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Reforming Global Sport: Hybridity and the Challenges of Pursuing Transparency

KATHRYN HENNE

In light of recent controversies in global sport, this article surveys the challenges of pursuing transparency in this particular domain of governance. Although corruption in sport is attracting more scholarly attention, there remains little sociolegal research that reflects critically on corporate governance in sport and its implications. This article outlines current calls for greater transparency in global sport and considers how capitalistic underpinnings and distinct hybrid arrangements complicate the task of transparency. It concludes by reflecting on how insights from studies of regulatory capitalism can inform alternative approaches to transparency and accountability in global sport.

INTRODUCTION

The May 2015 indictment of senior Fédération Internationale de Football Association (FIFA) officials on forty-seven charges related to an alleged bribery and kickback scheme involving 150 million US dollars seemed to confirm long-standing suspicions of systemic corruption within the organization. It also prompted global scrutiny of international football¹ governance. Within two months following their arrest, the US Senate Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security held an inquiry, which focused on the integrity of the world governing body.² Subcommittee members acknowledged concerns that the growth of commercial interests, such as gambling, had made an ill-equipped FIFA into *big business*, prompting difficulties in its ability to self-regulate. They nonetheless articulated a number of areas in need of reform: the full removal

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Address correspondence to Kathryn Henne, The Australian National University—Regulatory Institutions Network, HC Coombs Extension Fellows Road, Acton, Australian Capital Territory 2601 Australia. Telephone: +61 02 6125 1255; E-mail: kathryn.henne@anu.edu.au.

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and sanctioning of FIFA President Sepp Blatter, greater financial transparency, protocols for elections of executive members, leadership term limits, revised World Cup bidding processes, and equitable compensation of professional female athletes. The take-home message was that if international football was a big business, it needed to take responsibility and implement better and more transparent governance practices.

Global sport is indeed a big business. Estimates indicate that 2015 sports revenues are set to surpass 145 billion US dollars worldwide (PricewaterhouseCoopers 2011). The FIFA scandal exemplifies the increased awareness of corporate misconduct in sport. Allegations entail money laundering; bribery; abusive employment practices; companies and governments receiving preferential treatment in bidding for contracts related to sport events; and match-fixing, which is the practice of predetermining the outcomes of games, usually for financial gain. Some observers, including David Howman, director general of the World Anti-Doping Agency (WADA), go so far as to allege that organized crime controls over 25 percent of world sport (Rumsby 2014). Calls for greater transparency in global sport governance thus appear timely and important.

Despite recognizing the difficulties in regulating a powerful global sport organization such as FIFA, the presiding members of the US Senate Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security did not call for governments to intervene. Instead, they emphasized the need for better regulation to come from *within* sport, instructing US Soccer representatives to take a leadership role in those efforts. Prior to the US Senate inquiry, Transparency International (2009, 2014) had made a number of recommendations: antibribery codes, campaigns to raise awareness of sport-related corruption, mandates for ethics education, the introduction of anticorruption guidelines alongside clear, enforceable rules, and “open, competitive bidding processes” for cities to host sport mega events. There were other proposals that called for the establishment of specialized integrity units to police unethical and illegal activities in sport.

This article surveys the challenges of pursuing transparency in global sport, with the aim of illuminating how transnational governance arrangements inform them. Although corruption in sport is attracting more scholarly attention (Maennig 2005), there remains little empirical work that reflects critically on corporate governance in sport and its implications (Levermore 2013). Following Roger Levermore (2013, 53), corporate governance is understood here as the “Western governance framework” applied to organizations and industries in order to “set a balance between economic and social goals” with “a level of accountability” that operates “within acceptable legal obligations.” Although this article is a conceptual piece, it relies on insight gleaned through eight years of ethnographic and archival research, which I have discussed in more depth elsewhere (Henne, 2010, 2015).³ Like other qualitative studies of sport governance, my research scrutinizes the “often naturalized, idealized, and taken-for-granted allegiances between

sport, business, and politics and their consequences” (Numerato and Baglioni 2012, 608). This article contributes to that line of inquiry by asking whether or not and how transparency agendas address these taken-for-granted alliances in ways that can yield meaningful reform. In doing so, it offers a case study that can aid in thinking through concerns of transparency in other arenas of global governance where public–private partnerships flourish.

In this article, I examine how global sport maintains distinct, hybrid characteristics that complicate the pursuit of transparency. By hybrid, I refer to “synergies between binding and non-binding mechanisms,” which, enabled by private–public partnerships, facilitate the terms and scope of global sport governance (Trubek and Trubek 2005, 344). To do so, my analysis focuses specifically on major international sport organizations, such as FIFA and the International Olympic Committee (IOC), the Swiss nonprofit, nongovernmental organization that oversees the Olympic and Youth Olympic Games. These organizations are not businesses per se; they are corporate actors that can influence many arenas of social activity by leveraging private–public partnerships.

