Good governance in international sport organizations: an analysis of the 35 Olympic sport governing bodies

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In this article, structural issues with regard to the quality of the self-governance of the 35 Olympic sport governing bodies (SGBs) are analysed. First, this article presents empirical evidence on the lack of accountability arrangements in SGBs. In particular, the watchdog function of their member organizations is severely undermined by the general absence of objective criteria and transparency in the distribution of funding to members. With regard to checks and balances, arguably the most topical issue is the complete lack of independent ethics committees. Second, our survey demonstrates that most SGBs have institutionalized athlete participation. However, in the overwhelming majority of the organizations, they have not been granted a share of formal decisionmaking power. Third, with regard to executive body members, there is the rather anachronistic dominance of the European continent and also the preponderance of male officials. In addition, the general lack of term limits poses serious threats with regard to the concentration of power, which is evidenced for instance by the overall number of years SGB presidents are in office. The empirical evidence clearly supports the recent calls for improved governance in sport, according to which SGBs need to agree upon, and act in accordance with, a set of well-defined criteria of good governance. Only then will the self-governance of sport be credible and the privileged autonomy of these organizations justifiable. Keywords: good governance; international sports organizations; sports officials; stakeholder representation; equity; term limits

Introduction

In the last two decades, a significant body of governance literature has emerged. This has led to some considerable theoretical and conceptual confusion and therefore, “governance” is often used very loosely to refer to rather different conceptual meanings. Van Kersbergen and van Waarden (2004), for example, distinguish no less than nine different meanings regarding “governance”, which may lead to the conclusion that the term simply has “too many meanings to be useful” (Rhodes 1997, p. 653). Definitions of governance depend largely on the respective research agendas of scholars or on the phenomenon that is being studied. Perhaps the best way to find a useful clarification of the concept within the context of this paper is by distinguishing it from, at least at first sight, similar concepts. For instance, Kooiman (1993) differentiates governance from governing, defining the first as those societal activities which make a “purposeful effort to guide, steer, control, or manage (sectors or facets of) societies” (p. 2). Governance, then, is mainly concerned with describing “the patterns that emerge from

the governing activities of social, political and administrative actors” (p. 3). Another commonly described distinction is that between governance and government: while government usually refers to the formal and institutional top-down processes which mostly operate at the nation state level (Stoker 1998), governance is widely regarded as “a more encompassing phenomenon” (Rosenau 1992, p.4). Indeed, in addition to state authorities, governance also subsumes informal, non-governmental mechanisms and thus allows non-state actors to be brought into the analysis of societal steering (Rosenau 1992, Lemos and Agrawal 2006).

The governance debate has been increasingly prescriptive, hence the current global quest for so-called “good governance”. In the national realm, we witnessed the passing of absolute and exclusive sovereignty and with the end of the Cold War it became politically more acceptable to question the quality of a country’s political and economic governance system in international fora (Weiss 2000). Thus, what has been described as a “chorus of voices” has been urging governments “to heed higher standards of democratic representation, accountability and transparency” (Woods 1999, p. 39). In the corporate world, good governance is usually referred to as “corporate governance” or “good corporate governance”, which relates to the various ways in which private or publicly owned companies are governed in ways which are accountable to their internal and external stakeholders (OECD 2004, Jordan 2008). The origins of the concerns with corporate governance derive from the early stages of capital investment and it regained prominence out of scepticism that market competition alone can solve the problems of corporate failures (Shleifer and Vishny 1997).

International institutions have issued checklists of factors that, in their experience, are useful indicators of good governance for both the private and the public sphere at national and international level (e.g. UNDP 1997, European Commission 2001, OECD 2004, WB 2005, IMF 2007). Such checklists serve as a yardstick for good governance and are oriented towards

core features of governance structures and processes that are especially to be found in OECD countries (Hyden, Court and Mease 2004). They include key principles such as accountability, efficiency, effectiveness, predictability, sound financial management, fighting corruption and transparency. In addition, when they refer to the political area, they may also include participation and democratisation, since a democratic environment is seen as a key background variable for good governance (e.g. Santiso 2001).

Only recently has the call for good governance finally reached the traditionally closed sporting world (e.g. Sugden and Tomlinson 1998, Katwala 2000, IOC 2008, Pieth 2011, Council of Europe 2012, European Commission 2012). That this happened in sport much more slowly than in other sectors has to do with the fact that the sports world has traditionally known a large autonomy and in that sense, it was subject to almost complete self-governance. The very essence of the construction of modern sport is rooted in classic liberalism, notably in the freedom of association (Szymanski 2006). Accordingly, the first International Non-Governmental Sport Organisations (INGSOs)¹ were established at the end of the nineteenth and the beginning of the twentieth century by a class of people who believed in the separation of sport and the state as a sacred principle as, in their minds, politicians could only violate the integrity of sport (Tomlinson 2000, Chappelet 2010). A plethora of arguments has since been produced by sports leaders, aimed at protecting the deeply rooted autonomy of the sports world from interventions from state authorities. Since the commercial side of sport remained only marginally important during the largest part of the 20th century, the sporting world was able to exercise its self-governance without any significant interference from states. Today, INGSOs still cherish their autonomy and generally eschew state interventions in their activities. Moreover, on the European continent, governments have been reluctant to intervene in the sports sector as they tend to regard it more as a cultural industry or leisure activity rather than a business (Halgreen 2004). In addition, since sport is very attractive to politicians,

as it has an enormous appeal among voters, governments often grant the sports industry special treatment and even exemptions. Finally, the autonomy of sport is further enforced by the fact that the international organisations that regulate world sport, like many multinational corporations operating on a global playing field, are able to choose the optimal regulatory context for their operations and thus pick a favourable environment as the home base for their international activities (Forster and Pope 2004, Scherer and Palazzo 2011).

