC 2015; Geeraert 2016). At the same time, a FIFA reform committee was charged with drafting the contours of what was then called FIFA 2.0 (Bason et al. 2018).

Despite these FIFA 2.0 reform efforts, critiques have continued to target FIFA’s alleged lack of ethical and good governance practices ever since, arguing that “nothing has changed following the handover from Blatter to Infantino” (Richau et al. 2019, p. 6). For example, negative international media attention was again directed towards FIFA when the organisation announced its updated code of ethics in 2018. Within this new version of their code, FIFA removed all references to corruption, introduced defamation towards FIFA as a severe new offense, and included regulations that bribery should be discovered within ten years to be eligible for prosecution (ABC 2018). As such, with their new code of ethics, FIFA made corruption “disappear on paper”, strongly discouraged public critique by those bound by the code, and limited the prosecution options towards bribery offenses (ABC 2018). Given the international critique, FIFA reinstalled the notion of corruption in the 2019 amended version of their code of ethics, to avoid any misunderstanding about FIFA’s stance against unethical conducts in football (Palmer 2019).

Despite its efforts to update their organisational ethical policies, scandals continue to bring FIFA into public discredit (Richau et al. 2019). In 2019, the Swiss authorities started a new investigation into a so-called secret meeting between

FIFA president Gianni Infantino and the Swiss attorney general Michael Lauber in 2017. According to the Swiss prosecutor in charge of the investigation, this meeting entailed several criminal offenses, such as breaching official secrecy and abuse of public office (Bonesteel 2020). Although Gianni Infantino is still under criminal scrutiny himself in this ongoing investigation, FIFA's ethics committee decided in the summer of 2020 that FIFA's code of ethics had not been violated and that some accusations towards their president did not even fall within the scope of provisions of the code (BBC 2020). In light of FIFA's recent history, it is clear that having a code of ethics itself is insufficient to generate and sustain an ethical culture within the organisation (Downe et al. 2016).

In times in which international sport federations, such as FIFA, are under increasing public scrutiny, codes of ethics are often developed by internal legal departments and external lawyers who approach a code of ethics exclusively as a risk management and compliance instrument (Adelstein & Clegg 2016; Constandt et al. 2020). However, an ethical code has more potential than merely functioning as regulative document. An ethical code is in essence also a guiding document, including general principles that aim to inspire, motivate, and guide people to behave ethically (Downe et al. 2016; Kaptein 2021). Nevertheless, the way in which many sport organisations are currently approaching codes of ethics entails a considerable risk. After all, scholars warn against the occurrence of what they call "loophole ethics" (e.g. Kvalnes & Hemmestad 2010) and 'hiding behind the rules' (e.g. Kihl, 2007). According to these concepts, a code of ethics is often used in a way that people consider everything that is not explicitly forbidden by the code as allowed, while some tend to neglect their own accountability when the code is not completely clear regarding their responsibilities (Constandt et al. 2020; Jurkiewicz & Giacalone 2016).

Containing simplified descriptions of complex realities, a code of ethics will never be completely comprehensive in terms of outlining the desired behaviours in all possible situations (Downe et al. 2016). Hence, more efforts than simply adopting a code of ethics are needed to use the code as a source of inspiration and a driver of positive change. Building on a positive tone and language, the often abstract regulations of the code of ethics should be translated into easily implementable examples and sources of inspiration (Stöber et al. 2019). Leadership (on different levels) within the organisation is crucial to ensure that the spirit and central message of the code of ethics fully trickles down to all echelons within the organisation (Constandt & Willem 2019). In other words, leaders should 'walk the talk' in terms of showing the way and offering the right example of how to interpret the code of ethics (Greenbaum et al. 2015). After all, a code of ethics is less likely to generate followership of people in the organisation when these people do not believe that their leaders live up to the standards of the code (Stöber et al. 2019). This issue seems to be particularly applicable to FIFA, as many people do not trust that FIFA's leadership is really respecting the clearly formulated and well-presented principles and expectations of their own code of ethics (Richau et al. 2019).

Conclusion

The need for ethical leadership and external pressure

The above review of the academic literature shows that installing a code of ethics is an important—when rooted in sincere motivations—but insufficient step to stimulate good governance and ethical behaviour in sport organisations (De Waegeneer & Willem 2019; Webley & Werner 2008). A telling metaphor in this regard is proposed by Lavorgna and Di Ronco (2015), who argue that a code of ethics operates as some kind of placebo in many sport organisations, meaning that it tackles symptoms but fails to root out the causes of the problem. Although codes of ethics—on its own—will never be able to make unethical behaviour and poor governance disappear completely, we believe their utility can be maximised when a number of critical points are taken into consideration. In this conclusion section, we summarise and discuss these points which relate to elements both internal and external to the organisation.

As reflected in the FIFA case, a code of ethics only makes sense when the leadership within the organisation actually lives up to the expectations and principles of the code of ethics (Downe et al. 2016; Jurkiewicz & Giacalone 2016; Kaptein 2015). As role models, leaders are essential when it comes to convincing organisational members of the desirability and necessity of adhering to the norms and values as outlined in the code of ethics (Kaptein 2021; Stöber et al. 2019). Leaders are also required to embed the code of ethics in the culture and climate of the organisation (Schwartz 2013; Webley & Werner 2008). To the contrary, when leaders do not actually translate the written and theoretical content of the code of ethics into the practices of the organisation, the code might be (mis)used as a form of window dressing or lip service to falsely convince people that the organisation is really concerned with ethics (Constandt 2019; Downe et al. 2016; Greenbaum et al. 2015). As such, we support the idea that “the formal adoption of a good governance code does not necessarily imply the actual implementation of the standards put forward” (Geeraert 2019, p. 522).

The lens of ethical leadership helps to enhance our understanding of this role modelling idea. According to the ethical leadership concept and its underlying foundations formed by social learning and social exchange theory, leaders should embody three roles, i.e. (a) being a *moral person* (e.g. being honest, reliable, trustworthy, fair), (b) promoting ethical behaviour by functioning as a *moral manager* (e.g. implementing clear communication as well as fair enforcement and empowerment mechanisms), and (c) carrying out new norms and innovative ways of thinking and decision-making by operating as a *moral entrepreneur* (Kaptein 2019). Through ethical leadership, the necessary step between developing a code of ethics and implementing its content in the culture and practices of the organisation can be taken (Schwartz 2013; Webley & Werner 2008). There is mounting empirical and theoretically supported evidence that ethical leadership—both on an organisational and supervisory level—is positively related with an ethical

climate in sport organisations (Constandt & Willem 2019; Constandt et al. 2018). Nonetheless, the case of FIFA illustrates how the opposite situation might also occur. Unethical leadership on the highest levels of an organisation may create an unethical climate that erodes the ethical beliefs and behaviours of others on lower hierarchical levels within the same organisation (Pielke 2013; Tomlinson 2014).

In practice, ethical leadership can also help to make a code of ethics more effective by developing and promoting the code in a clear and inspirational way. For example, De Waegeneer and colleagues (2016) have shown that an effective code of ethics in sport entails a consequentialist orientation by which clear consequences and sanctions are outlined for code violations. The *moral manager* role of ethical leadership can be instrumental in this regard. While FIFA's code of ethics is quite clear in terms of the consequences members face for different breaches of the code (e.g. in relation to confidentiality and reporting), the same code has largely failed to guide FIFA's members and external stakeholders in a credible way over the past years. One of the main reasons for this missed opportunity can be found in the negative attention for FIFA's leadership and top-level organisational climate (e.g. BBC 2015, 2020). In addition, the international commotion after the removal of the word 'corruption' from FIFA's code of ethics in 2018 illustrates how the organisation has neglected to communicate clearly and—as a consequence—to inspire the global world of football they are both representing and (supposed to be) leading.

As evidenced in the codes of ethics literature, key stakeholders (both internal and external to the organisation) need to be engaged during code creation and revision processes to develop and sustain support for the content of the code (Constandt et al. 2019). Ideally, the content of the code is also both regulatory and inspirational phrased, while containing explicit guidelines and being easy to assess and understand (De Waegeneer & Willem 2019; De Waegeneer et al. 2016). To further ensure that the code of ethics is no empty box, specific attention should be dedicated to internal code enforcement (Slaughter et al. 2020). In this vein, existing research on codes of ethics in sport organisations points to such recommendations as installing an accessible helpdesk for questions and developing broadly communicated and available whistleblowing mechanisms and support (Constandt et al. 2019). Moreover, the code of ethics should also be embedded in a formal and broad organisational programme on ethics, which pays attention to such elements as recruiting new employees based on their moral awareness and conscientiousness (Slaughter et al. 2020).

Besides these above considerations that aim to foster both the internal creation, implementation, and enforcement of the code of ethics, external enforcement mechanisms and sanctioning are often required to render maximum code effect (Geeraert 2019). As many sport organisations—such as FIFA for at least a considerable part of its history—indicate a lack of accountability and a limited ability of self-control, external legislation, regulations, and sanctions are needed to assess whether the internal practices within the sport organisation under scrutiny are really in line with what their code of ethics seems to suggest (Bayle &

Rayner 2018; Geeraert 2019; Pielke 2013; Tomlinson 2014). Without hard controls, the positive impact of soft controls such as codes of ethics might be in vain (Kaptein 2021). Such external control and pressure is needed to prevent that valid critique on their operation is put aside as irrelevant by sport organisations that feel untouchable or 'supreme' (Tomlinson 2014). For example, the major 2015 FIFA corruption allegations were only turned into an actual case with broad consequences thanks to the continuous international and multisectoral pressure of different legal and political (e.g. a Swiss legal reform on private corruption and the interest of organisations such as the FBI and OECD), economic (e.g. major sponsors withdrawing their support), and media-related organisations (Bayle & Rayner 2018; Richau et al. 2019).

Avenues for future research

Whereas research attention for codes of ethics in the context of sport organisations has increased over the past decade, much remains to be uncovered about their implementation and effectiveness. In general, studies on codes of ethics are seldomly based on a sound theoretical base (Kaptein, 2021). Therefore, we advocate forthcoming scholarship to apply a clear theoretical lens to enhance our understanding about why codes of ethics in sport are (not) making sense. Specific suggestions in this regard are (non) compliance theory (e.g. Geeraert 2019), norm focus theory (e.g. Slaughter et al. 2020), and institutional theory, critical discourse theory, and normative theories (e.g. Kaptein 2021). Moreover, we advise future research to look in-depth into the processes behind the creation and revision of codes of ethics in sport. To what extent are different groups of stakeholders consulted and is external pressure taken into consideration? As current scholarship often examines codes of ethics in certain isolation of the broader organisational environment, we believe there is also much potential in the study of codes of ethics in relation to the broader formal ethics programme (if present) and the culture and climate of the organisation (Kaptein 2015).

