Legitimacy and democracy: implications for governance in sport

Brian Minikin
School of Sport, University of Stirling, Stirling, UK

Abstract

Purpose – The purpose of this paper is to demonstrate how the existing mechanisms for legitimising member based sport organisations can lead to poor governance and how accepted democratic processes can be manipulated to suit the personal agenda of individuals over the vision of the organisation.

Design/methodology/approach – Three cases are provided to illustrate how, it is relatively easy for individuals to manipulate the established rules in order to obtain and retain power.

Findings – The self-regulatory nature of sport assumes that elected representatives put the organisation's interests before their own and that they always act in the best interests of the members. The evidence, provided in this paper, suggests that this assumption may be inappropriate.

Research limitations/implications – The case studies provided occurred within the boundaries of one continental grouping of countries and may be considered biased due to the specific demographic characteristics of this part of the world and the relative lack of development of sport systems that exist there.

Practical implications – The paper raises important questions about the appropriateness of the legitimising mechanisms that affect sport and the challenges that face modern sport organisations.

Social implications – The paper may provide a basis for arguing that the concepts of democracy and autonomy in sport organisations need to be reviewed if their autonomy is to be maintained.

Originality/value – This paper provides a basis for challenging the basis of how sport is structured and how member based sport organisations are legitimised to operate as they do.

Keywords Management, Legitimacy, Olympic, Sport organizations, Elections, Ethical governance

Paper type Case study

1. Introduction

Sport organisations are established to arrange and manage various aspects of the delivery of sport at the community level, the elite level and everything in between. Some of these organisations are government driven, either national or regional, or non-government, driven by the mandate of a membership that takes a variety of forms (Enjolras and Waldahl, 2010; Hoye, 2006). This paper examines the processes that lead to the selection of people in positions of "power" in sport organisations, particularly those that make up the Olympic movement. The focus will be on those organisations that are regulated by their membership and which become organisationally a member of another sport organisation or multi-organisation (Ahrne and Brunsson, 2005), such as a National Olympic Committee (NOC) or an International Federation (IF). Particular attention is given to Olympic sport organisations that operate in a developing sport system, where it is possible for an individual to assume a position of influence on a multi-sport organisation such as a NOC or an IF relatively easily compared to organisations that exist in countries that have well-developed sport systems.

It is hoped that this paper will lead to further thinking on the framework that is currently accepted as appropriate for selecting officials onto the governing boards of sport organisations and the resultant effect that such practices have on the

Sport, Business and Management:
An International Journal
Vol. 5 No. 5, 2015
pp. 435-450

2042-678X
DOI 10.1108/SBM-03-2015-0010

establishment of good governance leading to sound management practice throughout the Olympic movement. By the use of case studies, this paper will consider the implications of selecting governing boards and attempt to highlight problems that may arise by considering how easily the selection of office bearers can be manipulated thus leading to situations in which the basic principles of good governance (International Olympic Committee, 2008) might be compromised.

2. Background

There are three constituent groups that make up the Olympic movement. They include: the International Olympic Committee (IOC), the IF and NOCs (International Olympic Committee, 2011). The membership of the IFs and the NOCs are largely made up of National Sport Federations (NSFs) which are usually not-for-profit entities that consist of a membership that is responsible for the development or delivery of a specific sport within a specific country (Chappelet and Kubler-Mabbott, 2008; O'Reilly and Knight, 2007). NSFs may vary quite significantly both within and between national boundaries and sporting codes (Mittag and Putzmann, 2013; Hoye, 2006). In general NSFs are member based organisations made of one or all of athletes and players, leagues, clubs, regional or district associations and supporters (Enjolras and Waldahl, 2010). NSFs generally make up the majority of members in a NOC which is a body endorsed by the IOC to prepare teams for participation in the Olympic games. NSFs that are recognised by a NOC are also expected to be members of the IF that is responsible for the development of their sport worldwide.

The majority of sport organisations, particularly those within the non-profit sector, place the responsibility for governing the organisation in the hands of an elected board or group executive officers through some form of voting system that assumes to best represent the membership of the organisation (Enjolras and Waldahl, 2010; Geeraert *et al.*, 2013; Chappelet, 2010; Hoye, 2006; Forster, 2006). Governing boards are expected to provide leadership and good governance, acting in the best interests of members (Herman *et al.*, 1996).

It has been observed that sport organisations have moved towards increased bureaucratisation and professionalism as part of a process of modernisation (Li *et al.*, 2012; Sherry *et al.*, 2007; Stewart, 2007; UK Sport, 2003, 2004; Auld, 1997) changes in the way that governing boards are structured and selected have been noted, such that not all members of sport organisation boards are necessarily representative of the member body (Walters *et al.*, 2011). There appears to be an increasing trend towards appointing people to boards who have specific expertise that may fill gaps in the skill sets available in the elected group of members, such as someone with finance or legal expertise (Walters *et al.*, 2011; Houlihan and Green, 2008; Henry and Lee, 2004; Auld, 1997). This trend raises questions about the "representativeness" of governing boards given the traditional view that the board members should be representative of the membership of the organisation. Furthermore, it is the representative nature of the governing board that legitimises the sport organisation itself and as such provides the mandate to the governing board to carry out its duties in accordance with the constitution.

3. Review of literature

This review examines issues around legitimacy and democracy in sport organisations that will support an ethnographic account of the difficulties that may be encountered

when individuals choose to manipulate the established processes of legitimacy and democracy to suit themselves over the organisation(s) that they represent. Concepts relevant to these processes are examined with a view to understanding the significance of the method of selecting boards that govern such organisations, with an emphasis on NSFs for sport, and NOCs.