However, in recent years, the autonomy of INGSOs has been increasingly questioned due to the commercialisation of sport, which exposed governance failures such as corruption and bribery, but also made sport subject to the more avaricious and predatory ways of global capitalism (Andreff 2000, 2008, Sugden 2002, Henry and Lee 2004). Indeed, the far-reaching autonomy of the sports world seems to have had a negative impact on the quality of the self-governance of INGSOs. A long list of rule or norm transgressions and ethical scandals in the sports world has accumulated in the last few decades and they seem to coalesce in their most visible and blatant form at the highest level of sports governance (Bruyninckx 2012). For instance, the International Olympic Committee (IOC) was rocked by the 2002 Olympic Winter Games bid scandal, which involved allegations of bribery used to win the rights to host the 2002 Winter Olympics in Salt Lake City (Mallon 2000). Another example of mismanagement was found within the International Volleyball Federation, where the Mexican Ruben Acosta allegedly got away with at least \$33 million in personal commissions in the last decade of his 24 years reign (Hoy 2005). However, the scandals in the International Federation of Association Football (FIFA) draw most attention and they seem to be the most voluminous of them all. For instance, in the so-called ISL affair, which is still regarded as the biggest corruption system in sport, high ranking sports officials are known to have taken personal commissions worth around \$100 million (Jennings 2006). Together with

numerous other cases of mismanagement in sport, these issues seem to point to a widespread lack of good governance standards in INGSOs.

The importance of good governance in INGSOs cannot be underestimated. Analogous with the business world, economic sustainability ensures that INGSOs can achieve their long-term objectives as it ensures that they continue to operate in the long run (Bonollo De Zwart and Gilligan 2009). In that regard, it has been proven that adhering to good governance standards has a positive effect on firm performance and economic growth (Brown and Caylor 2009). Thus, the OECD stresses that good governance encourages firms “to use resources more efficiently” and “helps to provide a degree of confidence that is necessary for the proper functioning of a market economy” (OECD, p. 11). Complying with good governance is also a means for making sure that an INGSO is capable of steering its sport in an increasingly complex sporting world (Geeraert, Scheerder and Bruyninckx 2013). Moreover, in addition to enhancing public health through physical activity, sport has the potential to convey values, contribute to integration, and economic and social cohesion, and to provide recreation (European Commission 2007). Sports events are also a tool for inspiring regions and nations and they may enable regeneration (Gratton, Shibli and Coleman 2005). It has been argued that those important sociocultural values of sport are seriously undermined by corruption (Schenk 2011). Also, as sports commercialised significantly, particularly during the last two decades, the socioeconomic impacts on the wider society of rules devised and issued by sports bodies have increased accordingly (Katwala 2000). This evolution, which mirrors the growing influence from international non-governmental organisations on what once had been almost exclusively matters of state policy (Weiss 2000), also has as a consequence that the lack of good governance in INGSOs has the potential to have substantial negative repercussions on the wider society. Finally, since INGSOs are charged with taking care of a public good, it is

paramount that they take care of their sports in a responsible and transparent manner (Katwala 2000, Henry and Lee 2004).

Notwithstanding the current internal and external efforts, the impression is that there still is inertia towards the achievement of better governance in the sports world (Katwala 2000, Play the Game 2011). This inertia can partly be attributed to the fact that, with regard to good governance in sports, there are important knowledge gaps, situated at two levels. Firstly, although (voluntary) good governance codes exist for sports organisations both at national and international level, there is no generally accepted good governance code for international sports organisations. Good governance principles must always take account of the specificity of the relevant organisation (Edwards and Clough 2005) and there are important differences in existing codes across international boundaries, both at a commercial and non-profit level (Licht, Goldschmidt and Schwartz 2007). Therefore, codes from other sectors or for sports organisations at the national level cannot be applied blindly to sports, since INGSOs are in fact a very peculiar kind of organisations. In their capacity as regulators/promoters of their sports, they comprise elements of state, market and civil society actors, and this poses serious questions with regard to which elements from good governance checklists can and should be applied to the sports world. Moreover, there are many different structures to be discerned within INGSOs (Forster and Pope 2004), which only adds to the complexity of the issue. Hence, a set of core principles is still missing, despite efforts by a multitude of actors at different levels. Secondly, there is a clear lack of substantive empirical evidence of the internal workings of INGSOs (Forster and Pope 2004). High profile scandals related to corruption teach us that there probably is something wrong. But those are merely symptoms; the real question is: how bad is the disease?

In this paper, we treat three issues which the literature defines as particularly problematic with regard to the governance of INGSOs. These are accountability and

participation issues (e.g. Forster and Pope 2004, Houlihan 2004, Thibault, Kihl and Babiak 2010, Pieth 2011, Geeraert *et al.* 2013, Pielke 2013), and the (perceived) conservatism and inertia in the people that govern INGSOs (Tomlinson 2000, Henry and Lee 2004). Often, a broad evidence base is lacking in academic literature as most of the time, the empirical focus is on one or only a few –usually larger- organisations (e.g. Sugden and Tomlinson 1998, Schenk 2011, Chappelet 2012) or a series of local sports organisations (e.g. Taylor and O’Sullivan 2009), but never on a broad range of INGSOs. This article presents empirical evidence in order to determine if the situation is as problematic as the literature and different pressure groups often suggest by identifying certain governance aspects that particularly deserve quality improvement.

Methodology

When investigating good governance in sport, one is confronted with the lack of a set of core and homogeneous principles and also a clear lack of substantive empirical evidence of the internal workings of INGSOs. In order to deal with those knowledge gaps, this study employs a triangulation of research methods (e.g. McNabb 2004). In order to determine whether the lack of good governance is indeed widespread among INGSOs, there is a need for empirical evidence. However, the way in which that evidence is interpreted may vary, since conceptualisations of what constitutes good governance in INGSOs vary perforce.