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The promises and pitfalls of codification of governance in sport as legitimacy work

Richard Tacon and Geoff Walters

Introduction

Over the last 20 years, there has been a process of ‘codification’ across the non-profit sport sector in many countries, wherein governments, national sport agencies, or other bodies have introduced codes of good governance (Walters & Tacon 2018). This is an extension of the broader process of codification that began in the corporate sector in the 1990s, following a series of high-profile corporate governance failures, and spread to the public sector and non-profit sector in many countries (Nordberg & McNulty 2013). In sport, more than 30 governance codes, or lists of good governance principles, have been published (Chappelet 2018), ranging from early examples of national-level principles (e.g. Australian Sports Commission 2005; UK Sport 2004) to more recent sets of international principles, e.g. the five principles (with ten indicators for each principle) agreed by the Association of Summer Olympic International Federations (ASOIF 2016).

In the UK, which provides the main context for this chapter, there have been four codes. The first was developed by UK Sport, in collaboration with the Institute of Chartered Secretaries and Administrators (UK Sport 2004). The second was developed by the Sport and Recreation Alliance in 2011 (and then re-issued in 2014) (Sport and Recreation Alliance 2011, 2014). The third, labelled a ‘governance strategy’, was issued by Sport England in 2012 (Sport England 2012), and the fourth, the *Code for Sports Governance*, was jointly issued by Sport England and UK Sport in December 2016 (Sport England/UK Sport 2016). This latter code is mandatory for organisations receiving public funding and, in that sense, is different to the voluntary codes and sets of good governance principles that are published elsewhere.

Research on ‘codification’ in the corporate sector has mostly been at a macro-level, looking at whether companies have formally adopted codes of governance and what effects (if any) this has had on organisational performance (Aguilera & Cuervo-Cazurra 2004; Seidl et al. 2013). There has been much less research at organisational level, looking at *why* companies have decided to adopt codes, or *how* (if at all) they have implemented their principles. This is also true in the public and non-profit sectors. In large part, this is because of the difficulty

of gaining access to boards to open up what Leblanc and Schwartz (2007) call the ‘black box’ of board process.

In sport, while there has obviously been significant research on sport governance for a number of years, there was, until recently, very little research specifically on codification. This has changed in the last few years. In 2018, we published an article examining codification in the UK non-profit sport sector, looking at the role of national sport agencies and national governing bodies of sport (Walters & Tacon 2018). Subsequently, Parent and Hoye (2018) published a systematic review of research examining the impact of governance principles on sport organisations’ governance practices and performance. Then, Geeraert (2019) examined international federations’ efforts at self-regulation, drawing on compliance theory, and McLeod et al. (2020) examined governance convergence in India, employing institutional theory.

Together, these studies offer valuable insight into various aspects of codification at national and international level. However, as all the authors note, there is more that needs to be examined. In this chapter, we look at what happens when national sport federations formally adopt codes of governance and we seek to ‘get at’ this through the theoretical lens of legitimacy and, in particular, the notion of *legitimacy work*. Legitimacy work has been defined as “purposeful activity to shape others’ evaluation of something as desirable, proper or appropriate” (Lefsrud et al. 2020, p. 2). The adoption of a code of governance can be framed as an organisational practice enacted by a sport organisation to gain legitimacy among particular stakeholders. We examine this critically, drawing on board members’ accounts of the advantages and disadvantages—the promises and pitfalls—of formally adopting codes as a legitimising tool.

Adopting a legitimacy perspective should be useful for practitioners. It is always important for board members to critically reflect on why they pursue the practices they do and what the implications are. For example, if boards decide to adopt a code of governance primarily to improve organisational practices, this is likely to shape the way they are understood and implemented differently than if the primary motivation is to signal things to others in the sector.

In this chapter, we first discuss the concept of legitimacy work in more detail. Then, we draw on empirical evidence from two research projects to examine, from a legitimacy perspective, why board members in national sport federations signed up to codes, what they considered they ‘got’ out of them and how they shaped board practices and other aspects of the organisation. Finally, we conclude by offering insight into the usefulness of legitimacy work as a concept for understanding the actions of sport organisations and the implications this approach has for researchers and practitioners.

Theoretical lens: Legitimacy work

Legitimacy, as defined by Suchman (1995, p. 574), is a “generalised perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions”.

In the organisational context, legitimacy work refers to the activities that organisations engage in that support and reinforce a particular course of action that is seen by others (both externally and internally) as desirable (Lefsrud et al. 2020). It has long been understood that organisations adopt particular structures or ways of working not necessarily because they are more efficient or productive, but because they confer legitimacy among stakeholders within the institutional environment (Meyer & Rowan 1977).

Legitimacy work, as a way of understanding organisational decision-making, can be applied broadly to organisational governance. Institutional pressures have led to the increasing homogeneity of board structures (e.g. reductions in board size and the appointment of independent board members) and board practices (e.g. the expectation that boards undergo external evaluations). Formally adopting a code of governance can be seen as one way in which an organisation seeks legitimacy, demonstrating how the organisation is moving along a reform agenda driven by the central narrative underpinning codes of governance, namely that they are considered ‘best practice’. This has been recognised in the corporate sector: Aguilera and Cuervo-Cazurra (2009) and Nordberg and McNulty (2013) both explain how codification brought with it the requirement for organisations to *demonstrate* good governance. Likewise, Ebrahim (2010, p. 11), in his analysis of accountability in the non-profit sector, argues that the adoption of codes is a way to “send signals of good housekeeping to the outside world”.

However, we can also see the role that legitimacy work plays *within* an organisation. Gaining external legitimacy requires individual actors within an organisation to engage in decision-making behaviour that aligns with the norms and expectations of external stakeholders. This behaviour, however, needs to be accepted within the organisation, and therefore the process of creating external legitimacy also co-exists with internal legitimising around the nature of work that individuals undertake within an organisation. This was emphasised by Drori and Honig (2013), who argued that the creation of legitimacy is both a process of external and internal forms of legitimacy. Internal legitimacy is defined as ‘the acceptance or normative validation of an organisational strategy through the consensus of its participants, which acts as a tool that reinforces organisational practices and mobilises organisational members around a common ethical, strategic or ideological vision’ (Drori & Honig 2013, p. 347).

All of this implies that to understand codification from an organisational perspective, we need to understand how and why board members take decisions about codes of governance and how (if at all) they influence board practices. Getting this ‘insider’ perspective, however, is often difficult. This is why, as Leblanc and Schwartz (2007), among others, have argued, governance processes are still something of a ‘black box’. And even if it is possible to gain access to boards, this does not mean that board members will explicitly discuss whether they adopt codes for legitimacy and/or other purposes. Nevertheless, we try to do this here, by drawing on some relevant empirical evidence. In doing so, we align with Pugliese et al.

(2009, p. 301), who argue that we should see boards as “decision-making groups whose internal processes and external context should be better understood”.

Adopting codes of governance: Empirical evidence from previous research

In order to illustrate the possibilities and complexities of adopting codes of governance, the chapter now draws on empirical evidence from two separate research projects. The first was a questionnaire survey of board members at sport federations in the UK (Birkbeck/Moore Stephens 2018). The survey was conducted between August and October 2017, with 1,000 individual board members from 170 sport organisations across the UK invited to respond. The survey asked respondents a series of closed and open questions about governance issues, including open questions about what they saw as the advantages and disadvantages of formally adopting a code of good governance. Ultimately, 102 board members from 56 organisations responded, including 85 board members across 40 sport federations. For consistency, we draw only on the responses from sport federation board members. The second research project was an extended case study of one sport federation in the UK, carried out between 2011 and 2016, in which we conducted non-participant observation at board and committee meetings, semi-structured interviews with board members and executive staff and analysis of key organisational documents, including organisational strategies, board and committee reports, meeting minutes and internal memos (see Tacon et al. 2017; Walters & Tacon 2018, for more details).

Advantages of code adoption: Survey research

In the survey, sport federation board members highlighted a number of advantages of formally adopting a code of good governance. The most regularly cited advantage was that it would promote consistency across the sector:

Consistent, strong governance across all sports.
All sports will comply to the same code and will be professionally run.

In addition, a number of respondents suggested it would drive improvements in governance practices:

Highlighting some areas where our governance could be improved slightly.
It will drive significant improvement in organisations that had poor practice.

These were, in a sense, predictable responses and they reflect a mainstream ‘managerial’ view of governance codes. Among these responses, however, were a number that discussed very openly how adopting a code constituted a form of legitimacy work:

It enables us to demonstrate to our stakeholders that we are aligned to ‘good practice’.

Builds confidence in the ability of [the] organisation with funders and partners that [the] organisation is fit for purpose.

The Code assists with our own credibility both internally with all our stakeholders and externally with our partners, especially commercial partners.

The notion of *external legitimacy work* was strong here, with many respondents focusing on the way it allowed them to demonstrate credibility to external stakeholders. However, a significant number also discussed the subtler ways in which formally adopting a code of governance allowed federations to navigate their own internal governance struggles. Some talked about this in general, i.e. across the sector:

The Code will facilitate change in some organisations with legacy structures or complex constituencies.

For too long, some sports organisations have operated as an ‘old boys’ club’ – the new Code brings transparency and accountability. It is long overdue.

Others talked about it specifically in relation to their own federation:

A reason to force the board to discuss governance issues that they have previously ignored or not deemed a priority.

It has been the catalyst for modernising [our] governance structure. Without the potential financial penalties for non-compliance, it is highly unlikely that some of the requirements of the Code would have been passed, particularly term limits for Council membership.

There is an important distinction here between voluntary codes of good governance, which often have symbolic, legitimising value, and the most recent *Code for Sports Governance* in the UK, which sport federations have to comply to, in order to receive funding. It is the mandatory nature of this code (and the threat

of public funding being withheld for non-compliance) that enabled some sport federations to push through governance reforms that otherwise might have been opposed by existing board members, or the wider membership of the federation.