3.1 The structure and legitimacy of sport organisations

The Olympic Charter directs that for sport organisations, the Congress or General Assembly is considered the supreme authority of the organisation (Mittag and Putzmann, 2013; International Olympic Committee, 2011) and is often written as "the highest organ" of the organisation as described in the constitution or statutes that govern that organisation (Enjolras and Waldahl, 2010). For many single sport organisations, the Constitution will usually need to meet the requirements established by a parent sport organisation such as a NSF, or its IF, the NOC of that country and in some cases, also meet some form of legal requirement established in order to register the organisation as a legal entity under the laws of the country in which the organisation resides. In this way and with the support of an established membership, sport organisations attain their "legitimacy" to represent their members and act to deliver activities associated with their sport according to these guidelines (Forster, 2006).

This concept of legitimacy is fundamental in the creation of governing boards. Governing boards are established to oversee the strategic direction of sport organisations and in general these boards are formed through the endorsement of an established membership that gives it authority and legitimacy to act as the "voice" of the membership (Hoye, 2006). Hirschman (1974) suggests that the concepts of voice, exit and loyalty are fundamental to establishing the legitimacy of an organisation and this is reflected in electoral processes that are based on the principles of democracy (Mittag and Putzmann, 2013; Enjolras and Waldahl, 2010). In the case of sport organisations, this is understood to mean "representative" democracy which is based on the idea of elected individuals who represent a group of people or organisations (Enjolras and Waldahl, 2010). In this context, it is the membership of the organisation that will determine who is eligible to vote and who is eligible to stand for a position that represents the membership. Through the endorsement of a membership, the legitimacy of the organisation is established (Henry and Lee, 2004). In its simplest form, a group of people who have a common interest in playing a sport, may group together to form a club. That club may operate independently according to the needs of the members to provide opportunities for them to play that sport. Prior to the establishment of NSFs, the club was legitimate in its objectives because it was endorsed by its own members to do so. In modern times, additional steps must be taken. For the club to be seen as legitimate it now must seek endorsement from a body that is a national collection of clubs or organisations with the same sporting interest. This national body becomes legitimised by its members, in this case the clubs and in turn the NSF legitimises its members, the clubs by recognising them (Forster, 2006). For sports organisations, practices that lead to their legitimacy have been in turn seen as essential by umbrella institutions such as the IF or the IOC. Washington and Patterson (2011) suggest that endorsement of practices by dominant institutions may create conditions in which practices that might ordinarily be seen as being in conflict with the environment may become an institution in their own right. In this way, the simple endorsement by the membership of an organisation is viewed as being enough to legitimise the existence of a sport organisation.

3.2 Democratic principles underlying sport governance

Since sport organisations prescribe their operations according to the principles of democracy, it is important to understand what this may mean. Allern and Pedersen (2007), describe three concepts of democracy:

(1) Competitive democracy emphasises the use of the vote to reach a decision concerning competing interests. In sport this manifests itself both in the election of representatives to governing boards as well as the use of the vote to make a choice over one or more competing interests, such as approving a budget priority or the composition of a delegation or team to represent the organisation in a competition. The selection of delegates to the board is inherently a competitive process in which candidates present a case to the membership in favour of their selection. The members then choose, usually by a simple vote or ballot. In theory, this process should result in the best candidates being successfully elected to a position on the board (Hart, 1995). However there does not appear to be a body of research that supports the idea that, in non-profit organisations, the competitive electoral process results in selecting the right people for the right positions on governing boards (Ferkins and Shilbury, 2010).

(2) Participative democracy seeks active participation by all members in decision making and is characterised by a consensus based approach to selection and decision making. The application of participative democracy may be demonstrated by how effectively a sport organisation engages with its members and its staff. The theory of participative democracy underpins the successful governance of non-profit sport organisations. In order for the membership to properly select the right people to represent them and as well monitor their performance, the conditions for participative democracy must be in place. Given that the membership is in theory the body to which a governing board is accountable, it is essential that the membership remains engaged and has an opportunity to make informed decisions on the performance and decisions of their governors (Thibault *et al.*, 2010; Enjolras and Waldahl, 2010).

(3) Deliberative democracy seeks to solve conflict through discussion and consultation. Ideally, deliberative democracy manifests itself in all aspects of governance in a sports organisation. One might observe an active process of consultation and gathering of evidence leading to the decision making and planning process as a manifestation of deliberative democracy. The delegation of policy development to working groups, or commissions with a defined purpose might be examples of deliberative democracy in sport organisations. With respect to selecting board members, deliberative democracy might be in evidence when people with specific skill sets who may not be a part of the formal membership of the organisation, are selected, in consultation with the membership, based on an established need to fill the board with a desired set of skills (Walters *et al.*, 2011; Houlihan and Green, 2008).

Then there is the issue of representative vs direct democracy (Enjolras and Waldahl, 2010). It is a common occurrence in sport, whereby the holding of a position in one organisation may qualify an individual to hold a position in another even though the representation required is quite different, such as a NSF President who sits on a NOC or an IF board. MacAloon (2011) suggests that this process, reinforced in the reform of the IOC from the year 2000 can lead to conflicts of interest. When such an individual,

sits on the board of a multi-sport organisation, to which the organisation that this person leads is also a member, the conditions for a conflict between the interest of the single sport organisation and the interest of the multi-sport sport organisation becomes real. This might be further enhanced by the need for the individual to maintain their position in the single sport organisation as a pre-requisite for holding a place in the multi-sport organisation. By acting against the interest of the single sport organisation in favour of the interest of the multi-sport organisation, the individual may place their position in the single sport organisation in jeopardy and ultimately their place on the multi-sport organisation as well. Such a scenario also brings the individual's interest, in holding power, into conflict with both the members of the single sport organisation and those other sport organisations that belong to the multi-sport organisation.