Our research focuses on Sport Governing Bodies (SGBs) at the global level, arguably the most important type of INGSOs. In identifying this category, we use the following typology of INGSOs, based on that of Forster and Pope (2004), who identify four categories: Team Sports Governing Bodies, Solo Sports Governing Bodies, Sport Event Governing Bodies and Specialist Bodies such as the World Anti-Doping Agency (WADA), which is in fact a hybrid organisation since it is governed and funded equally by the Sports Movement and governments (see Casini 2009). Our categorisation is similar, but more detailed and

hence, at least in our view, better suited to grasp the complexity of the sports world (see figure 1).

Figure 1. Typology of international non-governmental sports organisations² (about here)

For reasons of clarity, each of the four categories of INGSOs is subdivided into two sections. The distinctive features of the four categories of INGSOs are shown in table 1.

Table 1. Distinctive features of the four types of INGSOs (about here)

Firstly, an exploratory set of parameters was composed based on a review of the available literature on good governance, corporate governance, democratic governance and good governance in sports organisations. Since information on the internal functioning of SGBs is scarce, the focus was inevitably on parameters for which the data was actually publicly available. Attempts to contact SGBs via e-mail in order to obtain more comprehensive data were unsuccessful. Nevertheless, SGBs normally do publish their statutes, constitution or bylaws online, so data for rules based or *de jure* indicators of good governance could be gathered. Those were then supplemented with the more outcome based indicators available on the organisations' websites (Kaufman and Kraay). The indicators for accountability were chosen on the basis of accountability theories, and literature on corporate governance and sports governance. For the issue of participation, we used rules based indicators of good governance in order to determine which stakeholder groups have been given a place within their SGB's structures and whether they have been granted any form of formal decision making power. In order to assess the conservatism and inertia in relation to senior officials in SGBs, we focused on the perceived lack of diversity among senior officials

in SGBs in relation to nationality and gender (e.g. Katwala 2000, Tomlinson 2000, IOC 2009, Schenk 2011, Council of Europe 2012). Finally, we looked into the limits on terms of office in SGBs since a lack of such limitations is considered to be one of the main causes of inertia and the concentration of power in public governance (Cohen and Spitzer 1992, Thompson and Moncrief 1993, Oakley 1994, Smart and Sturm 2004). Subsequently, the scheme was applied to the 35 international SGBs of the Olympic summer and winter sports. That means that Sport Event Governing Bodies, Special Task Bodies and Representative Bodies such as the leagues in North-American sports that are often even more powerful than their corresponding SGBs, fall outside the scope of the research. In order to interpret the outcomes of the survey, the focus was on three issues which are defined in academic literature as particularly problematic with regard to the governance of SGBs. Conceptual and theoretical frameworks from political science were used where appropriate in order to analyse the data with the view of painting an objective picture on the current state of governance in SGBs.

Accountability

Accountability is a cornerstone of both public and corporate governance because it constitutes the principle that informs the processes whereby those who hold and exercise authority are held to account (Aucoin and Heintzman 2000). Bovens (2007) defines accountability in the narrow sense 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” (p. 450). As such, it requires three elements: the actor is obliged to inform the forum about his or her conduct; there needs to be a possibility for the forum to interrogate the actor and to question the adequacy of the information or the legitimacy of the conduct; and the forum may pass judgement on the conduct of the actor (Bovens 2007). Similar elements are to be found in most definitions of

accountability (e.g. Stiglitz 2003, Grant and Keohane 2005). Figure 2 shows the three elements of an accountability relationship between an actor and a forum. Such relationships can for instance be found in liberal democracies, between parliamentarians and the people who have elected them, or in firms, between management and shareholders.

Figure 2. The three elements of an accountability arrangement (about here)

The governance of INGSOs is said to be characterised by accountability deficits - a lack of accountability arrangements (Forster and Pope 2004, Pielke 2013). That is not without danger since a lack of accountability brings with it, and constitutes a breeding ground for, issues related to corruption, the concentration of power, and the lack of democracy and effectiveness (Aucoin and Heintzman 2000, Mulgan 2003, Bovens 2007). Thus, the importance of accountability in public governance is usually explained in three ways, which all have their own separate theoretical perspective on the rationale behind accountability and a separate assessment of accountability relations. First, accountability is important to provide a democratic means to monitor and control government conduct (“the democratic perspective”); second, for preventing the development of concentrations of power (“the constitutional perspective”); and third, to enhance the learning capacity and effectiveness of public administration (“the learning perspective”) (Aucoin and Heintzman 2000, Bovens 2007).

In this section, we apply those three perspectives in order to analyse the accountability issues that confront the governance of sport today. However, the accountability that is being demonstrated by SGBs should not be limited to the fora that are being discussed here (Pielke 2013). Since SGBs are charged with taking care of a public good and sport, both at amateur and professional level, relies heavily on public sector support, SGBs are also expected to demonstrate a high degree of accountability to their surrounding community (Katwala 2000,

Henry and Lee 2004, Wyatt 2004). In fact, a growing public anger at individuals and institutions that are supposed to pursue the public's interests but refuse to answer to their grievances exists not only with regard to state authorities (Elchardus and Smits 2002, Mulgan 2003, Dalton 2004), but increasingly with regard to SGBs. Finally, with regard to SGBs, in many cases the absence of a government that is willing and able to hold them accountable by posing stricter organisational requirements is often regarded as an influential factor that may lead to bad (self-) governance (Forster and Pope 2004). The inter-related question of state (or European Union) intervention will not be discussed here (see Geeraert *et al.* 2013).