Disadvantages of code adoption: Survey research

Respondents also discussed the disadvantages of adopting a code of governance and it is arguably these responses that best illustrate the complexity of this 'reform strategy' and the nature of the legitimacy work involved. First, many respondents discussed the danger of the code cultivating a 'tick-box' approach to governance that would crowd out the kind of internal cultural change that actually leads to improvements in governance:

In my experience on a range of boards, governance is most effectively improved when change comes from within. There is a danger of conforming to a template without improving underlying culture and values.

The code feels like a measuring tool. I am concerned that organisations spend their time ticking the box rather than addressing the culture and values of the organisations which, if highlighted as critical to the organisations progress, can address the decision making required to embed the code into organisations.

Second, several respondents felt that the introduction of this particular *Code for Sports Governance* was partly about 'legitimacy work' on the part of the UK Government and the national sport agencies, Sport England and UK Sport, i.e. a way for them to demonstrate that they were 'doing something' about governance in sport, particularly in large federations, where there have been high profile examples of governance failures:

It is a 'one size fits all' [approach] that feels very driven by the need for change in the governance of one or two major sports and does not recognise the very varied landscape that sport organisations operate in. It is also heavily focussed on simple numbers in terms of equality on boards and rather pejorative in tone towards sport bodies. Competency seems to have been substituted by the word 'Independent'.

It is important to note this was a marginal view among respondents, but it nevertheless highlights the complexity of 'codification' and the various types

of legitimacy work involved, both among sport federations themselves and the national sport agencies and government departments that all operate in the same 'regulatory space' (Hancher & Moran 1989).

Finally, the strongest responses concerned the potential alienation of sport federation members that might follow from the prescriptions of the code, particularly around the election of 'independent' Chairs and board members:

For an organisation heavily dependent on unpaid volunteers within its governance and service delivery activities:

- sense that control moving away from the members/volunteers to external bodies/individuals with no background in the sport
- traditional 'bottom-up' electoral processes having to be replaced by appointments with minimal member involvement.

In some areas it runs the risk of disenfranchising the volunteer administrator base that NGBs rely on. Reinforces 'us v them'.

The general thrust is to marginalise volunteers from decision-making and to restrict the opportunities for them to advance to the highest levels in the organisation. As a membership organisation, there is a mismatch with a PLC [Public Limited Company] governance structure which fits poorly, potentially exacerbating difficulty for many National Governing Bodies of Sport (NGBs) of communication between the members and the organisation, with the result that there could be an increasing alienation between the central organisation of staff and Board from the membership.

This is a really important issue, both of substance and perception. Formally complying with the *Code for Sports Governance* means that sport federations have to abide by particular governance prescriptions—term limits on board members, recruitment of independent board members, and so on. And while there is evidence, including the comments above, that formally adopting this code demonstrates credibility to external stakeholders, including funding bodies and commercial sponsors, the argument here from a number of board members is that, in doing so, this may well *de-legitimise* some federations in the eyes of their members. This raises a key question about the legitimacy work involved in adopting codes of good governance: legitimacy to whom? We discuss this below.

Case study insights

The case study research provided further, in-depth insight into code adoption and implementation in the context of one sport federation in the UK. In late 2011, the board of the federation formally signed up to the *Voluntary Code of Good Governance for the Sport and Recreation Sector* (Sport and Recreation

Alliance 2011). Initially, at least, this decision appeared to be a form of external legitimacy work. For example, at a Governance Committee meeting in April 2012, one of the independent directors noted that governance was the ‘hot topic’ for Sport England and it was important to be seen to be doing something. And at a board meeting that year, one of the elected directors emphasised the legitimising effects of signing up to a code and employing the language of good governance publicly: ‘It helps’, he said, ‘if you speak the same language as your primary funder’.

Over time, however, the board of the federation moved beyond formal adoption towards attempting to use the code to frame their own internal discussions and decision-making. For example, in the November 2012 board meeting, the Chair argued that the *Voluntary Code* was ‘something that we can use to navigate ourselves’. One of the chief executives then ran a board exercise, in which each board member was asked to state which of the seven principles of the Code was most important (in general) and which the federation ought to focus on next. This exercise was followed up in subsequent board meetings. In an interview, one of the independent directors explained how this worked as a semi-regular practice:

We take probably one principle now per board meeting, or every other board meeting and we look at it and we discuss it in the wider context of, do we do this, how do we do this, how do we evidence it? Because you have to have that conversation. And how does this inform our strategic thinking going forward?

Our observations indicated that the salience of this kind of internal governance scrutiny, framed by the *Voluntary Code*, tended to fluctuate over time, and commitment varied among board members. Indeed, one of the elected directors commented in an interview that “We tend to tick off the individual items, [but] some people just sort of zone out during those periods”. Nevertheless, it was clear that there were explicit attempts to implement some of the principles of the *Voluntary Code* and it could not be seen *only* as external legitimacy work.

Furthermore, over the course of the research, it appeared that formally adopting the *Voluntary Code* also initiated a kind of internal legitimacy work in the federation, whereby board members developed a narrative for themselves about how well governed they were as an organisation. For example, in the November 2012 board meeting, in discussing Principle 4 of the *Voluntary Code*, concerning a ‘Balanced, Inclusive and Skilled Board’, one of the independent directors noted, ‘We have a skills matrix, which is a strength’. Others agreed. This internal legitimacy narrative was bolstered by feedback from external bodies. As the Chair said in a subsequent board meeting, “What I heard (...) is that Sport England are appreciative of what we’ve done. We’ve done what we said we would do. We are seen as one of the better sports”.

Having said this, there was no question that the prescriptions of the governance codes, when issued by the funding agencies, constrained board autonomy. This was apparent in tangible and intangible ways. For example, there was a long-running plan to make the joint CEOs full members of the board, which was formally agreed at the February 2012 board meeting. This would have increased the board from 12 to 14 members. However, at the same time, Sport England released its governance strategy, *On Board for Better Governance*, which stated that “Ideally the Board size should not exceed 12 members. In exceptional circumstances where the Board size exceeds this number, the NGB must be able to justify this on the basis of organisational effectiveness” (Sport England 2012, p. 9). Ultimately, through various board discussions and informal discussions with Sport England representatives, it appeared this would not qualify as ‘exceptional circumstances’ and so the decision to add the CEOs to the board, despite being taken in order to improve organisational effectiveness, was not enacted.

Around the same time, the board was holding a series of discussions to set out the organisation’s strategy. Although both the *Voluntary Code* and Sport England’s governance strategy emphasised the importance of organisational autonomy, with the board setting the strategy for the organisation, board members were highly sensitised to the need to align their strategic priorities with those of their main funder, Sport England. As one of the CEOs said in interview:

I mean, there’s that sort of dichotomy of, you know, the message from Sport England is that you should first think about what would be good for your sport. And then, you know, they should see what parts of that strategy they would fund. But we don’t...in truth, we can’t operate like that. We first think about what they’re willing to fund.

In this sense, while there was certainly a desire on the part of the board to act autonomously, there was a keen recognition of the importance of aligning their strategy with the broader strategic direction of the main funder (and code issuer).

Discussion: Legitimacy work and its consequences

Evidence suggests sport federations adopt codes of governance for multiple reasons, including the obvious ‘managerial’ rationale, i.e. to improve their own governance practices, and the ‘necessary for funding’ rationale, i.e. when a code is a mandatory set of practices that organisations have to adhere to, in order to receive funding. But in among these, there is another common rationale: adopting a code to demonstrate *legitimacy* to certain stakeholders, often key (potential) funding bodies and commercial sponsors. This can be seen as external legitimacy work (Lefsrud et al. 2020). But a closer look suggests this can also involve forms

of internal legitimacy work (Drori & Honig 2013), whereby action taken is used to build or sustain a narrative for organisation members themselves that, in this case, the organisation is well governed.

As a 'reform strategy', then, adopting a code of governance as *legitimacy work* can bring benefits to the organisation in terms of credibility in the sector. However, it is not without tensions and contradictions. First, there is the question of whether the focus on demonstrating legitimacy through adopting a code slows down, or de-emphasises, attempts to actually implement the principles themselves. There is, of course, no reason sport federations cannot simultaneously attempt to implement codes of governance, while heralding their adoption to demonstrate legitimacy. However, too much focus on the legitimising aspects may well reinforce a sense among board members that it is formal adoption that counts, rather than seeking to embed principles. This is tied up with the concern among many board members that the codification process, in general, can transform governance into a 'tick-box exercise', crowding out the sense of good governance as a set of embedded cultural values within an organisation.

This tension is exacerbated by the evolution of the codification process in some countries. In the UK, for example, the most recent *Code for Sports Governance* (Sport England/UK Sport 2016) is mandatory for organisations wishing to receive public funding. This raises a significant question: how far can this really be seen as a code of good governance, rather than, as some respondents called it, the 'terms and conditions of funding'? While the rationale for making it mandatory is clearly stated—to seek to mandate good governance across the sport sector—there is the concern, as one board member commented, 'that organisations spend their time ticking the box rather than addressing the culture and values of the organisations'.

There is also the significant question bound up with the notion of adopting a code as legitimacy work: legitimacy to whom? As many board members noted, there is a real danger that by seeking to demonstrate credibility to funders and commercial sponsors by appearing more 'business-like' in their governance arrangements, sport federations are alienating many of their (grassroots) members, by de-emphasising the democratic traditions through which people are elected from within the sport to govern the sport. This tension has been highlighted repeatedly in the academic literature on professionalisation in the non-profit sport sector (Dowling et al. 2014; Kikulis 2000) and it is one key area that highlights the difference between corporate organisations and the kind of member-based, volunteer-reliant sport organisations.

In this sense, the legitimacy work involved in formally adopting a code of governance, which might seem superficial, quickly becomes a much more nuanced, complex process of balancing stakeholder interests and careful discussion, communication and persuasion *within* particular sports. Over the last few years, Lesley Ferkins, David Shilbury and others have published a series of articles examining precisely these kinds of governance issues (e.g. Ferkins & Shilbury 2010, 2015; Shilbury & Ferkins 2015). While these have not put the concept of 'legitimacy

work' front and centre, they have explored it as part of the broader issues around 'ownership' in the governance of sport federations.

Conclusion

The first conclusion of this chapter is that codification of governance is here to stay in the non-profit sport sectors of many countries and, where it is not already present, it is gathering pace. While this has been the case in the UK, with our research and empirical analysis based on the level of national sport federations in the UK, the fact that there are now codes in multiple countries means that the empirical findings from this chapter are likely to resonate with the situations and circumstances that other national federations face. Similarly, the growing importance of governance within international federations and accompanying codes (e.g. ASOIF 2016) means that the findings from this research are also likely to resonate with the experiences and pressures faced by international federations. Thus, we argue the research is 'transferable', primarily to national federations in other countries, but also to international federations.