3.3 Selecting for political office

In order to bring clarity to the methods used to place individuals into positions of power, the following section briefly discusses methods of selection for political office and attempts to demonstrates how such methods might be used when selecting individuals for a position on governing boards of sport organisations.

Besley (2005): 50, suggests that "four main methods of selection to political office are available: drawing of lots; heredity; the use of force and voting".

Drawing of lots forms the basis of the commune system within which members take turns to assume positions of responsibility within the community or organisation. It does not appear to be commonly used in sport organisations as a method of selection, at least not at the national and international level.

Heredity is simply a handing of power onto the next generation within a single grouping or family unit, as in Royal Accession (House of Commons, 2010-2012). This form of selection to a board, in the context of sport governance is not encouraged under the basic universal principles of good governance in sport (International Olympic Committee, 2008), however there are examples of sport organisations that are controlled by family units that have either established the sport in the first instance, or come to dominate its governance through the exertion of power and money (Choudhary and Ghosh, 2013; Bellow, 2004).

The use of force is characteristic of a military coup that assumes control of government. While not considered as a method for selecting boards of sport organisations, the use of direct or indirect force may be assumed to occur in different parts of the world and even be connected to the assumption of power by force within the country itself (Bromber *et al.*, 2013; Nauright and Parrish, 2012). Other forms of "force" might be considered here, such as coercion through the use of bribes in an attempt to create effective blocs. These blocs can then legitimise the democratic process by selecting their candidates in a coordinated and systematic fashion (Besley, 2005).

The ballot appears to be the choice of the majority of sports organisations as representative of good democratic process and is widely encouraged by the Olympic movement through the Olympic Charter (International Olympic Committee, 2011). Ballots are usually carried out at a General Assembly, or Congress, made up of delegates who are either direct members of the organisation or are representatives of organisations that are affiliated to a multi-organisation. For example, a NOC generally consists of delegates from each of the recognised NSFs for sport within a particular country, who are mandated to represent their organisation at NOC meetings and vote for members of the governing board of the NOC (International Olympic Committee, 2011). However there appears to be very little literature that examines the efficacy of ballot systems in the context of sport organisations.

3.4 Conflict of interest legitimacy and democratic processes in sport organisations

Sherry *et al.* (2007) provide an excellent discussion around the topic of ethical management in sport and on the concept of conflict of interest. In large, well-developed sport organisations, the conflict of interest that might occur in theory may be quite limited, due to the size of the system and the more limited opportunities to duplicate roles and use power to manipulate voting patterns both within the board and among the general membership of the organisation. However high profile cases involving the IOC, ICC and FIFA suggest that the democratic processes can be relatively easily manipulated in favour of specific individuals (Ugra, 2014; MacAloon, 2011; Mason *et al.*, 2006; Forster, 2006; Henry and Lee, 2004; Darby, 2003; Jennings and Gothard, 1996; Simpson and Jennings, 1992).

In developing countries that have a small population, it may be possible for one person to hold many positions simultaneously, some of which may be accountable to another held by that person. For example, if a NSF President also has a board position on the NOC and sits on the selection justification panel for selecting teams, while also being the coach of the national team, it is conceivable that a conflict of interest could arise (Sherry *et al.*, 2007). Such conflict may extend to the legitimacy of sport organisations wherein an individual who sits on the board of an NOC may use that position to enable legitimate recognition of a single sport organisation, in which that individual has a direct interest. In such circumstances, the membership of a newly established NSF may not in itself be sufficient to legitimise the existence of the organisation. However by gaining the recognition of the NOC, it may use this to gain recognition by the IF or vice versa. Under such circumstances, national level sport organisations may exist without the explicit approval of a formalised membership. This scenario will be further illustrated in the case studies to follow.

Regardless of the sport system, the notion of individuals obtaining power and influence in sport organisations to meet their individual needs over the organisation is not new (MacAloon, 2011; Forster, 2006; White and Kay, 2006; Hoye and Cuskelly, 2003; Black and Nauright, 1998; Simpson and Jennings, 1992; White and Brackenridge 1985).

4. Methods

The following section will highlight three cases that illustrate that despite the best of intention, processes intended to lead to legitimacy may result in organisational failure. The three cases presented illustrate how democratic processes can either be inappropriate, be manipulated, knowingly or otherwise, or, be corrupted to favour the power base or self-interest of one or a group of individuals serving on the governing boards of sport organisations. By necessity these organisations and the people concerned have not been named as the purpose of reporting these cases is merely to illustrate rather than accuse.

The organisations were chosen from the case files of a specific group of continental NOCs. The evidence used is largely documented and was verified through personal contact with the actors who were a party to the events that are described.

Since all of the cases chosen were from one geographical area of the world, it might be argued that they have little relevance to sport organisations worldwide, however when consulting with professionals and sport administrators from other regions in the world, including Europe, Africa and Asia, all agreed that they had witnessed similar examples at either club, district, national and even international level. To that end it

was felt that the examples chosen represented "in principle", flaws in the accepted method of legitimisation in sport organisations that can lead to manipulation by either unscrupulous or unknowing individuals.

5. Case studies

5.1 Case 1 – A NOC in crisis

This NOC was formed during the 1980s at a time when the President of the IOC was keen to globalise the influence of the Olympic movement and increase the number of countries participating at the Olympic games.

Established in 1987, this NOC developed quickly to assume its place as an umbrella organisation for sport in the country, being responsible for coordinating teams to Olympic and Commonwealth games as well as regional games held regularly in neighbouring countries. By the year 2000, this country had used its funding from both Government and Olympic solidarity to run development programmes for sport while establishing a sound financial base that resulted in it owning property on which it could build a headquarters. This NOC, hosted national and regional events and all appeared to be healthy for sport in the country concerned.