The democratic perspective: Member federations

The democratic perspective of public accountability is extremely important since citizens should be able to control those holding public office (March and Olsen 1995, Mulgan 2003). In parliamentary democracy, the relation between citizens and popular representatives can be defined in accordance with the principal-agent model (Strøm 2000). That means that the people, who are the primary principals in a democracy, have given away their sovereignty to popular representatives. Accountability arrangements and mechanisms then help to provide the political principals with information about how their interests are represented and offer incentives to agents to commit themselves to the agenda of the people (Przeworski, Stokes and Manin 1999, Strøm 2000, Bovens 2007).

Such a form of accountability can be said to exist in corporate governance as well, although it is not always well developed (Jensen and Meckling 1976; Fama 1980, Hart 1995). Indeed, in (multi-national) companies, governance mechanisms are installed in order to ensure that the board and the management act in a manner that is consistent with the best interests of their principals, the shareholders. As such, there is a chain of control from the shareholders to the board of directors to the management (Jensen and Meckling 1976).

SGBs do not have shareholders or citizens as principals, but since they are membership organisations they have a membership-based control structure which entails that the annual general meeting controls the activity of the board which they elected to oversee organisation management and to hire personnel and in which ultimate authority is vested (Hoye and Cuskelly 2007, Enjolras 2009). Indeed, the member federations of SGBs usually “own” the organisation since they have created it (Forster and Pope 2004, p. 107). However, in the largest SGBs, member federations are now partly dependent on the funds they receive from their corresponding SGB (Forster and Pope 2004, Schenk 2011). Moreover, SGBs often make vast sums of money and this has made them independent from their member federations (Forster and Pope 2004).

Our survey indicates that at least 18 (51%) SGBs give funding to their members, directly or through development programmes. For the others, we found no references to funding, but this does not necessarily mean that it is not being distributed (see table 2). Of course, there is nothing wrong with funding member organisations per se. On the contrary, supporting member associations and confederations financially reflects solidarity and helps develop the sport. However, it also potentially entails certain risks, since associations may be influenced in the use of their powers within the organisation (Pieth 2011) and/or become rather benevolent towards or even servants of their SGBs (Forster and Pope 2004). As such, funds could, for instance, be used to ensure votes, to support a certain agenda or to ensure the (re-)election of officers (Forster and Pope 2004). In that case, members will not hold their corresponding SGB accountable and turn from a watchdog into a lapdog for those who govern the organisation.

Thus, it is paramount that funds are properly distributed by SGBs. For only two (10%) of the 18 organisations which grant funding, we found that funding was distributed according to objective criteria (see table 2). In the absence of such criteria, SGBs can distribute financial

means *ad-hoc*, which increases the risk of haphazard improper use. Nevertheless, the positive counter side is that SGBs can influence their members through the motivational aspect of subsidising. Still, given the potential risks involved, specific decisions related to the distribution of funding should be objectively justified, which would also make decisions understandable for members (Pieth 2011).

At the very least, the funds should be distributed in a transparent manner, which would make them open to outside scrutiny (Schenk 2011). We only managed to find three SGBs (17%) that provide more or less detailed information about the amounts distributed. Three others only gave partial information, while 12 SGBs (67%) did not provide any information at all (see table 2).

Table 2. Funding, distributed among members (about here)

Forster and Pope (2004) argue that a realistic interpretation of the relationship between SGBs and their members would be that SGBs operate independently of the national federations and not as their agent. In fact, according to Mulgan (2003) “the principal who holds the rights of accountability is often in a position of weakness against his or her supposed agent” (p. 11). Such weakness indeed provides for the reason for accountability in the first place and underscores the importance of adequate arrangements. The main way in which member organisations can hold their SGB accountable is through their statutory powers. Most notably, these relate to the election of the people that govern the organisation. In accordance with principles of corporate governance and democracy in general, the members should be able to choose their president and governing council.

According to our research, in all 35 SGBs the legislative body – usually named “congress”- is competent to elect the president. In only 23 organisations (66%), the congress

elects the governing council. Nevertheless, in 9 SGBs (26%) the congress is only partly involved, but often that is due to a number of mandatory seats for regional members (see table 3). In the case of the World Taekwondo Federation (WTF) however, the president is allowed to arbitrarily choose 10 members to the governing council. In the cases where the congress has no voice in the election of the executive body (3 SGBs), members do have a seat, but the democratic character of the election procedure is doubtful.

Table 3. Role of the congress in the election of president and executive body (about here)

The congress has an important monitoring function with regard to the executive body (Strøm 2000). Thus, it is important that the legislative bodies of SGBs come together frequently, so that their opinion is heard and those in senior executive positions within the SGB are obligated to defend their governance on a regular basis. As shown in table 4, most SGBs (17; 49%) organise a congress meeting on an annual basis. In fifteen SGBs (40%), the congress meets every two years and in 2 (6%) only once every four years.

Table 4. Frequency of congress meetings (about here)

The organisation of, and attendance at, congresses can of course be rather costly. As it is important that a high attendance rate is achieved, SGBs should make an effort to reimburse travel expenses and hotel stays for poorer members although this might be difficult for financially weaker SGBs. In that case, new communication technology might be used as an enabler. Nevertheless, as a minimum, the target should be set at one meeting per year in order to give the congress the possibility to scrutinise annually produced accounts and the general policy of the past year.

It is important that the congress, as principals, have complete and credible information on the accuracy of the accounting and financial reporting of the governing body, the agent. By virtue of their position within the organisation, certain SGB officials can use their authority and control over funds to enhance their personal status at the cost of returns to sport stakeholders, notably their member federations. Such “on-the-job consumption” may indeed occur when there is an information asymmetry between the principal and the agent (Fama 1980). In order to make sure the agent uses resources in accordance with the principals wishes, monitoring mechanisms such as a financial and audit committee or external auditing can be put in place (OECD 2004, Spanhove and Verhoest 2007). For reasons of objectivity, such committees should be sufficiently independent from the executive body of the organisation (Hart 1995, p. 682). As table 5 indicates, the vast majority of surveyed SGBs lacks such committees.