The second conclusion is that, at an organisational level, many boards of sport federations decide to adopt codes of governance, initially at least, as a means of demonstrating credibility to external stakeholders. This is code adoption as legitimacy work. But this is where the plot thickens. Empirical research on codification with board members, especially including observation of board and committee meetings, is relatively rare. But the evidence here suggests that demonstrating credibility to external stakeholders—external legitimacy work—is only one aspect. There are also subtler forms of internal legitimacy work going on, as well as tensions and contradictions raised by the emphasis on adopting codes to demonstrate credibility.

This has implications for researchers and practitioners. For researchers, the first implication is quite simply to recognise that, in the area of governance, legitimacy work is going on. In that sense, analysis of governance codes that conceptualises them *only* as tools for improvement, or analysis of the adoption of codes that conceptualises it *only* as a rational action to improve the internal workings of the organisation, will miss important aspects of why and how board members engage with codes. The second implication is to re-emphasise that governance is a multi-level phenomenon (Cornforth 2012). The broader insight from this chapter is that, when it comes to governance, it can be useful to see the various actors, from governments to national sport agencies to individual sport federations, as operating within the same 'regulatory space' (Hancher & Moran 1989), in which "interest groups are bound together in relations of exchange and interdependence, yet the way in which these parties inhabit the regulatory space is characterised by competition and conflict" (Sharrat et al. 2007, p. 1508). As such, national sport agencies themselves can be involved in legitimacy work, introducing codes (or making them mandatory), in order to position themselves as responsible actors within the regulatory space. The final implication for researchers is

methodological: as a number of researchers have pointed out, a key means of understanding governance is through ‘insider perspectives’ of board members and direct observation of governance practices (Leblanc & Schwartz 2007; Tacon et al. 2017).

As for specific further research, Parent and Hoye (2018, p. 22) conclude their systematic review of research on the impact of governance principles on sport organisations’ governance practices and performance by calling for more research on “the capacity and readiness of sport organisations to adopt governance principles and what conditions need to be met for sport organisations to be capable of adopting and implementing these in order to reap some reward in the form of improved governance performance”. Along with this, they argue for more research on actual implementation (or non-implementation) of governance principles and, most fundamentally, for clearer definitions of governance performance and further scrutiny of the presumed relationship between adopting and implementing codes and improved performance. We agree with all of this. However, we argue that in pursuing this research agenda, researchers should be sensitised to the legitimacy work going on and incorporate it into their theoretical frameworks, in order to gain a more comprehensive understanding of why and how board members engage with codes and principles.

We also argue that future research on this topic should include a wide range of voices. Our research has looked primarily at the board, privileging board member perceptions. Future research should examine the perceptions of other stakeholders: How do members of particular sports perceive the focus on good governance? How do funders, who influence the strategic direction of sport governing bodies, construct legitimacy and does this align with how board members construct legitimacy? Understanding the perceptions of these two stakeholder groups is particularly important to gain insight into tensions that might exist. For example, the codification of governance is underpinned by a move towards a more ‘modern’, professionalised organisation and, as such, there is real potential for tension between funding bodies pushing the professionalisation of federations and members for whom the development of the sport—rather than the business—is the highest priority. Given the potential for tension, future research will help to provide more theoretical insight into how boards can address multiple accountabilities (Tacon et al. 2017).

While taking a wider group of stakeholders into account is important for theoretical development, for practitioners, there are similar implications. Many board members of sport federations will already be well aware of the wider political context in which codes of governance are issued and many will have been part of board discussions about the advantages and disadvantages of formally adopting codes of governance. In addition, many will be aware of the tensions involved in seeking to implement governance reforms and may well have divergent opinions on the merits of doing so. However, other board members may not be. As the drive for independent board members continues, many sport federations are deliberately recruiting individuals with little or no background in sport. This

means newly recruited board members may have little contextual background knowledge about the sector. This chapter, at a basic level, should help to sensitise board members to some of the contests for legitimacy that characterise the codification of governance within non-profit sport. Moreover, it should highlight the ongoing need for board members of sport federations to balance multiple stakeholder interests. While it might seem an ‘easy win’ to formally adopt a code of good governance and seek to push through the governance reforms being promoted by governments and national sport agencies as part of the modernisation agenda (Tacon & Walters 2016), this can exacerbate divisions within the existing structures of sports, which can ultimately harm organisational effectiveness. It is a tricky balance to strike, but that is part of the ongoing challenge of governing.

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‘Good’ governance in sport strategies

Reforming organisations by adapting management competencies to governance functions

Michaël Mrkonjic

Introduction

The corruption scandals that have affected the world of sports since the late 1990s have profoundly changed the processes and structures of international and national sport organisations, such as the International Olympic Committee (IOC), the *Fédération Internationale de Football* (FIFA), National Olympic Committees (NOCs) and National Sport Governing bodies (NSGBs). Influenced by the expectations of their internal (e.g. members) and external (e.g. European Commission) stakeholders, these sport organisations are being asked to comply with many and varied principles of ‘good’ governance¹ (Chappelet & Mrkonjic 2019), such as democracy, transparency, accountability, solidarity and checks and balances. Although legal proceedings against former or current executives or senior managers of International Sports Organisations (ISOs) are still being launched (e.g. Jérôme Valcke, former Secretary General of FIFA) and the media report evidence of off-the-field corruption, such as the recent case of the United World Wrestling (UWW) with the dubious payment of 6.5 million EUR to the former president and the German Table Tennis Federation (DTTB) case, which raises concerns that World Table Tennis (WTT) has violated principles of good governance, the results of benchmark analyses show a relatively positive and encouraging picture of compliance with recommended principles. As an illustrative example, the Association of Summer Olympic International Federations (ASOIF) highlights in its third governance analysis of its member federations that almost all its members perform rather well and have improved since the last evaluations with a significant increase in the area of transparency (ASOIF 2020).

The first 15 years of investigation into the good governance of sports, beginning with the Salt Lake City scandal in 1998, have been devoted to the creation of a conceptual and normative bridge between the expectations of diverse groups of stakeholders within the sport system, namely European institutions, and sport organisations regarding the way they should perform to avoid further corrupt activities. This has been illustrated by numerous initiatives to conceptualise,

deconstruct and operationalise the concept into a series of measurable and relatively comparable principles, such as democracy, transparency and accountability. Primarily, defining good governance for sports and developing a shared understanding has been the focus; however, for the past few years, the analytical focus has shifted towards more explanatory and consequentialist investigations on the factors that may influence compliance with recommended good governance principles. Although ISOs and NSGBs are often compared to monopolistic organisations (Forster 2006) because they have no equivalent in the system with regards to their aim, objectives and degree of specialisation, they still have to position themselves in a competitive environment by attracting material and immaterial resources and by creating value for their stakeholders. The systemic stress and the legitimacy crisis that some of them have undergone, combined with the plethora of principles and indicators, have led them, with variable geometry, to rethink their good governance strategy. From a systemic perspective, the attributes of the stakeholder (groups)—whether they are made by specialised organisations (e.g. the Institute of Management Development or I Trust Sport) or by multi-stakeholder groups (e.g. the EU Expert Group 'Good Governance')—the complexity of the sets (Chappelet & Mrkonjic 2019) that often include a very broad and wide range of principles and indicators (e.g. 50 recommendations in the case of ASOIF) or policy mechanisms, such as steering, monitoring or sanctioning and emphasising the role of EU or national law (Geeraert 2016; Mrkonjic 2019), have led sport organisations to apply, adapt or block the recommendations to propose their own. From an internal perspective, studies show that the degree of autonomy (Geeraert, Mrkonjic & Chappelet 2015), the (organisational) culture (Ghadami & Henry 2015), the size (Parent & Hoye 2018) and the capacity, knowledge or expertise of the persons involved in the process (Král & Cuskelly 2018; O'Brien et al. 2019) can play a crucial role in the quest for a successful good governance strategy.

During and after a crisis, many sport organisations, with the IOC at the forefront, have included good governance as a fundamental principle in their statutes, have created ethics commissions or have adopted specific regulations. Consequently, the sport system has experienced the emergence of newly associated functions², such as 'Ethics and Compliance Officer', 'Governance and Compliance Officer', 'Head of Ethics', 'Ethics Officer', 'Governance Manager' and 'Head of Governance', and a stronger control over managerial functions and processes (Chappelet 2017). In 2015, as recommended by the Olympic Agenda 2020, the IOC created the position of Chief Ethics and Compliance Officer. In 2020, the US Olympic and Paralympic Committee (USOPC) appointed former US Assistant Federal Judge Holly Shick as its first Chief Ethics and Compliance Officer. These new functions can be executive or managerial and strategic or operational and can be integrated into different organisational units. Performing a function within a sport organisation requires specific and general, technical or social competencies. The competencies-based view of the board has already attracted the attention of scholars by pinpointing, for instance, that a strategically capable non-profit sport board is determined by people who can make decisions impartially, have knowledge of the

sport, have the necessary skills to monitor progress toward a strategic direction or who think and act with a 'big picture' mindset (Ferkins and Shilbury 2012). At the management level, the competencies that people within governance functions should be equipped with to help the organisation meet the standards is still under-investigated, while the literature on sport management competencies shows that expectations of sport managers are increasing in light of systemic and environmental variations, such as digitalisation or professionalisation (Retar, Plevnik & Kolar 2013). Today, sport managers from the Chief Executive Officer (CEO) in an ISO to the project manager in a NSGB should be equipped with a broad set of competencies, such as planning skills, organisational skills or the will to succeed, as identified by Wohlfart and Adam (2019).

This contribution puts the organisation at the centre of attention and goes beyond board-focused sport governance investigations. It calls for a rethinking of the sport organisation by investigating the types of governance structures and functions and questioning the management competencies needed to reform a sport organisation to meet a good governance strategy. The first section presents empirical evidence on the encompassing value and process-oriented quality of good governance recommendations. The second section offers a new approach to analysing current practice based on sport management competencies. The third section reviews a series of examples that emphasises the importance of this approach for good governance strategies. The conclusion proposes concrete recommendations for practice and follow-up research.