The executive board consisted of a President, a Secretary General, a Treasurer and six Vice Presidents elected from the membership of the NOC comprising of the recognised NSFs in the country. These six vice presidents had no specific role assigned to them. There were 22 registered NSFs, however, an undisclosed number of these were not active. The incumbent President and Secretary General of this NOC had held these positions since its formation, which by the year 2004 amounted to more than four terms of office. The President also sat on the board of the Regional Olympic Committees and had done so for two terms by 2004. In effect, the President of the NOC also held a position as President of a NSF, which had given him the mandate to stand as President for the NOC. He also sat on the board of the Regional NOC by virtue of his position as NOC President. This also gave him access to a number of regional and international commissions.

By 2004, attempts by the NOC to conduct an AGM became futile as no more than four member NSFs would turn up. Further, more than half of the incumbent Vice Presidents had either formally resigned or were not responding to calls to attend board meetings which rendered the board impotent as it was unable to reach the required quorum of 51 per cent of the elected members to be present. This situation came to the attention of the NOC Relations Department of the IOC who enlisted the regional body concerned to evaluate the situation in this NOC and provide assistance where necessary. Normally in such circumstances, an NOC would be suspended from the Olympic movement. However given the level of funding for sport available to the country that would be lost, it was agreed that the situation could be managed so that sport in the country would not be disadvantaged.

The incumbent board members who were still active were enlisted as an interim board. Additional members were co-opted who had specific skills in strategic planning and financial management to oversee an audit of the member NSFs, a review of the NOC constitution and the establishment of an appropriate and viable strategic plan. This work was managed by an appointed CEO and by a regional sport consultant.

Following a survey and extensive consultations with each registered NSF, it was realised that there were only five active NSFs in this country and only one of them was a sport on the summer Olympic programme. The Olympic Charter stipulates that a

minimum of five NSFs, duly recognised by their IF would be needed to constitute a viable membership for the NOC (International Olympic Committee, 2013).

The reason for the apparent apathy among member NSFs to organise their own sport and participate in the NOC was roundly blamed on the governance of the NOC. Member NSFs felt that the NOC had become the "personal club" of the President and the Secretary General. In addition to two delegates from each NSF, the incumbent board members were also given a vote on all matters before the congress, including the election of office bearers. This voting procedure, legitimised by the IOC itself, was seen as enabling the incumbent group to maintain their position in the face of a majority of opposition from the floor. This approach has been demonstrated by Penrose (1946) who showed the power of a single vote and of the bloc vote of a resolute group in exerting control statistically over a larger group of people. Over time, attempts to change this board were effectively thwarted using this voting method and by ensuring that sympathetic delegates were in attendance at a voting meeting. The reaction of the members turned to apathy and a lack of motivation from NSF delegates to participate either in the NOC or in their own federation activities. The gradual decline in opposition within the organisation further ensured that decisions always went in favour of the President and Secretary General.

In response to the realisation that their presence on the board of the NOC was in-part responsible for the apathy of the member NSFs, the incumbent President and Secretary General agreed that in order to regain the participation of the membership, they would not contest the next election that would be held once a period of rehabilitation of the NSFs occurred.

After a period of four years, by 2008, 21 NSFs were restored and a strategic plan for the NOC endorsed at a special general meeting. A revised constitution was also endorsed and approved by the NOC Relations Department of the IOC. Under the new Constitution, election of the board was to be split so that half of the board would be elected at the beginning of the Olympiad and half at the mid-point, with all delegates holding a four year term up to a limit of two terms. This would allow for continuity of knowledge on the board. Furthermore, board members were no longer allowed to vote during the election process for office bearers unless they were able to do so as a registered delegate of a NSF.

This case supports the findings of Enjolras and Waldahl (2010) that illustrates how a disenfranchised membership can lead to apathy and non-participation by the membership and thereby creating the conditions for the formation of an oligarch. It also illustrates how in the absence of robust participative and deliberative democracy, an organisation can become vulnerable due to the inactivity of its membership.

5.2 Case 2 – A President for life

This NSF recently changed its President after a 26 year reign in the position. A lawyer by profession, this President ruled the sport effectively standing unopposed for the duration of his tenure and even announcing in 2006 that he would be "President for life".

Through creative and judicious use of the Constitution, various ways and means to block opponents actually standing against him were found. As in Case 1, the President also benefitted from overseeing generous support from the IF of this sport to make significant development gains for the sport in the country. This he achieved through serving as treasurer on the regional body, a position that required him to maintain his NSF board position. As a practicing lawyer he also served on various commissions on

the IF for this sport, however none of these external positions were endorsed by the NSF nor was he representative of the NSF in his IF capacity. However by using the power, influence and economic incentives that he was able to garner from his international connections, he maintained a stranglehold on the Presidency of the NSF in his own country that in turn sustained his legitimacy as an active player in international sport politics. To his credit, he did oversee significant development in the establishment of facilities for the sport and implemented changes to the competition structure in a bid to stimulate growth of the sport in the country. It could be argued that he also maintained a high degree of participation from the membership as there was no shortage of people willing to stand for board positions.

The ability of this NSF President to maintain his position almost unchallenged for 26 years went further than his understanding of constitutional process and demonstrates an astute understanding of the democratic principles described by Allern and Pedersen (2007). He was able to maintain a strong perception of competitive democracy among the members by increasing incentives and opportunities to sit directly on the board of the NSF, by increasing the size of the board. He also created of a number of working groups and commissions, to deal with very specific issues or projects. Naturally, allies were given more encouragement than others and it was clear that being a "friend" of the President provided more rewards than being in opposition to the President. As such the NSF was considered very strong and functional despite the obvious accumulation of power by the President. He was also able to use the conflict of interest that came with holding multiple board positions to his advantage by convincing the NSF membership that his positions were "good" for the sport in the country. However he failed in his bid to remain "President for life" after leaving the country to avoid numerous charges relating to fraud and other misdemeanours.