Table 5: Presence of financial and audit committees (about here)

The constitutional perspective: checks and balances

The main rationale behind the constitutional perspective of accountability is to withstand the ever-present tendency toward power concentration and abuse of powers in the executive (Bovens 2007). Hence, one of the cornerstones of democracy is the systems of checks and balances in state authority, which limits the powers of the legislative, executive and judiciary branches of the state. For instance, the power to request that accounts be rendered over particular aspects is given to law courts or audit instances.

The separation of powers is also a good governance practice in non-governmental organisations or in the business world (OECD 2004, Enjolras 2009). For instance, the separation of power between the management and the board of an organisation constitutes a

system of checks and balances and entails the implementation of internal control procedures (Enjolras 2009).

There seems to be growing agreement in the professional sports world that a system of checks and balances and control mechanisms are also needed in SGBs and that it constitutes good governance (IOC 2008, p. 4; Philips 2011, p. 26). Indeed, a checks and balances system is paramount to prevent the concentration of power in a SGB and it ensures that decision making is robust, independent and free from improper influence (Arnaut 2006). In reality, the concept of separation of powers in sports governance usually implies separating the disciplinary bodies from the political and executive arms of a sports body. That means that active officials are usually excluded from the disciplinary body and – if present- the appeal body of the SGB, thus separating the disciplinary bodies from the political and executive arms of the organisation.

According to Pieth (2011), that exclusion should be extended to the ethics committee of the SGB. Indeed, SGBs seem to have been pre-occupied with dealing with corruption and malpractice on the playing field “rather than with the quality of their own internal functioning” (Forster and Pope 2004, p. 112). Nevertheless, checks and balances should also apply to staff working in the different boards and departments of an organisation since they usually ensure that no manager or board member or department has absolute control over decisions, and clearly define the assigned duties, which is the very core of the concept. Taking the example of comparable bodies such as the World Bank or the IOC, Pieth recommends including external members on FIFA’s ethics committee. In the view of checks and balances, an ethics committee could in theory be called to adjudicate on the behaviour of members of the executive body of a SGB. Therefore, the committee should be objectively recruited and also appointed by the Congress rather than by the governing body. Moreover, the ethics

committee should have the power to initiate proceedings *ex officio*, thus without referral by the executive body or president (Pieth 2011).

Our research indicates that only 17 organisations (49%) have adopted a code of ethics and only 12 (34%) have an ethics committee that monitors compliance with such a code. Only three organisations have an independent ethics committee, which means that they operate independently from the executive body of the organisation.⁴ If the latter is not the case, the committee can not be expected adjudicate appropriately on the behaviour of members of the executive body. In only one organisation, the International Cycling Union (UCI), has the ethics committee the power to initiate proceedings on its own initiative. In most organisations, the president or the board must first refer a case to the committee before it can start investigations, which severely undermines the checks and balances with regard to the management of the organisation. Table 6 summarises these findings.⁵

Table 6. Ethics committees (about here)

The learning perspective: the impetus to change the status-quo

One of the major purposes of public accountability is that it induces the executive branch to learn (van den Berg 1999, Aucoin and Heintzman 2000, Bovens 2007). The possibility of punishment in the event of errors and shortcomings motivates governments to search for more intelligent ways of organising their business. In addition, accountability offers a mechanism to require administrators to reflect on the governance failures resulting from their past conduct (Bovens 2007).

The fact that most SGBs (*de facto*) are not representative bodies whose executive officers are clearly responsible and accountable to a democratically elected assembly has as a consequence that member organisations are unlikely to provide an impetus to change the

status-quo within the SGBs (Forster and Pope 2004, Schenk 2011). In fact, the lack of accountability mechanisms in SGBs constitutes a vicious circle as it prevents the impetus for change towards stronger accountability within the organisations.

Accountability and compliance issues

SGBs are able to choose the optimal regulatory context for their operations and as such they pick a favourable environment as the home base for their international activities (Forster and Pope 2004, Scherer and Palazzo 2011). Reportedly, this is mostly Switzerland, where they are embedded into a legal system that gives them enormous protection against internal and external examination (Forster and Pope 2004).⁶ Our research indicates that 27 SGBs (77%), including the largest organisations, are indeed based in Switzerland (see table 7).

Table 7. Registered offices of the surveyed sport governing bodies (about here)

The absence of a state authority that can or will hold private self-regulated organisations accountable is not without danger to general principles of good governance. It is assumed that the potential threat of stricter regulations, unless the potentially affected actors adapt their behaviour to the expectations of the legislator, pushes those organisations which operate “in the shadow of hierarchy” towards compliance. In the absence of such a “whip in the window”, the expectation is that the reliability of voluntary self-commitments to good governance – if they even exist- would suffer (Sharpf 1994, Wolf 2008). According to Wolf (2008, p. 244), “even the most prominent functional equivalents to the checks and balances institutionalised within the political systems of democratic states (...) cannot be provided by private actors alone”. On the contrary, some authors even go so far as to suggest that hierarchical

organisations which are not subject to (local) democratic control cannot be expected to have internal practices conducive to democratic manners (Hirst 2000).

Participation

Participation should be distinguished from accountability, since the former implies proactive input into the policy process, whereas the latter is in nature retrospective: “actors are to account to a forum after the fact” (Harlow 2002, p. 185; Bovens 2007, p. 453). That is not to say that certain stakeholders, especially those who unite themselves into pressure groups, do not possess the power to scrutinise, criticise and demand changes from their corresponding SGBs (Mulgan 2003), but the distinction should be clear.