The creation of new good governance structures and functions in sports

Since the 1980s, organisational theory has made a significant contribution to a better understanding of sport organisations, particularly regarding aspects of change, effectiveness and efficiency, professionalisation and organisational performance. It has also informed work on organisational governance understood as "the structure and process used by an organisation to develop its strategic goals and direction, monitor its performance against these goals and ensure that its board acts in the best interests of the members" (Hoye & Cuskelly 2007, p. 9). Much work on sport governance has largely focused on the strategic direction, role, composition or structure of the board (Parent & Hoye 2018) as the body that oversees the activities of management. This is due to the strong theoretical and cultural influence of the Carver doctrine and corporate governance (i.e. the ways in which an organisation/a firm is directed and controlled) in the 'codification' of governance (Walters & Tacon 2018) and the compliance mechanisms installed by National Sports Agencies (NSAs) to monitor the activities of their NSGBs in countries such as England with the 'Code for Sports Governance' (Sport England and UK Sport, 2017) or Australia with the series of '(Mandatory) Sports Governance Principles' (Australian Sports Commission 2015, 2020). This suggests that the only governance structures and functions within a sport organisation would be those associated with the board, chairman, elected member or

independent member, whose appointment modalities may vary according to the context (De Bosscher & Sotiriadou 2019). Other approaches extend the analysis to the integration and role of the function of the CEO, particularly decision-making power (voting or non-voting rights) and the transmission of information from the board to management and vice versa.

However, a good governance structure, such as a standing strategic structure, does not guarantee successful compliance as many other factors are involved (Crawford & Carter 2011). An overview of the different good governance principles and indicators proposed in the literature shows a more nuanced picture of the importance of the role and logics of the board. In 2008, when the IOC proposed its Basic Universal Principles of Good Governance for the Olympic and Sports Movement, the composition of the executive board only appears in a limited way, on selection criteria based on their capacities, skills, leadership, integrity and experience (theme 3.1) and the formalisation of their responsibilities compared to those of the General Assembly and the administration (themes 2.6 and 4.1) (IOC 2008). The principles and indicators proposed by researchers over the last 10 years follow the same logic. Of the 63 basic indicators for better governance in international sports proposed by Chappelet and Mrkonjic (2013), only five specifically target the board on issues of financial transparency, term limits and age limits as well as the representation of women and geographical representation. Of the 36 indicators of the 2015 Sports Governance Observer (SGO) by Geeraert (2015), only seven are directly related to the activities of the board in relation to the publication of decisions and information, remuneration, term limits, regularity of meetings and gender equity—not to their strategic capability. The same applies for the model proposed by the ASOIF Task Force and the 2018 version of the SGO (Geeraert 2018); of the 50 principles proposed by the former, 15 relate to the board. Just as a sport organisation needs structures and processes to achieve its objectives, good governance also comes with a host of new structures, systems, processes or rules, such as term limits, age limits, a system of anonymous whistle-blowing, clear election rules, rules for managing conflicts of interest, a risk management system, the publication of activity or financial reports and the empowerment of the legislative body. From there, a good governance strategy is undeniably driven by the board and its members through their strategic function, but the heterogeneous and ambiguous nature of the recommendations implies that to meet the expectations placed upon it, it must transform the organisation as a whole from the strategic apex to the management and support functions.

Compliance with good governance recommendations is usually driven by external stakeholders that need to convince, either reactively or preventively, that individual or collective actions, if left unchecked, can damage the image and reputation of the organisation and as a result lead to mistrust of current and potential partners. Whether rooted in corporate governance or not, it involves several mechanisms, including the creation of new ad hoc structures and related roles and functions. In 1998, the IOC created the Ethics Commission (Chappelet 2005) and the IOC 2000 Commission Executive Committee, including former United Nations General Secretary Boutros Boutros-Ghali and United States of

America Secretary of State Henry Kissinger. In 2012, the European Commission created the EU Expert Group on Good Governance, including a broad panel of experts and decision makers in the field of sports. In 2011, the President of FIFA appointed an independent body—the Independent Governance Committee (IGC)—and asked criminal law expert Mark Pieth to establish a group of independent governance experts and stakeholder representatives to overview and support FIFA's reform process. The purpose of the IGC is to oversee the creation and implementation of a framework of good governance and controls to ensure the organisation's integrity with the goal of restoring confidence amongst all stakeholders of FIFA, with the power and authority necessary to discharge its purpose, and if appropriate, to recommend further investigation (IGC 2014). In 2015, the same ISO created a Reform Committee chaired by former IOC Director General Francois Carrard. The same year, ASOIF created a Governance Task Force chaired by its own President, Francesco Ricci-Bitti, and composed of a group of internal and external stakeholders of the Olympics sport system, whose duty is to ensure that discussions on good governance are followed by concrete, transparent and measurable actions, to analyse the status quo and to monitor progress with regular reporting to its Council and members (ASOIF 2016). These structures, whose existence is often constrained by the duration of the legitimacy crisis and the mandate, provide recommendations that include the creation of new structures that can include non-executive/independent members, such as the FIFA Football Stakeholder Committee proposed by the Reform Committee for purposes related to the structure of the game and technical matters (FIFA 2020a), the FIFA Audit and Compliance Committee, which advises, assists and oversees the Council in monitoring FIFA's financial and compliance matters and monitors compliance with the FIFA Governance Regulations (FIFA 2020b), the FIFA Nomination Committee (now Compensation Sub-Committee), responsible for defining the individual annual compensation of executive members as well as that of the Secretary General (FIFA 2020c), and the Governance and Review Committees, being specifically assigned to support the Council on FIFA governance matters and to conduct tasks, such as eligibility checks and independence reviews (FIFA 2020d).

The more process-focused orientation of good governance recommendations that are disseminated throughout the organisation and the creation of temporary or standing ad hoc structures echo the creation of new governance functions at the management level. Interestingly, the role of management in governance reforms has often been reduced to an organisational level controlled by the board and illustrated by the role of the management/administration and the CEO/Secretary general within (e.g. non-voting member) and without (e.g. head of the administration) this structure, which is already well-documented in governance literature, and is, for example, illustrated by the driving role of Jerome Valcke during the FIFA governance reform. Evidence from ISGBs, NSGBs and NSAs shows that the good governance rhetoric has also generated new positions and more discrete specialised standing structures that assume a diverse range of roles within the organisation. In other words, management structures or functions can assume governance roles in addition to the sole CEO. UK Sport has created a Sport Governance and

Organisational Health unit, whose head is namely responsible for working with the CEO and assuming day-to-day responsibility for the agency's own governance, including ensuring ongoing compliance with the Code for Sports Governance (UK Sport 2018). In 2013, UEFA created the function of Corporate Governance Officer (transformed to Corporate Governance and Compliance Officer and recently Governance and Compliance Officer), whose current tasks consist of overseeing and coordinating UEFA policies in the sphere of governance and compliance as well as ensuring that it takes all reasonable organisational measures required to build and implement a modern corporate governance and compliance programme and framework and to strengthen its ethical and compliance culture (UEFA 2020) in the Executive office. In 2015, as recommended in the Olympics Agenda 2020, the IOC created the position of Chief Ethics and Compliance Officer, a senior position within the Ethics Committee, whose mission is to ensure compliance with ethical principles and good governance and is run by Paquerette Girard-Zappelli. FIFA hired financial governance programme managers, who are responsible for defining and implementing an audit and compliance framework for FIFA development programmes (Think Sport n.d.). In June 2020, the US Olympics and Paralympics Committee appointed former US Assistant Federal Judge Holly Shick as its first Chief Ethics and Compliance Officer. As part of the Executive team, it will lead the compliance team in establishing, implementing and enforcing standards and operations to champion a culture of oversight and accountability (Team USA 2020). Accordingly, Table 18.1 presents an overview of structures and functions associated with a good governance reform.

This critical review suggests that to remain on the right track set by diverse stakeholder expectations, the transformative value of good governance reforms penetrates the organisation through different processual, structural and functional channels. Hence, good governance should not be viewed as the classical top-down view of directing and controlling the organisation, and management performs its financial or moral duties. It also needs to be analysed as the contribution of a diverse group of internal and external stakeholders that assume different roles and functions. The shift from a board-oriented perspective to a more processual and incremental approach of a good governance driven organisation therefore gives more weight and value to the personal competencies of the employees involved directly or indirectly in the reform than the sporting excellence and outstanding track record that characterise the very few chief reformers mandated by the IOC or FIFA or chairs of standing advisory and monitoring structures.

Sport management competencies

Current trends, such as globalisation, professionalisation and digitalisation, have transformed the ways in which a manager is expected to perform duties within an organisation. The salience of competencies and skills related to planning, organising, budgeting, staffing, controlling or evaluating within the context of an organisation that applied yesterday is—for some—no longer relevant, especially in the future. For instance, Gallardo et al. (2018) show that the knowledge of a second

Table 18.1 Structures and functions associated with a good governance reform

<i>Structures</i>	<i>Standing strategic structure</i>	<i>Temporary steering structure</i>	<i>Standing advisory and monitoring structure</i>	<i>Management structure with governance roles</i>	<i>Management sub-structures with governance roles</i>	<i>Management functions with governance roles</i>
Role	Lead the governance reform from the inside	Steer the governance reform from the outside	Support the governance reform from the inside ³ and monitor specific processes	Disseminate governance reform throughout the organisation	Support governance reform from the inside and monitor specific processes	Support governance reform from the inside and monitor specific processes
Typical functions	President	Chair	Chair	CEO	Head of	Officer
Example	Member IOC Executive Board	Expert Independent Governance Committee	FIFA Audit and Compliance Committee	Secretary General FIFA Secretary General	UK Sport Governance and Organisational Health	Manager UEFA Governance and Compliance Officer

language and the ability to use big data are the most important areas of competencies development within sport organisations in the future. The field of study concerned with the analysis of competencies that are needed for a career in the sport industry emerged in the 1970s in light of the first curricula development and education programmes in sport management. Beginning with the assumption that sport organisations' aim is primarily to identify and to recruit skilled persons who contribute to meeting their strategic and operational objectives through the execution of allocated tasks, it was necessary to develop competency frameworks for students that meet the expectations of employers in the sport industry. The importance of these instrumental studies have been boosted by national (e.g. Apitzsch 2016; Emery, Crabtree & Kerr 2012) or European (e.g. Petry, Froberg & Madella 2006) sport labour market studies, and more specifically, by the specificities of sport management functions, such as a manager of a sports facility, a NSGB or a sports club.