This particular case, calls into question, the legitimacy of a system in which holding a position on the board of a single sport organisation is a requirement for an individual to be eligible for election in a multi-organisation, in which that single sport organisation belongs. The conflict of interest that may arise out of this legitimate structure has been discussed at length, (MacAloon, 2011; Hoye and Cuskelly, 2007; Forster, 2006; Jennings and Gothard, 1996). In this case, the President deliberately used both his knowledge of democratic process and his positions on the multi-organisations that contributed to the legitimisation of the single sport organisation that he controlled to protect his position for a considerable period of time. In the end, it was the legal system of the country itself, while investigating claims against the President, which were not related to the NSF that created the conditions for him to be removed from office.

5.3 Case 3 – knowledge is power

As a part of the founding board for this NSF, this President stood unchallenged for more than 20 years and chose an entirely different approach to maintaining power.

Working closely with the Secretary General, a close relative, these two individuals presided over the NSF for 23 years without actually holding a formal annual general meeting and consequently were never challenged for their positions. Special meetings were held as required to deal with issues such as holding a national championship, a coaching course or any other demands placed on them by the IF or the NOC. This ensured a reasonable amount of participation by the membership and as long as a national championship was held and a national team selected when required, there was no apparent need for any other involvement. All information regarding the governance

and management of the NSF was kept from the membership which in itself never properly defined. A constitution was in existence as this was used to apply for affiliation to the IF and the NOC, however it had never been revised or actively used since the organisation was formed. By furnishing reports as required to the NOC and to the IF, there were no questions asked of the two incumbent office bearers and this arrangement was allowed to continue.

As a President of a NSF he was also able to attend meetings of the sport's regional association, where he was elected onto the regional committee as a member. He was also successfully elected to the board of the NOC and eventually took on the role of Secretary General. It would not have been possible for him to have achieved either of the latter roles without holding the position of President of the NSF. His term in office only concluded after sustaining a serious injury that rendered him disabled at which time a complete reconstruction of the NSF took place. It was during this period that members were asked why they had not insisted on there being an annual meeting, to which the unanimous response was: "We didn't think they were necessary". The membership was also unaware that the organisation had a Constitution of which only one original copy was in existence. The members were not aware of the requirements for meetings or of their involvement in the decision making process of the NSF.

This particular case study describes a scenario that is not altogether uncommon in NSFs throughout the developing world and illustrates how easy it is to manipulate the processes of governance. By holding office in a relatively inactive NSF, it is possible to obtain membership to other organisations such as an NOC or even an IF, simply by withholding information from the membership of the NSF. This is exacerbated further when the membership of the organisation is not clearly defined. In this case, there was no formal registry of members and so no documented evidence to support the legitimacy of the NSF at all. Instead, its recognition by the NOC and the IF, bodies to which this individual was also a member, was enough to maintain the legitimacy of the NSF.

Within the cultural context of this country, the two senior officials were also high ranking people within their society. Traditional values centred on a strong chiefly system and an expectation of hierarchical decision making which does not ask for or expect contribution from those in lower positions in society. As such the NSF was able to function without any of the democratic processes described by Allern and Pedersen (2007). The public in general, perceived that all was well as long as a national championship occurred each year, and a national team was selected for regional competition when required. In this context, the principles of democracy (Allern and Pedersen, 2007) did not apply and had no bearing on the existence of this NSF. The plurality of roles (Sherry *et al.*, 2007) that were accumulated by the President of this NSF served to maintain the legitimacy of this NSF. As such these officials maintained their power by withholding information from the membership that gave them legitimacy and protected themselves further by holding influential positions on multi-organisations that had the capacity to hold them to account.

6. Discussion

The assumption that sport organisations universally operate using the concepts of participative democracy (Allern and Pedersen, 2007), are challenged by cases such as those presented above. The case studies presented illustrate that if the interests of the individual became more important than the organisation, then the organisation can be used to legitimise actions which are in the interest of the individual over the organisation. The conditions within an organisation that may lead to such situations

arising include: non-participation by the membership (Enjolras and Waldahl, 2010; Hoye and Cuskelly, 2007); a break-down of the democratic structures (Phillips, 2011); an absence of clear guidelines on the roles and responsibilities of boards and its members (Australian Sports Commission, 2012; Walters *et al.*, 2011; Doherty *et al.*, 2004) and the absence of an appropriate method for selecting board members (Taylor and O'Sullivan, 2009). In all three cases abovementioned, the membership was either disengaged by the failure to share information, directly manipulating the Constitution or by using the ballot system to give the members a sense of having no influence on the direction of the organisation.

In all these cases, the organisation in question had at least one other sport organisation with the power to question its practices. However since the individuals concerned also managed to gain a place on these controlling bodies, this would have required that organisation to investigate directly, one of "their members". Consequently, such investigation was not done until other influences transpired to remove the person in question from power. In multi-sport organisations such as NOCs or IFs, it appears that the monitoring of the legitimacy of member organisations becomes difficult, especially when that organisation is led by a member of the monitoring organisation. Furthermore, within the cultural context that exists in two of these countries, there was no perception of the situation being abnormal or corrupt. In this sense, the concept of legitimisation (Hirschman, 1974) has been coloured by a cultural context which allowed for, what appears to have been unacceptable processes of governance, to be considered legitimate.

These examples also support the notion that by disenfranchising the membership and thus reducing its active participation in the governance of a sport organisation, the likelihood of maintaining power can be increased through the establishment of an effective oligarchy (Enjolras and Waldahl, 2010). This situation may serve to increase the likelihood of abusing the power that comes with position to hold places on other related sport organisational boards such as an IF or an NOC.