According to Arnstein (1969), “participation of the governed in their government is, in theory, the cornerstone of democracy - a revered idea that is vigorously applauded by virtually everyone” (261). Everyone, that is, except SGBs. Their primary stakeholders, i.e. athletes and sometimes clubs, have traditionally been kept out of the policy processes that are decisive to the rules that govern their activities. Indeed, sport is traditionally governed through a hierarchical chain of command. That structure is undemocratic since those at the very bottom of the chain, i.e. clubs and athletes, are automatically subject to the rules and regulations of the governing bodies, often without being able to influence them to their benefit. As a consequence, sports policy is rarely carried out in consultation with athletes, and almost never in partnership with athletes (Houlihan 2004). That seems paradoxical and somewhat ironic, as sporting rules and regulations often have a profound impact on athletes’ professional and even personal lives. Moreover, hierarchic governance in sport is a major source of conflict, since those that are excluded from the decision making process may want to challenge the federation’s regulations and decisions (Tomlinson 1983, Parrish and McArdle 2004, García 2007,).

However, in recent years, we witness an increasing influence of athletes in the development of policies in SGBs (Thibault, Kihl, and Babiak 2010). Nevertheless, as Houlihan (2004) puts, “the few governing bodies of sport that do provide a voice for athletes do so either through limited membership of the body’s decision-making forum or through the formation of an “athletes committee/ commission” linked to the main forum, but safely quarantined from any significant decision-making opportunities” (pp. 421-422).

As demonstrated in table 8, our survey indicates that in 28 of the investigated SGBs (80%), stakeholders are in some way represented. In all of those cases the represented stakeholders include athletes, who are represented by means of an athletes committee in 24 SGBs (69%). However, our data clearly supports Houlihan’s (2004) view: only 4 SGBs (11%) grant athletes some sort of (very limited) decision making power. In all other cases, with the exception of two SGBs that do not share information on the matter, athletes’ representatives have only been given a consultative status. Thus, while in most cases, athletes have been given a “voice”, they certainly do not have a “vote”. Or, to put it differently: institutionalised consultation does not equal actual participation, as the latter requires that affected parties have access to decision making and power (Woods 1999, Young 2000).⁷

The commercialisation of sport has made certain sports clubs, especially those in top-level professional football, big power players, and that has enhanced their position in the governance of their sport (Colucci and Geeraert 2012). Nevertheless, as table 1 indicates, at the global level, that evolution only resulted in institutionalised consultation for clubs within FIFA. Of course, it must be noted that eight of the researched organisations govern purely individual sports.

As can be witnessed from table 8, in general and with the exception of athletes, the SGBs clearly lack official channels through which the various stakeholders can participate in the decision-making processes. That is not to say that all stakeholders should be given

institutionalised participation, nor that granting institutionalised participation necessarily constitutes good governance. In any case, it is important that a balance of stakeholder interests is preserved in an SGB, certainly with regard to labour issues. For instance, analogous with collective bargaining practices, clubs (employers) and athletes (workers) inevitably have different interests and therefore should be equally represented within SGBs that govern team sports (Colucci and Geeraert 2012).

Table 8. Stakeholder representation (about here)

Sport organisations often complain about a lack of legal certainty, especially with regard to EU law. They worry that their rules, transfer rules in particular, might be contested over and over again by unsatisfied stakeholders and therefore, they ask for a special treatment of their sector (see, e.g., Infantino 2006, IOC and FIFA 2007, Hill 2009). It is important to realise that, regardless of questions of righteousness (either moral or legal), the legal uncertainty in the sports sector has its roots in the lack of “vote”, or even “voice” of stakeholders. If stakeholders were to be included in the processes which determine the rules that regulate their activities, they would very likely experience a sense of “ownership”. That means that they will come to see the decisions of the SGB as their own decisions, which will make policy implementation more effective (World Bank 1996, Woods 1999). Inclusion in decision-making would probably reduce the likelihood of challenge to these decisions - that is, if they perceive their representatives who are involved in the policy process as legitimate (Saward 2005, Sørensen and Torfing 2009). In order to obtain much-desired legal certainty, SGBs should therefore focus on actual participation for their stakeholders. Moreover, several scholars have noted that an equal representation of stakeholders in the policy process contributes to long-term effectiveness (e.g. Young 1992, 1994). In that regard, lessons could

for instance be learned from the social dialogue in professional football (Colucci and Geeraert 2012).

Although the here researched rules-based indicators may differ from the actual outcome, as informal processes may sometimes lead to actual decision-making power for stakeholders, it is safe to say that there still is ample room for improvement on the matter of stakeholder representation in SGBs. That goes in particular for athlete representation, since mere consultation offers no assurance that athletes' concerns and ideas will actually be taken into account (Arnstein 1969). Although there is nothing particularly efficient about making decisions jointly, actual participation by stakeholders may in fact lead to more effective governance when a policy setting is characterised by a multiplicity of actors, vague and incomplete problems, the need for specialised knowledge and conflicting policy objectives (Klijn and Koppenjan 2004).

Executive body members

This section presents empirical evidence on executive body members of SGBs. In particular, using a mixture of input and outcome based indicators, the focus is put on nationality issues, gender balance, and age and term limits.

Nationality issues

There is no general geographic approach among the SGBs with regard to identifying confederations. Drawing inspiration from the structure of *inter alia* FIFA, we discern six regions when presenting the results on how the executive bodies are composed: Africa, Asia, Europe, NaCaCa⁸, Oceania and South America.

Our survey data clearly demonstrates that Europe has a dominant role within the 35 SGBs. As shown in table 9, the old continent has almost twice as many officers in the executive bodies as the other regions combined. Europe has on average four seats while the

other regions have between two and 0.6. Thus, our data supports the calls for greater diversity among senior officials in SGBs (e.g. Katwala 2000, IOC 2009, Schenk 2011).

Table 9. Number of members on the executive bodies per region (about here)

The European domination not only relates to the number of members on the executive body, but can also be witnessed with regard to the number of presidents and general secretaries. As table 10 shows, 25 presidents (71%) and 26 general secretaries (74%) are European.