The acquisition of competencies is a means to achieve employability and prosperity (European Commission 2016). They are acquired by individuals throughout their life trajectories (e.g. primary and secondary socialisation) and are a vector for strategic positioning, competitiveness, growth and innovation. As such, they constitute an important strategic dimension for national, European and international employment policies, where the challenge is to identify competencies related to an occupation, to structure them hierarchically or to question the relevance of competencies to each other (European Commission 2016). This instrumental approach has given rise to numerous analyses on the key competencies that an individual must have to carry out the tasks entrusted to him or her, which have fuelled the debate on the universality, immutability and transferability of these competencies. One of the main aims of sport management competencies research is to generate categories, such as current and future, core and special, technical and vocational, personal and methodological, that are embedded in curricula development.

Studies show that the salience of the competencies expected by the labour market varies based on the organisation, position and tasks. For instance, taking on a leadership role will place more emphasis on leadership or the ability to build partnerships, while a more operational role will place more emphasis on writing skills. Based on the assumption that the expectations of a sport organisation are oriented towards communication, technology and interaction in a globalised world, Pedersen and Thibault (2014) assert that key competencies should be sought in leadership and critical thinking. In the first vein, skills are based on five types of sport management activities (marketing and sales, correspondence, public speaking, community relations and record keeping). Each of these activities refers to two clusters of responsibilities, 'organisational management' and 'communication management', which integrate respectively nine and ten competencies needed to lead an organisation effectively. In the first cluster, a sport manager needs good leadership skills to ensure that subordinates meet the requirements—not necessarily technical skills on data storage. Critical thinking enables managers to justify decisions. In their analysis of German sport organisations, Horsch and Schütte (2003) show that public

relations, personnel management and knowledge of sport are key. Their analysis also confirms the widely held view of the need for a wide range of skills. In their analysis of Slovenian sport organisations, Retar, Plevnik and Kolar (2013) show the importance of cooperation with individuals, putting knowledge into practice and developing a positive working environment. Finally, the most encompassing contribution in this field of investigation is from a research project conducted by a consortium of European universities ('New Age of Sport Management Education in Europe') that examines qualification requirements of sport management graduates in four different sectors (non-profit sport organisations, professional clubs, public sport sector and private sport businesses). Based on a large set of 72 sport management competencies, their findings show a group of core-transversal competencies, such as teamwork, planning skills, oral communication and a desire to succeed, and sector-specific competencies (from one to three), such as capacity to learn, social intelligence and problem-solving skills (Wohlfart & Adam 2019). In most cases, the samples include management positions from the first to the senior level (i.e. up to management structures with governance roles), but none aim at isolating governance structures and functions.

From sport management to sport governance

People can be considered the most important element in the management of sport organisations because they have an impact on specific goals to be achieved (Chelladurai 2006). The allocation of skilled Human Resources (HR) to perform duties within specialised organisational units is key for purposeful strategic orientations, sound management processes and success. To achieve its objectives and to survive in a highly competitive sport system, the organisation must be able to rely on HR with different roles, functions and competencies. In parallel to structural and attitudinal determinants (e.g. size of the board or accountability), evidence from several studies shows that more knowledge-based determinants, such as expertise, can play important roles in the quality of governance reforms (Geeraert 2019; Král & Cuskelly 2018; O'Brien et al. 2019). From there, the composition of the board at the strategic apex of an organisation certainly has a role to play in the implementation of good governance strategies. Depending on their strategic capabilities, its members will be able to carry and to disseminate the message of the need for and usefulness of good governance throughout the organisation. That said, as evidence has shown that it can be more encompassing and process-oriented than board-centred approaches, framing and nurturing relative structures and functions with management competencies could support sport organisations in achieving a successful strategy.

Building on a descriptive analysis of good governance structures and functions of several sport organisations, such as UEFA, FIFA or the Fédération Internationale de Hockey (FIH) (e.g. FIH 2018; Think Sport n.d.; UEFA 2020), and insights from key lessons from literature on sport management competencies, Table 18.2 proposes a tentative list of key sport management competencies that

Table 18.2 Key sport management competencies associated with a good governance reform

<i>Structures</i>	<i>Standing strategic structure</i>	<i>Temporary steering structure</i>	<i>Standing advisory and monitoring structure</i>	<i>Management structure with governance roles</i>	<i>Management sub-structures with governance roles</i>	<i>Management functions with governance roles</i>
Key sport management competencies	Leadership Decision-making Strategic thinking Capacity to cope with multiple stakeholder expectations	Expertise Persuasion Independence	Capacity to work with regulations Problem-solving skills Concerns for quality enhancement	Strategic thinking Monitoring processes Communication	Cooperation with other sub-structures Communication Ethical commitment	Organisational skills Analytical skills Ethical commitment

the latter could be equipped with. Members of standing strategic structures, such as an executive committee, as a key driver for reform, should be selected on the basis of their leadership, decision-making skills, strategic thinking and capacity to cope with multiple internal and external stakeholder expectations that influence the ways in which an organisation is directed and controlled. Chairs of experts within temporary steering structures, as the custodians of an independent review, should be able to steer the reform with independence, expertise and persuasion. Chief compliance officers who lead standing advisory and monitoring structures should have the capacity to work with specific regulations and should have solid concerns for quality enhancement to solve problems related to internal processes. Secretary Generals or CEOs involved in good governance reforms should have the ability to support the board with strategic thinking and communication with board members and heads of management sub-structures and should be able to monitor the process throughout the management and operating core. To generate horizontal commitment, heads of management sub-structures with governance roles should have the ability to communicate and cooperate with other sub-structures and should show a strong ethical commitment to the cause. Ultimately, to support governance reform from the inside and to monitor specific processes, organisation skills, analytical skills and ethical commitment are key for management functions with governance roles, such as for a governance and compliance officer.

Conclusion

Complying with good governance recommendations is a challenge for a sport organisation. The areas of compliance are broad and are nurtured by a plethora of stakeholders and theoretical frameworks from corporate governance to political science. Evidence shows that most of the recommendations induce a complex and thorough transformation of the organisation that affects objectives, structures, processes and people within sport organisations. As a normative concept, good governance has the potential to be embedded in the organisational culture. The strategic apex shall first recognise that it goes beyond the role of the board, and the creation of temporary steering 'super-structures' or standing advisory and monitoring structures, such as remuneration or nomination committees chaired by external and high-profile experts. This mind-set should then lead to a prioritisation of good governance within the whole organisation. It should be included as a key mission and objective that ultimately permeates the creation of specialised management sub-structures and functions with governance roles that are not only associated with controlling and monitoring duties.

However, to date, the depth of this process is still under-investigated. Parent and Hoyer (2018) show that only a handful of studies have been conducted to investigate the causes or the extent to which the adoption of specific principles impact outcomes or the performance of sport organisations. Furthermore, none of the studies identified by the authors in their systematic review addresses good governance in

sports from a Human Resource Management (HRM) and competency-building perspective. An important missing-piece, if we consider that HRM contributes to matching the strategic orientation of an organisation with proper allocation and performance of tasks. Educating and equipping people with fit for purpose competencies is then key to ensure effective implementation of a good governance strategy and transform short-term and opportunistic reforms into standard practice. Unfortunately, multi-stakeholder initiatives including intergovernmental organisations, governments and sport organisations on the fight against off-the field corruption are still too much focused on the creation of a (new) conceptual reality (how is good governance defined?) and the development of a practical relevance (how can good governance be measured?). It is encouraging to see that a handful of initiatives, such as the International Partnership against Corruption in Sport (IPACS), recommend to put (integrity) awareness/education programmes in place (IPACS 2020). But such recommendations are usually hidden by the breadth of the sets and lack precision in the light of their consequence on the organisation—in terms of resource allocation the publication of statutes on a website is hardly comparable with the organisation of education programmes. Therefore, education on good governance should get much more attention in international and national multi-stakeholder groups. The creation and promotion of specific and hands-on joint education programmes built on a good governance competency-framework inspired from sport management helps future and current sport managers to achieve the good governance strategy of an organisation and, consequently, contributes to the development of a legitimate and trustworthy sport system.

Notes

1. Quotation marks are used to emphasise the volatile (e.g. period of investigation) and normative (i.e. cultural patterns of compliance) properties of good governance.
2. This contribution focuses on off-the-field or organisational corruption. Structures and functions related to on-the-field corruption or match-fixing (e.g. integrity units, integrity officer) are not included in the analysis.
3. The hybrid composition of the ASOIF Governance Task Force suggests that such structures could also steer reform from the outside.

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Research on good governance in sport

From puberty to adulthood

Frank van Eekeren

Introduction

This book marks 10 years of research into good governance in sport. The contributions in this book show that various authors from various disciplines have started to delve into the theme, and it has resulted in a rich palette of insights, ideas and criticism. Gradually, we can speak of a ‘research field’; one that sees not only extensive academic publication and debate, but also one that has had a body of knowledge with a broad range of empirical findings, theories and perspectives emerge from it. At the same time, it is a research field that distinguishes itself from many others, in particular because it has a demonstrable and sometimes direct impact on practice. This means that researchers bear a great deal of responsibility. After 10 years, it is time to take stock and, on the basis of the contributions in this book, to ask ourselves at what stage of development this relatively young research field is.

The development of a research field in general is not prescribed and does not proceed in accordance with any predetermined steps. There are several ways to look at the development of a research field and the use of a specific metaphor can be helpful in sharpening the view. In this concluding chapter, I will look at the research field of good governance in sport using the metaphor of human development; from infancy through childhood, through puberty and into adulthood. Doing so, will allow me to investigate what steps are needed to further develop the research field and to bring it on its way into adulthood.

The first conclusion after reading this book may be that research into good governance in sport has transcended childhood. In the early 2010s, the pioneers took their first steps from research projects aimed at bringing about practical change in the everyday management of sport organisations, which were in turn prompted by scandals in international sport federations. Projects such as Action for Good Governance in Sport (Alm 2013) and publications on good governance principles and measurable parameters (Chappelet & Mrkonjic 2013; Geeraert 2019) were therefore aimed at practical applicability. They were also aimed at making good governance measurable, so that on one hand, sport federations would be stimulated to change (through naming and shaming where necessary) and on the

other, so that mutual comparison between sport federations would be possible. The acceptance of this academic input by practitioners is remarkably high—by no means is every scientific insight being picked up so successfully outside the academic community. At the same time, the practical impact of the pioneers' work is also understandable: the knowledge provided is based on the belief in a certain degree of manufacturability, and it provides managers in sport and government officials with guidance for their actions.