The election of officials onto the board of a simple club is usually a straightforward affair. The members are defined by registration which may or may not accompany the payment of a fee. Usually members at this level of sport organisation are individuals, however in very large clubs there may be a number of sub groups of members taking the form of leagues or teams from which representatives are selected to represent their sub group. Once on the board of a club, a member, usually the president or secretary or both will be eligible to attend meetings of a regional or district body, which is a collection of clubs from within a designated geographical or even demographical area. In the case of smaller sporting codes or small national sport systems, this level may not exist. The election of officials to the board of the NSF would be made from nominations of members who sit in the Congress as delegates representing the member clubs and any special members representing groups such as a league. In Case 3 above, the members of the NSF were all individuals as there were no designated clubs or teams from which representation could be drawn.

Elected representatives of the NSF may then attend meetings of their respective continental grouping if it exists, or directly as a delegate to the Congress of the IF. The number of steps required to attend IF meetings will vary with size and in accordance with the rules and regulations that govern that body. The size and complexity of IFs for sport can vary considerably (Geeraert *et al.*, 2013; Forster, 2006). In Case 3, despite the membership of the NSF not being formalised, the President was still eligible to attend meetings of the IF and NOC.

In theory every selected member is accountable to and should report regularly to the member bloc that has selected him or her to a position in a sport organisation as part of the process of legitimisation of the organisation (Enjolras and Waldahl, 2010; Hoye, 2006; Hirschman, 1974). However, if the same individual sits on the board of an organisation that legitimises an organisation which that individual also represents, the conditions for a significant conflict of interest are established (MacAloon, 2011). This situation occurred in all three cases presented. While a member of a club who has risen to sit on the board of the IF, no longer represents the specific interests of his club, the club may perceive some benefit to have one of their own placed in a position of power in their parent organisation. Once again this was the situation in all three cases presented.

The framework for governing Olympic sport organisations, supported by the Olympic movement (Chappelet and Kubler-Mabbott, 2008) whereby holding a position within one sports organisation, such as a club, is a pre-requisite to holding a position or being able to vote in another sport organisations, such as a NSF, which in turn may lead to a seat on an IF or NOC and in turn even the IOC, soon removes the individual from their member base and allows them to represent their own views above that of the organisation that they represented originally. This may be a consequence of the transition from direct democracy, where members are made up of individuals, to representational democracy, where individuals represent a collection of organisations (Enjolras and Waldahl, 2010). From the case studies presented, this disassociation from representing the members appears to be enhanced if the membership itself is either kept uninformed or disenfranchised altogether.

In an attempt to establish and maintain the autonomy and legitimacy of a sport organisation, elected members are encouraged to be independent in their actions and free of government interference (International Olympic Committee, 2008, 2011, 2013; MacAloon, 2011; Walters, *et al.*, 2011; Chappelet, 2010; Hoye and Cuskelly, 2006), This may further encourage a dissociation between members of sport organisations and their representatives and as in case three provide conditions by which the individual's interest becomes established over and above the interest of the organisation.

7. Conclusions and future research

The findings of this paper are based on selected case studies that represent reasonably common occurrences in NOCs and NSFs that are operating in countries that do not have well-developed sport systems, or under strict legislation that may inform the way they should operate. While they do illustrate how member based representation can be manipulated to suit the individual, the process by which this occurs may not occur so easily where organisations are subject to government controls or where the sport system is sufficiently well developed, that the actions of governors may come under notice. As such the choice of case studies used in this paper may limit the applicability of the findings discussed in this paper to sport organisations that operate in less structured or developed environments.

The Olympic movement now encourages all NOCs to create an Athlete's Commission and ensure that representatives of the Athletes' Commission are represented on the board of an NOC and its constituent NSFs in order for the voice of the athlete to be heard (International Olympic Committee, 2011). Given that athletes in theory at least, form the bulk of the membership at club level in sport, it seems strange that extraordinary steps need to be taken to have their voices heard through the creation of an Athletes' Commission. The point in the transition from direct to

representational democracy, that this apparent dissociation between member based sport organisations and their active members (athletes) occurs, does not appear to be understood and may be a fertile area for future research.

The selection of governing boards by election processes sounds like an effective method of establishing representative democracy for sport organisations but once again, either by withholding information or manipulation of the electoral process, it is a process that is easily corrupted to allow individuals to establish an oligarchy, benevolent or otherwise. Each of the cases presented provides a different way in which this was achieved. Member based sport organisations operate according to a form of representational democracy whereby the annual general meeting or congress provides the opportunity for the general membership to hold accountable, the actions of their representative board. For this to work effectively however, the board must openly share information and knowledge as well as the process by which the board came to a conclusion or reached a decision in the interest of the organisation. It might be suggested that those who hold positions on the board of a sport organisation are more informed of the opportunities that accompany such positions and have a better understanding than the ordinary member of the processes required to maintain their position. As such they may become more motivated to manipulate the system in order to maintain their position and with it the access to opportunities that the position provides.

Future research not only needs to address the issue of why sport governors seek to hold onto positions for personal gain, but examine the framework that is currently found to be acceptable and seek ways in which the integrity of the organisation is guaranteed over the motivation of the individual.

A number of authors have suggested that the structure of governing boards for sport organisations, are inadequate (European Union, 2014; Taylor and O'Sullivan, 2009; Forster, 2006; Katwala, 2000; Auld, 1997). Therefore it appears reasonable to suggest that future research into the methods by which governing boards are selected at all levels of sport is essential, before it is possible to establish the principles by which sport organisations should legitimise themselves. The concept of democracy that underpins how people are selected to positions on the boards of member based sport organisations and how the decisions made by their boards are ratified by the members is constantly challenged and in turn this challenges the whole notion of autonomy, so jealously guarded by the governing bodies of sport (International Olympic Committee, 2011, 2014). As such, a framework that advocates a seemingly acceptable, self-regulatory characteristic of sport governance, may lead to a process that supports poor practice in governance. If we are to successfully implement best practices for governance in sport organisations, we must understand how culture and democratic process might be manipulated to assist individuals to attain and maintain power and position in sport organisations.