European athletes have always been well-represented at the Olympics and Europe has until now hosted 29 of the 48 Olympics and is also well-represented in the all-time Olympic medal table. Together with a great Olympic history, Europe has had great economic and political impact during the 20th century and its combined historic influential role explains its current domination. Recently, other regions have developed economically, politically and also in sports. In that regard, the Europe's dominant role could be labelled anachronistic.

Table 10. Number of presidents and secretary generals per region (about here)

In many ways, the United States remains the most dominant country in the world and this is clearly reflected in its sporting influence, although there is no American president within the SGBs. Since it has 31 of the regions' combined 58 seats in the 35 executive bodies, it is clear that the United States has a dominating role within the NaCaCa region. Moreover, the US has the most seats per nation worldwide, no other nation has more than its 19 seats and there is at least one American on 24 SGBs' executive bodies.

Another great power, China, has "only" 10 seats in the executive bodies of the 35 SGBs. China does not even hold the most seats among the Asian countries since South Korea indeed

possesses 16 seats, while delivering two of the four Asian SGB presidents. Given the emerging economic status of the country, China's modest representation within SGBs is rather surprising.

France, Germany, Great Britain, Italy and Spain possess 89 of the 191 seats that Europe currently holds in the 35 SGBs and the same tendency can be witnessed with regard to presidents and general secretaries. Thirteen out of 25 European president and 15 out of 26 European general secretaries are currently held by an official from the European "big five". .

Contrasting with its size and performance on the global sporting scene, Switzerland has many prestigious posts within the SGBs. Although its five general secretary positions can, to some extent, be explained by the fact that the SGBs are often based in Switzerland, its five president posts are notable. In addition, two of the most prestigious SGBs, FIFA and IIHF, have a Swiss president.

Finally, one hundred nations which have a National Olympic Committee recognised by the IOC are not represented within any of the surveyed SGBs. Economic reasons may be the primary explanation of this phenomenon.

Gender inequality

Equity issues in terms of positions within the organisation have been raised within a number of INGSOs, in particular with regard to gender (Henry and Lee 2004). Consequently, there have been calls for greater diversity within the executive bodies of INGSOs (Schenk 2011, Council of Europe 2012).

Studies have asserted that female inclusion in boards leads to improved governance. Boards with three or more women score better in implementing corporate strategy, conflict of interest rules and a code of conduct. Furthermore, they are likely to reduce the influence of the old boys' network and increase transparency not-for-profit boards (Brown, Brown and Anastasopoulos 2002). Furthermore, women bring a different voice to debates and decision

making, which leads to better corporate governance since broader and a different range of experience and opinions are shared (Fondas and Sassalos 2000, Zelechowski and Bilimoria 2004). Finally, recent studies have found positive relationships between the presence of women directors and financial performance in firms (see Terjesen, Sealy and Singh 2009). Thus, it is important that female representatives are placed in decision-making positions in SGBs so that they can contribute their experiences and views. Moreover, women directors are role models who inspire other women and they are an important part of others' work identity development (Sealy and Singh 2006). Nevertheless, women still need to be objectively recruited on the basis of their individual skills.

Our survey indicates that there is an overwhelming over-representation of male members within the 35 SGBs' executive bodies. Only 12 percent of the executive members of all SGBs are female. Fifteen of the 35 analysed organisations do not have female representatives within the executive body and the same pattern can be discerned with the number of female presidents. As table 11 below indicates, only three of the surveyed SGBs have a female president and only four have a female secretary general.

Table 11. Female presidents and secretary generals (about here)

As table 12 shows, only 20 of the 35 SGBs have a female representative in the executive body and only 12 have more than one female representative. However, 16 organisations have some form of regulations in their statutes assuring female representation within the organisation, such as a quota in the executive body or in some of the organisations' commissions. Both FIH and ITU have introduced certain provisions into their statutes with the aim to achieve a gender balance and this has proven to be an important way of integrating more female representatives into the organisations' executive bodies.

Table 12. Female inclusion (about here)

Tenure issues

There have been calls for a limit on terms of office from outside the sports world (e.g. Council of Europe 2012, Transparency International 2011). Katwala (2000) also calls for a term limitation, both for presidents and executive body members, and states that presidents that hold office for more than two four year terms may result in an unhealthy concentration of power. The idea of term limitation derives from antiquity (Oakley 1994). It is presumed that term limits constitute a remedy for several tenure issues. Firstly, for high rates of re-election stemming directly from the tremendous advantages incumbents enjoy over challengers because with seniority comes power. Secondly, for apathetic voters due to the assumed certain re-election of incumbents, which results in politicians losing touch with voters. Hence, term limits make sure that elections are real contests about the issues, provide new ideas for solving problems and prevent the concentration of power (Cohen and Spitzer 1992).

Arguments against term limits are the waste of talent and experience and the presumption that more terms induces elected officials to undertake extensive and arduous enterprises for the public benefit instead of worrying about their prospects after leaving office (Cohen and Spitzer 1992). However, it has been argued that term limits in fact reduce the value of holding office, which induces “truthful” behaviour by incumbents, which in turn enables the voter to selectively elect higher quality agents to a second term in office (Smart and Sturm 2004). From a democratic perspective, it is paramount that individuals have an *actual* possibility to be elected, enabling groups that might previously have been overseen and underrepresented to hold a position of power (Thompson and Moncrief 1993). Hence,

democracy within sport organisations may deepen through a continuous renewal of the core of the organisations. Age limits have also been suggested as a means to such an end, but since they may lead to discrimination, we favour term limits.

As table 13 outlines, only eight out of 35 organisations have regulations outlined in their statutes regarding the number of terms allowed in office, and only six have rules stating that members must stand down when they reach a specific age. Only the FIH and the International Skating Union (ISU) have such limitations in place. Thus, it would certainly be desirable for more international sport organisations to implement term limits into their statutes.

