

Sport, Governance and Europe

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The governance of sport in and between countries is varied, complex and ever changing. The emergence of new countries, new borders and over-arching memorandums of understanding provides Europe with a volatile mix of constraints and opportunities to maximize the promise and possibilities that sport provides. The background to sport in Europe has evolved through the establishment of a number of charters, principles, and agreements between nation-states.

The theme of governance has a prominent place in discussions about European sport and whether or not it is possible or even desirable to develop a more progressive approach towards the reform of sporting structures, regulations, practices and laws. The duality of sport means that it unites and divides, is fair and foul, healthy and destructive, expressive and controlled, myth and reality, and both public and private in terms of team ownership. Living with an increasingly international entity that is sport today involves a mutual responsibility for all that comes with 21st century sport. Arguably the enduring moral problem of sport is the vast gap between and within different sporting worlds. One thing that so far has escaped global sport has been the collective ability to act globally.

At the foundation of the Council of Europe on 5 May 1949, the ten founding members declared their intention to carry out "common action in economic, social, cultural, scientific, legal and administrative matters", leading to the adoption of the European Cultural Convention in 1954. Sport was brought within the institutional ambit of the Council of Europe in 1976 with the creation of the Steering Committee for the Development of Sport (CDDS). This committee was assigned the task of actively promoting the fundamental values of the Council of Europe (human rights, parliamentary democracy, and rule of law) in and through sport. Chaker's European survey of good governance in sport published in 2004 (1) adopted several approaches to defining governance in European sport. Sports governance was taken to mean the

creation of effective networks of sport-related state agencies, sports non-governmental organizations and processes that operate jointly and independently under specific legislation, policies and private regulations to promote ethical, democratic, efficient and accountable sports activities. The term Non-Governmental Organisation (NGO) was taken to define an organization which was independent from government, often but not entirely non-profit making and gaining at least part of their funding from private sources.

The main thrust of Council of Europe policy on sport has been to uphold certain principles: the independence and self-regulation of sport; the prevention of certain adverse phenomena (such as doping and spectator violence). Sports activities throughout Europe are supported and guided by the adoption of a hundred or more Council of Europe texts. The Action Plan of the Third Summit of the Council of Europe (Warsaw, 2005) the Heads of State and Government reaffirmed the importance attached to the furtherance of sport. European Ministers meeting in Moscow for their 17th informal meeting in 2006 stressed the need to conceive new forms of pan-European co-operation, and encouraged the Council of Europe to continue action in the realm of sport. The resultant action being the establishment of an Enlarged Partial Agreement on Sport (EPAS). The EPAS created in May 2007 was intended to establish international standards and develop a framework for a pan-European platform of intergovernmental sports co-operation in order to promote sport and make it healthier, fairer and better governed. It aims to prepare the way for better-directed action where sport is concerned, and strengthens partnerships with the sports movement.



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Sporting Governance In Question

The accelerated spread of sporting relations has had a number of important implications for patterns of governance in world sport. Any notion of progressive globalisation through sport requires a system of democratic governance at both national and international levels and yet the increasing level

of corporate sporting involvement has brought into question the relevance of corporate governance to sport today. The challenges for sport are immense and have led some commentators to argue that sport is in a state of crisis and that international sporting agencies and trans-national corporations are more famous for corruption and corporatism rather than for a positive social role. The 21st Century continues to present fundamental challenges for sporting governance, but also the opportunity for sport to become more of a force for internationalism. The path of transformation from the traditional amateur association to a socially responsible global sports industry is far from complete. A series of guidelines for modernising sporting governance, emphasising stakeholder participation, greater transparency, and co-operation between governments, the European Union and the governing bodies of sport all remain work in progress rather than a progressive framework for sporting governance. The role of international sporting organisations within world sport may be viewed from at least three different positions.

Institutionalists regard the world as an arena of inter-state co-operation. They argue that international sporting organisations will play an increasingly important and positive role in the governance of sport and will ensure that the benefits of sport are spread widely throughout the world. However, several pre-conditions are necessary for this to occur. These conditions include: the existence of mutual interests that make joint gains from co-operation between sporting nations; rational choices, a long-term relationship

1. See André Noël Chaker, Good Governance in Sport: A European Survey, Council of Europe Publishing, September 2004.

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between a relatively small number of sporting organisations, such as FIFA and UEFA, and reciprocity according to agreed standards of behaviour. Under these conditions they argue that national sporting organisations will agree to be bound by the rules, norms and decisions of the international sporting organisation or institution. They are optimistic about the possibility of progressive steps towards increased rates of international governance within world sport based upon co-operation, mutuality and negotiation. Realists disagree with institutionalists and reject the notion that international sporting organisations are the primary solution to universal sporting problems and issues. They argue that the above model does not account for the unwillingness of

powerful sporting organisations to sacrifice power relative to other sporting organisations. The position adopted is that the governance of international sporting bodies will always reflect the interests of

the dominant governing bodies of sport. When these powerful sporting bodies wish to co-ordinate international sports policy with others they will create appropriate institutions, which will be effective only for as long as they do not diminish the power of the dominant sporting nations vis-à-vis other states. For realists, co-operation and institutions are heavily constrained by underlying calculations about power and vested interests. From a realist perspective it follows that anti-global sports campaigners are right to argue that international sporting organisations do not work for the interests of poor sporting nations.