Further research is now needed to examine how appropriate it is for a sport organisation to believe that the current framework for establishing, legitimizing and governing them are appropriate in the modern, dynamic environment that sport finds itself in today. Institutional theory (Washington and Patterson, 2011) suggests that the influence of dominant institutions such as the IFs and the IOC in establishing rules for autonomy of sport organisations, have in turn, institutionalised practices that are contrary to good practice in governance. This may be more evident in sport systems that are less developed or in countries where sport organisations are subject to less scrutiny. An in depth analysis of the structure of the sport and Olympic movement from the point of view of institutional theory may well be in order.

References

Ahrne, G. and Brunsson, N. (2005), "Organisations and meta-organisations", *Scandinavian Journal of Management*, Vol. 2 No. 14, pp. 429-449.

Allern, E.H. and Pedersen, K. (2007), "The impact of party organisational changes on democracy", *West European Politics*, Vol. 30 No. 1, pp. 68-92.

Auld, C. (1997), "Professionalisation of Australian sport: the effects on organisational decision making", *European Journal for Sport Management*, Vol. 4 No. 2, pp. 17-39.

Australian Sport Commission (2012), "Sport Governance Principles", available at: www.ausport.gov.au/__data/assets/file/0010/485857/ASC_Governance_Principles.pdf (accessed 18 December 2013).

Bellow, A. (2004), *In Praise of Nepotism*, Anchor Books, Random House Inc., New York, NY.

Besley, T. (2005), "Political selection", *Journal of Economic Perspectives*, Vol. 19 No. 3, pp. 43-60.

Black, D. and Nauright, J. (1998), *Rugby and the South African Nation*, University Press, Manchester.

Bromber, K., Kraweitz, B. and Maguire, J. (2013), *Sport Across Asia – Politics, Cultures and Identities*, Routledge, Abingdon.

Chappelet, J.L. (2010), *Autonomy of Sport in Europe*, Council of Europe Publishing, Strasbourg, Cedex.

Chappelet, J.L. and Kubler-Mabbott, B. (2008), *The International Olympic Committee and the Olympic System – The Governance of World Sport*, Routledge, Abingdon.

Choudhary, J. and Ghosh, J. (2013), "Governance of sports in India", available at: http://tejas.iimb.ac.in/articles/Tejas_September%20Edition_Article%201.pdf (accessed 13 January 2014).

Darby, P. (2003), "Africa, the FIFA presidency, and the governance of world football: 1974, 1998 and 2002", *Africa Today*, Vol. 50 No. 1, pp. 3-24.

Doherty, A., Patterson, M. and Van Bussel, M. (2004), "What do we expect? An examination of perceived committee norms in non-profit sport organisations", *Sport Management Review*, Vol. 7 No. 2, pp. 109-132.

Enjolras, B. and Waldahl, R.H. (2010), "Democratic governance and oligarchy in voluntary sport organisations: the case of the norwegian olympic committee and confederation of sports", *European Sport Management Quarterly*, Vol. 10 No. 2, pp. 215-239.

European Union (2014), "Sport, supporting fair play and cooperation in sport", available at: http://ec.europa.eu/sport/policy/organisation_of_sport/good_governance_en.htm (accessed 27 May 2014).

Ferkins, L. and Shilbury, D. (2010), "Developing board strategic capability in sport organisations: the national-regional governing relationship", *Sport Management Review*, Vol. 13 No. 3, pp. 236-254.

Forster, J. (2006), "Global sports organisations and their governance", *Corporate Governance*, Vol. 6 No. 1, pp. 72-83.

Geeraert, A., Alm, J. and Groll, M. (2013), "Good governance in international non-governmental sport organisation: an empirical study on accountability, participation and executive body members in sport governing bodies", in Alm, J. (Ed.), *Action for Good Governance in International Sports Organisations*, Danish Institute of Sport Studies, Final Report, April, pp. 190-217.

Hart, O. (1995), "Corporate governance: some theory and implications", *The Economic Journal*, Vol. 105 No. 430, pp. 678-689.

Henry, I. and Lee, P.C. (2004), "Governance and ethics in sport", in Beech, J. and Chadwick, S. (Eds), *The Business of Sport Management*, Prentice-Hall, London, pp. 25-41.

Herman, R.D., Renz, D.O. and Heimovics, R.D. (1996), "Board practices and board effectiveness in local non-profit organisations", *Nonprofit Management and Leadership*, Vol. 7 No. 4, pp. 373-385.

Hirschman, A.O. (1974), "Exit, voice and loyalty – further reflections and a survey of recent contributions", *Social Science Information*, Vol. 13 No. 1, pp. 7-26.

Houlihan, B. and Green, M. (2008), "Modernization and sport: the reform of sport England and UK sport", *Public Administration*, Vol. 87 No. 3, pp. 678-698.

House of Commons (2010-2012), "Rules of royal succession, political and Constitutional Reform Committee", eleventh report of session, House of Commons, London, 1 December 2011.

Hoye, R. (2006), "Leadership within Australian voluntary sport organisation boards", *Nonprofit Management and Leadership*, Vol. 16 No. 3, pp. 297-313.

Hoye, R. and Cuskelly, G. (2003), "Board-executive relationships within voluntary sport organisations", *Sport Management Review*, Vol. 6 No. 1, pp. 53-73.