Table 13. Age and term limits within the SGBs (about here)

The monopolisation of power due to a lack of term limits is evidenced for instance by the average number of years SGB presidents are in office, which is can be witnessed in table 14. Outliers are the International Luge Federation (FIL), which has only had one president in its 37 year existence, and the World Taekwondo Federation (WTF), whose president has been in office for the past 29 years (see table 14).⁹ The IOC has had 7 presidents since its founding in 1894, who have been in office for an average of 15 year.

Table 14. Figures on tenures for sport governing body presidents (about here)

Conclusion

The authors of this article do not claim to paint a comprehensive picture on governance issues in SGBs. Indeed, there still is a lot of data left to be uncovered and many research avenues are yet to be explored. For instance, future research could focus on outcome based indicators such as the actual influence stakeholders can exert in decision-making

processes. Also, it might be worthwhile to compare performance outcomes of SGBs, using ‘adherence to principles of good governance’ as the independent variable. Finally, although the issue was present between the lines, the topical good governance concept of transparency was perhaps not given the attention it deserves.

Notwithstanding the obvious limitations of this article, the presented empirical evidence clearly supports the recent calls for improved governance in sport. In fact, we established that the recent high-profile corruption scandals have been institutionally induced. Indeed, the far-stretching autonomy of the sports world has had a negative impact on the quality of the self-governance of SGBs. Hence, the bigger question is whether a reform of international sporting governance is possible. In that regard, Katwala (2000) presents three possible scenarios: change from within, pressure from outside and change through collapse and crisis. In this article, we have discussed that accountability deficits in SGBs impede the impetus for change from within towards improved governance. Thus, we do not think the first scenario is likely to happen and if it did, the reliability of voluntary self-commitments to good governance would suffer in the absence of a state authority that pushes SGBs towards compliance. With regard to the third scenario presented by Katwala, we have seen that sporting crises have continued to emerge since the author published his work and, in certain cases, they have led to governance reforms. But how can we make sure these efforts adequately tackle the issues they are said to address and, moreover, are they even to be taken seriously or do they merely serve as window dressing? The main issue on that note is the lack of a generally agreed checklist for good governance in international SGBs and this precludes the benchmarking of the governance of these organizations. Katwala’s second scenario seems to be the most plausible and certainly is the most likely to deliver. Indeed, increased

pressure to reform from outside is needed in order to achieve improved governance in SGBs. Since SGBs ultimately need governments more than governments need SGBs and governments control many essential elements of SGBs' license to operate, political pressure for reform is likely to succeed. The feeling is that such pressure is growing, albeit slowly. The EU seems to have gained legitimacy to at least influence international sports governance and could be an influential actor in the quest for good governance in SGBs. However, it has a limited competence in the field of sport and the sports world has strong political lobbying powers (Geeraert 2013). Since political pressures could not take place in the pace we would wish, we envision an important role for actors from civil society, including sport fans and lobbying organizations, to push for reforms. In addition, sponsors may also increasingly put pressure on SGBs to enhance their governance out of concerns for (economic) sustainability and their public image.

In any case, SGBs need to agree upon, and act in accordance with, a set of welldefined and objectively established criteria of good governance that are also stringent enough. Only then will the self-governance of sport be credible and the privileged autonomy of these organizations justifiable.

Notes

1. In this article, we use the term International Non-Governmental Sport Organisation (INGSO) as an umbrella term for all types of international sport organisations chiefly because it relates to the terms International Governmental Organisation (IGO) and International Non-Governmental Organisation (INGO), which have a long tradition in the field of Politics and Political Science.
2. Key: * = Hybrid Organisation; IHF = Int. Handball Federation; EAA = European Athletics Association; UEG = European Union of Gymnastics; IWGA = Int. World Games Association; FISU = Int. University Sports Federation; OCA = Olympic Council of Asia; ANOCA = Association of National Olympic Committees of Africa; CGF = Commonwealth Games Federation; ICAS = International Council of Arbitration for Sport; FIMS = Int. Federation of Sports Medicine; ICSSPE = Int. Council of Sports Science and Physical Education; EUPEA = European Physical Education Association; ASOIF = Association of Summer Olympic Associations; S 20 = Sponsors Voice Germany.
3. Given the blurring boundaries between Solo Sports and Team Sports, we adhere to Forster and Pope's (2004, p. 91) view that Solo sports are those for which one-against-one competition is intrinsic to the nature of the game.
4. Here, we used outcome rather than rules based indicators. For instance, an organisation may have enshrined in its statutes that its general assembly elects the members of the ethics committee, but when some of them also have a seat in the executive body of the organisation, we do not deem the committee to be independent.
5. We did not include any budgeting information on ethics committees, since such information was extremely scarcely available.
6. Although the choice for Switzerland could initially be explained through "pioneer mover-follower" and/or "dominant mover-follower" models (Crocì and Forster 2004, p. 9), Switzerland's rather broad interpretation of the freedom of association while it is not subject to harmonising EU law probably is the main reason for SGBs to keep it as the home base for their activities.
7. This contrasts with the situation in North-America, where collective bargaining agreements govern the employer-employee relationships between the owners of professional sports teams

and players' associations (Dryer 2008). In Europe, on the other hand, sport was for a long time regarded solely as a leisure activity and therefore, the “sports industry” concept is not yet as developed and player unions have been relatively weaker and not equipped with the necessary bargaining powers (Halgreen 2004, p. 79).

8. North America, Central America and the Caribbean
9. We could not find information for the International Rugby Board (IRB) and the International Golf Federation (IGF).
10. From 1906 to 1946 a chairman was elected from time to time to orchestrate the annual meetings.
11. Since 1938.
12. Anders Besseberg has been president since IBU was founded in 1993.

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