Since then, the research field has grown. It has grown in size, given the number of studies, publications, symposia and debates, but also in diversity, given the application of different scientific concepts from different disciplines. The authors in this book apply different theoretical perspectives, ranging from instrumental rationality to critical feminism, and theoretical concepts, such as ethical leadership and legitimacy work. They use these perspectives and concepts to reflect on issues at the global, national and local level: from structural changes in international sport federations, such as IOC and FIFA, and the implementation in national sport governing bodies, such as in Canada and Australia, to practical struggles at the local level in a small amateur club in the Netherlands. Much of the research in this book focuses on the content, quality and impact of structural measures and codes, as these are dominant in current practice. The contributions show that practice often proves to be unruly and implementation complicated. Based on theory and empiricism, this book exposes weaknesses and vulnerabilities of the dominant approaches. The contributions also show that there is room for other perspectives and criticism of currently dominant research approaches; an insight which is ultimately reflected in the subtitle of this book, *critical reflections*.

These critical reflections coupled with the growth towards full maturity can be seen as the characteristics of a research field in its puberty. In this phase of life, it is all about the question "who am I?". Puberty is a developmental stage that entails going on a search for one's own identity, even if it means some degree of rebellion, springing from the desire to develop a full-fledged personality that is independent from the community in which one grew up (Susman & Rogol 2004). For a human being, and arguably for a research field that is meant to reach maturity, this means that a (temporary) identity crisis can be part of the development as is the necessity for introspection (cf. Rutgers 2010; Waldo 1968).

In this chapter, I give a first impetus for this introspection, and I indicate a direction to take for the path to adulthood based on the contributions in this book. First of all, this requires critical reflection on the representativeness of the authors and their work for the research field as a whole. After that, the chapter analyses the similarities and differences between the authors and the ontological and epistemological perspectives they use. The chapter follows with a description of a pathway towards adulthood that does justice to the current identity and diversity of the research field and its impact on practice. The chapter ends with implications and recommendations for the relationship of the research field with its maternal sciences, other fields of science and practice.

Representativeness of the authors

In order to describe and analyse the development of the research field on the basis of this book, it is first of all, important to determine whether the authors in this book can be seen as representative of the research field as a whole. Provided that the research field is not a delineated whole or a formal entity with clearly identifiable members, it is important to determine whether the authors in this book are representative of the researchers working on this topic worldwide because representativeness determines the value of the analysis in this chapter: is it only valid for the group of authors in the book or also in a broader sense?

Representativeness here concerns both origin and personal backgrounds of the authors and their scientific disciplines. The authors in this book originated from Europe, the USA, Canada and Australia. Six of them work at the School of Governance of Utrecht University; a department that has a tradition of researching social issues in sport with a critical approach. In addition, most authors are Caucasian and are mostly either anglophone themselves or gravitate towards the anglophone community. This means that researchers from other parts of the world are not present and represented to a limited extent in the book. The authors in this book come from a variety of academic disciplines. They have a background in political sciences, sociology, anthropology, ethics, organisational sciences, public administration, management studies, law and economics. At the same time, a number of disciplines are left out of the picture. For instance, a chapter based on discourse analysis ultimately did not 'make the cut' of the book, despite the fact that discourse analysis does offer interesting opportunities to analyse the content of policy and codes and to expose how certain parts are framed. Other relevant scientific disciplines and theoretical perspectives have undoubtedly been left out of this book, as have been relevant empirical research from Africa, Latin America and Asia and unconventional Non-Western cosmologies, such as Daoism, Ubuntu and Dharma (Baggini 2018).

In part, these omissions can be traced back to the network we drew from as editors and to our invitation policy. At the same time, the book seems to reflect the current dominance in science in general and the research field of good governance in sport in particular. For instance, the underrepresentation of women in science (Catalyst 2020) is reflected in the somewhat unequal male-female ratio among the authors in this book. The existing hegemony of Western and English-speaking researchers in sport is a previously observed phenomenon (Breitbarth, Walzel & Van Eekeren 2019). Visible attention to good governance in sport and the research into it primarily takes place in so-called Western countries. This can be partly explained by the involvement and interest of Western-oriented sport organisations and governments in the topic, but also by the available financial resources in Western countries and universities for this type of research.

All in all, the authors in this book appear to be a reasonable reflection of the current field of research and therefore, statements can be made about the research field as a whole and as stands now on the basis of the authors' contributions in

this book. This is done so explicitly without condoning the mentioned hegemony. At the same time, the hegemony and the limited width of the research field can be seen as expressions of the development phase in which the field finds itself. It can be argued that it is appropriate for a research field in puberty that it relates to a relatively small peer group, while an adult research field is more broadly oriented.

Similarities and differences between the authors

The previous reflection on the composition of the research field does not imply that there is homogeneity in its approach to the subject. Although almost every chapter in this book critically observes the current dominant use of universal good governance in sport codes and related instruments, and challenges the underlying dominant theoretical perspectives of this practice, the authors differ in their perspectives and use of concepts to criticise the current practice. They use various theoretical perspectives in addition to or against the dominant approach (collected in Part I of this book) and different theoretical concepts to arrive at ideas about reform strategies (collected in Part II). According to the type of criticism they provide on the current dominant practice and theoretical approaches on good governance in sport, four groups of authors can be distinguished.

The first group of authors (with limited representation in this book) criticises the quality, reliability and validity of the codes and instruments used. This group aims to inherently improve the existing instruments by means of (technical) optimisation of indicators. The presence of multiple definitions creates difficulties in their attempt to assess what good governance really is and makes it hard to generalise the findings of good governance studies (Kjær 2004; Van Doeveren 2011). The view of this group of authors is that through a rational approach, the instrument for promoting good governance is becoming better and more refined. They often criticise the current lack of adequate methodological transparency of good governance indicators and advocate for developing methodologies that turn good governance in sport into more adequate proxies for the abstract concept of good governance.

A second group of authors, much better represented in this book, focuses not so much on the technique of the existing instruments, but criticises their content and applicability. These authors aim to provide substantive adjustments and argue that instruments should be more focused on context, process and the broader system of organisations and actors that influence good governance in sport. Just like the first group, this group of authors does not question the use of instruments with a generic set of indicators *per se*, since they are based on the common understanding that scholars should use, at least to some extent, valid concepts in a systematic way. Instead, they argue especially in favour of research on determinants, effects and interactions of good governance principles. More concretely, they advocate for a more systemic, archetypical or holistic approach to good governance indicators.

A third group of authors points to the shortcomings and missing elements in current practice and states that in addition to the use of codes and instruments, attention should be paid to other elements that influence good governance. Their reasoning often comes from a specific vision on organisational change and strategic reform, in which they question the effectiveness of codes and instruments and draw attention to less structure-oriented and more process-oriented interventions. Examples of this are the pleas to pay (more) attention to management and leadership skills, organisational culture and the implementation process.

A fourth group of authors takes it a step further and asks fundamental questions about the desirability of a universalist and instrumental approach to good governance in sport. These authors question the existence of neutral and value-free knowledge, emphasise the importance of dialogic relationships and social interaction, and point to the subjective nature of the phenomenon of good governance. They consider good governance in sport as a relative, evolving and culturally defined aspiration, while developing good governance indicators are seen as an inherently political process. Ignoring existing power relationships within and between sport organisations and governments in current approaches and, in this example, dominant Western and white male hegemony in current practice and research is very tricky for this group of authors. For them, quantification of good governance in sport and developing indicators is problematic *per se*.

Clash between ontological and epistemological perspectives

The four groups of authors mentioned are distinguished from each other according to the type of criticism they express in the present book on current practice and theoretical approaches on good governance in sport. This provides a first insight into the identity of the research field. Nonetheless, a deeper reflection into the fundamental academic principles of formulating its criticism fits the introspection necessary for a research field in search of its own identity on its way to adulthood. This deeper reflection concerns classic questions such as: which elements are seen by researchers as fundamental building blocks of reality (ontology) and what is the best way to obtain knowledge about reality (epistemology) (Bartley & Radnitzky 1987). To gain a better insight into the identity of the research field, it is important to explore the similarities and differences in ontological and epistemological perspectives between the four aforementioned groups, based on their present contributions.

In the social and political sciences, two extreme ontological perspectives can be distinguished: objectivism and subjectivism (Bartley & Radnitzky 1987; Marsh & Furlong 2002). On one extreme, objectivism assumes that social phenomena, such as good governance, exist independently of our perception of it. Taking the natural sciences as the ideal, objectivists privilege empirical, observable phenomena. A related epistemological concept is positivism, which is based on observable and quantifiable research results obtained through objective methods (Bartley &

Radnitzky 1987; Mingers 2015). Academics who reason based on this ontological and epistemological perspective will argue that the joint implementation of the right components of good governance make all the difference. It is this combination that contributes to effective and impartial decision-making free from abuses of entrusted power or personal gain. They assume that good governance can be measured objectively and theories as well as deductive research are very important in this perspective.

Objectivism and positivism have not been readily accepted in the social and political sciences for over 50 years (Giddens 1974; Mingers 2015). Many scholars and researchers have never been certain that social sciences easily arrive at true accounts of the world, as positivists suggest. As a counter-reaction, the subjectivist ontological perspective is on the other side of the ontological spectrum. It assumes that social phenomena and their meanings are continuously constructed by social actors. It implies that the social phenomena and social categories are not only produced by social interaction but that they are also constantly being revised: without social actors there would be no social phenomena, such as good governance. A related epistemological concept is social constructivism, which states that knowledge is constructed by each person in their own way, strongly influenced by the reactions and views within the social environment (Bartley & Radnitzky 1987). As a consequence, researchers who take on this perspective do not believe in a universalist approach and objective measuring instruments that are generally considered to be valid. The use of qualitative research methods is in line with this view because one works inductively and is constantly revising the theory, just as the social phenomena are constantly being revised.

Not all researchers in social sciences are comfortable with the described extremes of the ontological and epistemological spectrum. They opt for a position between the extremes and search for resolutions that cohere in comprehensive treatments of ontology and epistemology together with an alternative account of science (Bhaskar 2013). Examples of this are critical realism, which provides an ontology that allows positivism and its empirical realist ontology to be abandoned without having to accept strong social constructivism (Fleetwood & Ackroyd 2004, p. XVI), and constructivist realism, which proposes an alternative ontology that accommodates positivism and constructivism and the methods that they subtend (Cupchik 2001). These intermediate positions allow researchers to work with mixed methods.