Hoye, R. and Cuskelly, G. (2007), *Sport Governance*, Elsevier, Jordan Hill and Oxford.

International Olympic Committee (2008), "Basic universal principles of good governance of the olympic and sports movement", Seminar on Autonomy of Olympic and Sport Movement, 11-12 February, available at: www.olympic.org/Documents/Conferences_Forums_and_Events/2008_seminar_autonomy/Basic_Universal_Principles_of_Good_Governance.pdf (accessed 9 December 2013).

International Olympic Committee (2011), "The Olympic Charter", available at: www.olympic.org/documents/olympic_charter_en.pdf (accessed 13 December 2013).

International Olympic Committee (2013), "Roles and responsibilities during the Olympic games", December, available at: www.olympic.org/Documents/Reference_documents_Factsheets/Roles_and_responsabilities.pdf (accessed 28 June 2014).

International Olympic Committee (2014), "Olympic agenda 2020 – 20 + 20 recommendations", available at: www.olympic.org/documents/olympic_agenda_2020/olympic_agenda_2020-20-20_recommendations-eng.pdf (accessed 24 November 2014).

Jennings, A. and Gothard, J. (1996), *The New Lords of the Rings: Olympic Corruption and How to Buy Gold Medals*, Pocket Books, London.

Katwala, S. (2000), *Democratising Global Sport*, Foreign Policy Centre, London.

Li, M., MacIntosh, E.W. and Bravo, G.A. (2012), *International Sport Management*, Human Kinetics, Champaign, IL.

MacAloon, J.J. (2011), "Scandal and governance: inside and outside the IOC 2000 Commission", *Sport in Society: Cultures, Commerce, Media, Politics*, Vol. 14 No. 3, pp. 292-308.

Mason, D.S., Thibault, L. and Misener, L. (2006), "The agency theory perspective on corruption in sport: the case of the international Olympic committee", *Journal of Sport Management*, Vol. 20 No. 1, pp. 52-73.

Mittag, J. and Putzmann, D.S.N. (2013), "Reassessing the democracy debate in sport alternatives to the one-association-one-vote-principle?", in Alm, J. (Ed.), *Action for Good Governance in International Sports Organisations*, Danish Institute for Sports Studies, Copenhagen, pp. 83-97.

Nauright, J. and Parrish, C. (Eds) (2012), *Sports Around the World. History, Culture and Practice*, ABC-CLIO, LLC, Santa Barbara, CA.

O'Reilly, N.J. and Knight, P. (2007), "Knowledge management and best practices in National Sport Organisations", *International Journal of Sport Management and Marketing*, Vol. 2 No. 3, pp. 264-280.

Penrose, L.S. (1946), "The elementary statistics of majority voting", *Journal of the Royal Statistical Society*, Vol. 109 No. 1, pp. 53-57.

Philips, A. (2011), "What should be in a 'Good Governance Code' for European Team Sport Federations?" masters thesis, available at: www.playthegame.org/fileadmin/documents/Good_Governance_in_ETSFs_-_Alex_Phillips_Thesis.pdf (accessed 8 January 2014).

Sherry, E., Shilbury, D and Wood, G. (2007), "Wrestling with 'conflict of interest' in sport management", *Corporate Governance*, Vol. 7 No. 3, pp. 267-277.

Simpson, V. and Jennings, A. (1992), *The Lords of the Rings – Power, Money and Drugs in the Modern Olympics*, Stoddart, Toronto.

Stewart, B. (2007), *Sport Funding and Finance*, Routledge, Abington.

Taylor, M. and O'Sullivan, N. (2009), "How should national governing bodies of sport be governed in the UK? An exploratory study of board structure", *Corporate Governance: An International Review*, Vol. 17 No. 6, pp. 681-693.

Thibault, L., Kihl, L. and Babiak, K. (2010), "Democratization and governance in international sport: addressing issues with athlete involvement in organisational policy", *International Journal of Sport Policy and Politics*, Vol. 2 No. 3, pp. 275-302.

Ugra, S. (2014), "Big three could control revamped ICC", available at: www.espncricinfo.com/ci-icc/content/story/710723.html (accessed 17 January 2014).

UK Sport (2003), *"Investing in Change" – High Level Review of the Modernisation Programme for Governing Bodies of Sport*, Deloitte and Touche, London.

UK Sport (2004), *Good Governance: A Guide to National Governing Bodies of Sport*, Institute of Chartered Secretaries and Administrators, London.

Walters, G., Trenberth, L. and Tacon, R. (2011), *Good Governance in Sport: A Survey of UK National Governing Bodies of Sport*, Birkbeck Sport Business Centre, London, available at: www.sportbusinesscentre.com/wp-content/uploads/2012/08/NGB-Board-Report2.pdf (accessed 7 January 2014).

Washington, M. and Patterson, K.D.W. (2011), "Hostile takeover or joint venture: connections between institutional theory and sport management research", *Sport Management Review*, Vol. 14 No. 1, pp. 1-12.

White, A. and Brackenridge, C. (1985), "Who rules sport? – Gender Divisions in the power structure of british sports organisations from 1960", *International Review for the Sociology of Sport*, Vol. 20 Nos 1-2, pp. 95-107.

White, M. and Kay, J. (2006), "Who rules sport now? – White and Brackenridge revisited", *International Review for the Sociology of Sport*, Vol. 41 No. 3, pp. 465-473.

Further reading

Leeds, M. and Von Allmen, P. (2004), "The economics of sports", in Rosner, S.R. and Shropshire, K.L. (Eds), *The Business of Sports*, Jones and Bartless Publishers Inc., London, pp. 361-379.

Corresponding author

Brian Minikin can be contacted at: b.r.minikin@stir.ac.uk