Constructivists pay more attention to how institutions, states and other forces construct their preferences, thus emphasising the part that identities, dominant beliefs and contested values have to play in the process of negotiation. They argue

that the interests, normative ideas and beliefs of, for example, the organization, sporting body or national association, influence the identities of sporting institutions. They reject the realist position on the grounds that it is wrong to assume that sporting bodies can only be mere reflections of power politics whether it is the government of the day or institutions at a more micro level. In other words, sporting identities and interests are more fluid and turbulent than the realists realise. A constructivist approach to sporting institutions would highlight the actors and processes involved in globalisation that are neglected within realist or institutionalist approaches. The globalisation of sport is thus viewed not just as a process affecting and managed by states, but rather the governance of global sport and indeed globalisation are

shaped by a mixture of interests, beliefs and values about what sport is and what sport should be and can be. The existing sporting institutions doubtless reflect many of the interests of powerful states; however, these interests are the products of how

sporting organisations and companies and people interact and are therefore always subject to reinterpretation and change. One of the many practical strategies in the move towards a more equitable approach to international sporting governance is the need to closely regulate transnational corporations (TNC's). There are at least two factors that explain how transnational sporting corporations have managed to escape genuine regulation of their behaviour. These are legal limitations in terms of regulating corporate accountability and, in particular, the fact that international law is still largely focused upon state-to-state legal frameworks, and power imbalances between powerful TNC's and comparatively weaker states that result from governments courting the economic wealth of TNC's, and collectively the TNC's lobbying governments for preferential terms and conditions with regards bidding for mega-events or contracts to build capital-intensive

sports facilities.

Transnational corporations have invaluable resources that, if harnessed correctly, could bring many sporting benefits to all of the countries in which they operate.

Sport as a Resource of Hope

The capacity of sport to contribute to change must not be overstated, it is limited but possibilities do exist within sport to provide some resources of hope. Sport has helped to change some people's lives, symbolize change but also contribute to and facilitate social change.

In October 2006 Luiz Inacio Lula de Silva was re-elected President of Brazil. The first two laws that the President signed in May 2002 when he came to power concerned football. Football in Brazil was one of the key battlegrounds upon which the battle to make the country a fairer place was being fought. The public plundering of football was viewed by the President as a continual reminder of the previous political administration's failure to address areas of inequality, capability and power public life. Lula in an attempt to force the football authorities to become transparent ratified a Law of Moralisation in sport that enforced further transparency in club administration. These are key attributes which need to inform good governance. While it is important to explain and understand the impact and legacy of major sporting events such concerns should not ignore the transformative capacity of sport to produce social change. Historically the potential of sport lies not with the values promoted by global sport since are invariably unjust and uneven. The possibilities that exist within sport are those that help with radically different views of the world perhaps based upon opportunities to foster trust, obligations, redistribution and respect for sport. To ignore the capacity of sport to assist with social change is not an option for policy advisers, international think tanks and the world of sport itself.

Improving life chances requires a co-ordinated effort and as such any contribution that sport can make must also build upon a wider coalition of sustained support for social and progressive policies. The life chances approach to narrowing the gap between rich and poor has a key role to play in producing social change. It requires harnessing a strong



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political narrative and action plan that fits with many people's intuitive understanding that life should not be determined by socio-economic position and that people do have choices, whilst drawing attention to the fact that some people and places face greater risks and more limited opportunities. Equalising life chances and focusing on areas such as poverty should sit together as part of a vision for a better Europe.

There is much in Amartya Sen's work on development and freedom. The nobel winning economist argued that inequalities of power matter as much as inequalities of income. The idea of justice exposes the idea that to be genuinely free you have to have a capability set. What Sen argued is that the market economy is not a free-standing institution, nor a self-regulating one. You need support from other institutions. You need other resources of hope. You need supervision from the state, you need supplementation by the state and society to take care of poverty, ill-health, illiteracy, and educational achievement and opportunity.

There is more to inequality than disparities of income distribution but this does not mean that people's ability to choose for themselves, the lives they wish to lead is not drastically curtailed by economic circumstances. In other words to take care of inequalities of capability you need resources of hope from many fronts and the question that faces European sports policy to-day is whether sport can be a resource of hope, add capability for people in need.

Conclusion

While it is important to explain and understand economic, social, historical, physiological, psychological and many other explanations of what sport can do for society, the more important questions often emanate from questions relating to social change. Historically the potential of sport lies not with the values promoted by global sport or particular forms of economic development for these are invariably unjust and uneven. The possibilities that exist within sport are those that can help with radically different views of the world



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perhaps based upon opportunities to foster trust, obligations, redistribution and respect for sport in a more socially orientated humane world. Views that help to provide better life chances through sport for many and views which help to narrow the gap in areas such as life expectancy, poverty, reconciliation and the easing of tensions between and within communities.

Sport's transformative capacity must not be overstated, it is limited but possibilities do exist within sport to provide some resources of hope within a world that is left wanting on so many fronts. To ignore the capacity of sport to assist with social change is not an option, particularly for European think tanks, policy advisors and researchers of sport. This has to be near the top of any sports policy agenda for the foreseeable future. The late writer Susan Sontag talking about the novel commented that any novel worth reading was an education of the heart in that it enlarged your sense of possibilities and of what human nature had the capacity to do. She was fervent believer in the capacity of art to delight, to inform and transform the world in which we live. Such arguments are readily accepted about the arts but they need also make sense in relation to other areas of social life such as sport and in particular the possible capacity of sport to fulfill its potential and to enlarge one's sense of human

possibilities, to delight, to inform and ultimately help to transform the worlds in which we live. Good governance in sport can learn from this and is part of creating a trusting model of sport to-day.

Good governance is in part about core values such as transparency, trust, accountability and ownership itself. Such core values still allow for flexibility of provision and recognition that one model does not fit all. Corporate governance also carries with it social responsibility.

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