Both extreme ontological and related epistemological perspectives are reflected in this research field, just like intermediate positions between these two. In their contributions to this book, most authors are not explicit about the ontological and epistemological perspective behind the approach they criticise or prefer—nor have they been asked to do so. It does not even mean that the position they have taken in their contribution in this book is used in all their work. Many researchers handle different ontological and epistemological perspectives and cannot be categorised. Nevertheless, it is striking that the influence of objectivism and positivism seems to have been dominant, especially in the early years of research on

good governance in sport. This can be seen in the search for objective measuring instruments and the support from practitioners in the form of developing universal good governance principles and codes. This perspective can be recognised in the first group of authors, as distinguished in the previous section. Criticism from this perspective on current research practice mainly concerns the lack of rigour.

Considering the contributions in this book, objectivism seems to no longer be dominant in the research field. The fourth group of authors, as mentioned in the previous section, criticises the idea that objective measuring is possible and that universal principles and codes make sense. In doing so, they are not so much criticising the rigor of the dominant positivist research, but its relevance. They question—often implicitly—the previously dominant paradigm and contrast it with a subjectivist perspective. According to these authors, the use of good governance principles by scholars has produced a veil of objectivity that masks considerable discretion on the part of both designers and recipients. From their perspective, good governance is a normative concept, as the adjective ‘good’ implies; hence its meaning is subject to political decision-making and reflects different organisational ideologies.

At the same time, not all authors can be unambiguously categorised under one of the two stances. The second and third groups of authors, as described in the previous section, seem to occupy a middle position. Some authors seem to reject positivism, yet nevertheless stick to the ideas about the requirements of theory it has espoused. They criticise the lack of consistency, the limited applicability or omissions of the current dominant approach, but do not go so far as to contrast this with a completely different ontological and epistemological perspective.

Towards adulthood

The previous descriptions and analyses of the research field raise the question of how the research field with such a diversity of researchers and perspectives can develop towards adulthood. The way forward for a research field is not unambiguous. Various research fields or fields of science, such as public administration (cf. Rutgers 2010), political sciences (cf. Bovens 2016) and organisation & management studies (cf. Fleetwood & Ackroyd 2004), grapple with the question of how they can develop further. The path to maturity of a research field is not infrequently, just like that of a human adolescent, characterised by identity crises, in which the question is who or what the research field is and where it is heading (Waldo 1968). According to Rutgers (2010), such a crisis is located precisely at the interstices of ‘scope’ (what exactly is the subject of study, i.e. where does good governance start and where does it end?) and ‘theory’ (what is the importance of theory and which theoretical concepts are helpful in this?).

The different answers to questions about scope and theory from the authors in this book imply different ideas about the path to maturity for the research field. For example, the way forward for objectivism and positivism will focus on the clearer formulation of the concept of good governance, the refinement of the

theoretical paradigm and the further sophistication of the methodology. When this is pursued, the objectively measurable reality of a comprehensive theory comes closer and closer. At the other end of the spectrum, from subjectivism and social constructivism's points of view, the further development of the research field will focus on what happens behind the veil of objectivity, and research instruments, which pay attention to context, process and power relations, should be developed and applied. Academics that occupy a position between objectivism and subjectivism will probably have views on the way forward aimed rather at broadening than deepening the research field. They will be more focused on a practical approach than on a fundamental paradigm shift.

Does this mean that the research field is in an identity crisis? This question must be answered positively when a mature research field is defined as a homogeneous community. In that case, a conflict of direction between objectivists and subjectivists will be inevitable and parallel research fields will probably occur. There is a fair chance that this will lead to (renewed) dominance of positivist research due to the ongoing demand from practice for ready-to-use solutions and instruments. As a consequence, other relevant perspectives—also for practice—will remain underexposed.

Therefore, it seems undesirable to strive for a homogeneous field of research from one ontological and epistemological perspective, or for one conceptual framework that encompasses all perspectives and refutes all criticisms. A better option therefore seems to be embracing the multiformity of the research field. When the current heterogeneity of the research field can be seen as a strength and not as an identity crisis, then it can be a powerful part of its adult identity. It also seems logical to welcome this heterogeneity among approaches, partly because good governance in sport is complex and multifaceted; and partly because different methodologies will bring different logics of inquiry, different criteria of what constitutes acceptable, valid and/or meaningful data and different insights and challenges to theory (e.g. Grix 2002; Robson & McCartan 2016). It can be argued that the research field has to be pluralistic, multi- and/or interdisciplinary if its scholars intend to understand “good governance in sport” comprehensively for both academic and practical purposes. This type of adulthood does not so much result in a coherent body of knowledge, but points at a process of continuously striving for the confrontation of diverging approaches in order to better understand some aspect of (what constitutes) good governance in sport in reality.

Conclusion and recommendations

The research field ‘good governance in sport’ is still relatively young. It has outgrown childhood and seems to be on its way to adulthood. It also can be described as a special research field, especially because of the great influence that its research has had on policy practice to date. There is a clear impact on sport managers and government officials, which means that researchers need to be very

aware of the consequences of their research and recommendations in practice. The introductory chapter of this book presented two key questions that needed to be answered. First, what constitutes good governance in sport and what are the instrumental and moral justifications for implementing it? Second, what are the challenges, dilemmas and risks associated with both inducing and guiding the implementation of good governance in sport and implementing specific practices in sport organisations?

The analysis in this closing chapter shows that the answers to these questions come from different academic disciplines, theoretical perspectives and a range of ontological positions, from objectivism to subjectivism, and that a wide array of research methodologies are used. This heterogeneity can be seen as an important part of the research field's identity which leads to nuance and debate as well as to different answers to the questions in the introductory chapter. We can safely argue that there are no ready-made answers to the question of definition, and neither are there blueprints for implementation. No theory or reform strategy can be seen or presented as a panacea for all issues with good governance in sport, no matter how much practice may be looking for such a remedy. This means that researchers bear a great deal of responsibility, precisely because of their impact on practice. Taking on this responsibility requires a mature field of research that stimulates and facilitates debate and nuance, one that leads to dialogue among researchers as well as between researchers and practitioners.

At the same time, the road to adulthood is not paved and is hardly discussed among good governance in sport researchers—perhaps because not everyone regards 'good governance in sport' as a research field yet. But if academics want to develop research and knowledge on the topic in general and steer the dialogue with practice, it is indispensable to relate explicitly to colleagues who study the same topic, stimulate mutual debate and as such are part of this research field. I distinguish five recommendations towards a mature research field.

First, it is recommended to embrace and stimulate the research field's heterogeneity instead of striving for homogeneity, even though it is clear that heterogeneity is complex; questions such as 'what binds the research community', 'how can researchers communicate with each other' and 'how can they make use of each other's work', are not easy to answer. When diversity is not embraced and stimulated, there will be a fair chance that this will lead to the dominance of an objectivist and positivist perspective due to the desire for unambiguously applicable instruments in practice. The dominant Western perspective plays an additional role in this potential development due to the current interest of Western oriented sport organisations and governments in good governance in sport. Other relevant perspectives will remain outside the picture, which does not do justice to the complexity of the subject. The current research field can be broadened by more explicitly inviting researchers from perspectives and disciplines that have not or hardly been heard yet. Researchers especially from non-Western countries could participate in debates on good governance in sport, and more attention could be paid to their research.

Second, on the research field's way to maturity, both single loop and double loop learning are recommended. On the one hand single loop learning is needed, which is aimed at the continuous improvement of a certain scientific methodology. This will lead to more rigour in research findings from a particular perspective. On the other hand, so-called double loop learning is needed (Argyris & Schön 1978), aimed at regularly questioning the current scientific paradigms and policy frameworks. This type of learning implies reflection on the studies' ontologies, epistemologies and methodologies, and stresses the need to reflect upon them because there is no agreed upon 'paradigm'. Ontological, epistemological and methodological consciousness helps to critically look at certain approaches and enables a better understanding of the criticism on certain approaches. It thus stimulates the academic debate and critical thinking within the research field.

Third, as a consequence of the group's diversity and its interaction with practice, it is recommended that researchers are more explicit about their disciplinary, theoretical, ontological, and epistemological viewpoints for the sake of practitioners who receive advice or criticism from academics. Researchers should explain in layman's language to an extra-academic audience of clients and policymakers or, more generally, to public opinion what the pros and cons and consequences of their perspective are. This is not easy and not all practitioners will be waiting for such reflections, but nevertheless, it is important that the extra-academic audience is enabled to interpret researchers' recommendations and criticisms.

Fourth, it is recommended that researchers make use of theoretical and practical knowledge from their maternal sciences. A mature research field does not forget the maternal disciplines from which it grew up. Researchers in sport sometimes tend to see sport research as a separate discipline and to limit themselves to sport science literature, while in its maternal sciences a lot of relevant theoretical and empirical knowledge is available that might also be also applicable in the context of sport organisations. This concerns disciplines such as sociology, anthropology, economics and law or more specific fields of science, such as public administration, political science, organisational studies, change management and human resource management.

Fifth, it is recommended that researchers in this field not only make use of theory and empiricism from maternal disciplines and specific fields of science, but also use specific knowledge from a sport context to contribute to the general theory formation in the maternal disciplines and other fields of science. Specific characteristics of the sport world, such as the hybrid character with public-private organisational features, make the knowledge acquired relevant for broader theories on (good) governance and thus applicable to other sectors. This recommendation is therefore also an appeal to this research field to engage in broader scientific circles and to publish in non-sport journals, for example.

Finally, I am coming back to the metaphor of human development to interpret the current state of affairs in this research field and to distinguish steps towards its adulthood. Although comparing the development of a research field with that of a human being is flawed in many aspects, there are interesting similarities. One is

that it is impossible to say what an adult ought to look like, just as it is impossible to describe how exactly a mature research field should look. At the same time, development-oriented steps can be distinguished which appear to be valid for both humans and research fields, such as introspection, and characteristics of an adult life can be described, such as open-mindedness. Therefore, this book with critical reflections from so many different angles and perspectives seems like a step forward towards this research fields' adulthood. In fact, perhaps this book is not so much an expression of rebellion in puberty, as first suggested in this chapter, but in all its heterogeneity it is already exhibiting a first sign of adulthood.

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