The article proceeds by first describing the global features of contemporary sport governance. Although previous analyses acknowledge the shared roles of public and private actors, the implications of hybridity for reform agendas receive less attention. I therefore directly address them here. The second section of this article outlines five areas of sport that are core targets of transparency agendas: concerns around match-fixing and money laundering, the bidding process for sport mega events, the infrastructure contracts for those events, human rights violations, and performance-enhancing drug use among athletes. Reflecting on them collectively reveals how reform efforts, although well intended, underestimate how their contextually specific and hybrid dynamics pose distinct challenges for transparency agendas. That is, calls for transparency often advocate for new rules and accountability measures without attending to the broader power relationships that facilitate and enable corruption. Accordingly, this article offers a skeptical take on recommendations that more rules, even those that require the disclosure of important information, can *fix* the problems of contemporary sport. Instead, this article suggests the need for further analysis of how such arrangements facilitate the pursuit of private interests while foreclosing democratic participation by those directly affected by the pursuit of those interests. It concludes with a reflection on how transparency might be better adapted to address the contextual challenges of hybridity in order to effect at least some change in global sport.

GLOBAL SPORT AS A HYBRID FIELD OF GOVERNANCE

Global sport, as a transnational domain, is comprised of corporate, regulatory, state, and nonstate actors. According to Catherine Palmer (2013), global

sport governance can be thought of on three levels—the supranational, national, and subnational—all of which experience tension with each other at different points of policymaking and practice. These levels capture webs of relationships between actors that cut across nations, regions, and borders, legal and otherwise in nature (Palmer 2013). We are therefore remiss to refer to global sport as simply a space of globalized business. Rather, the rise of the international sport industry is indicative of broader patterns of corporatization observed across the globe (Braithwaite and Drahos 2000). Historians, including Allen Guttman (2002) and Barbara Keys (2006), provide detailed explanations of how global sport changed throughout the twentieth and twenty-first centuries. For example, the success of the Olympics historically hinged upon the tacit acceptance that Olympic sport, on the basis of its presumed purity, was distinct from professional sports leagues (Keys 2006). This *foundation myth* helped to galvanize support for the Olympic Movement, eventually contributing to its embrace of professionalism during the mid- to late-twentieth century (Ritchie 2014). Olympic sport, which once championed amateurism as its cornerstone value, eventually came to reflect what Peter Donnelly (1996, 246) refers to as “Prolympism,” that is, the “merger of professional sport and corporate Olympic sport.” Their conjoined characteristics, in turn, influence sport’s institutions and their governance; however, they are not the only features for which to account.

According to sociologists David Andrews and George Ritzer (2007, 140), three interconnected processes drive global sport institutions today: “corporatization (the management and marketing of sporting entities according to profit motives); spectacularization (the primacy of producing entertainment-driven [mediated] experiences); and, commodification (the generation of multiple sport-related revenue streams).” These developments yield observable trends that have implications for governance: a shift from local fans to growing media followership across national and global sites, the increased investment in forms of entertainment that support sporting events, and the rise of other sport-related industries. Although not all global sport organizations leverage significant power, many of them rely on partnerships with businesses and sponsors to support their sport-related efforts. Capitalistic interests therefore still factor into the decision-making processes of smaller sport organizations. For Jules Boykoff (2013), global sport is an archetype of the dangers of unchecked neoliberalism. It embodies what he calls celebration capitalism. Celebration capitalism, he argues, encompasses the ability of global sport organizations, particularly FIFA and the IOC, to coercively influence a variety of stakeholders so as to obtain public investment for mega events and private profit. In short, the benefits of mega events go back to corporate investors, not citizens living in host cities. Celebration capitalism thus offers one way to think through how global sport embodies neoliberal values.

Accompanying historical and institutional changes across many sports are a host of legal and regulatory arrangements that support the growth of global

sports revenues, a development that is symptomatic of regulatory capitalism. Analyses of regulatory capitalism remind us that it is a misnomer to assume that neoliberalism always promotes both deregulation and privatization: the pursuit of capitalistic growth also gives rise to more—not less—rules, regulation, and bureaucracy (Braithwaite 2008; Levi-Faur 2005; Jordana and Levi-Faur 2004). The corporatization and legalization of global sport go hand in hand. And, while global sport organizations may sometimes pursue agendas reflective of celebration capitalism, further analysis of their behaviors as international actors reveal different kinds of regulatory activity.

Consider the IOC: it maintains partnerships with multinational businesses as well as with various national and sport-specific organizations. This enables it to influence sport-specific issues, such as performance-enhancing drug regulation and mega events, as well as more conventionally cosmopolitan endeavors, such as education and development. For instance, the IOC has become an important actor in the Sport for Development and Peace Movement, which advocates sport as a meaningful way to pursue all eight of the United Nations' (UN) Millennium Development Goals. This is, in part, because of its resources and ability to leverage private partnerships in order to galvanize support for UN projects. In fact, the IOC maintains a strong, cooperative relationship with the United Nations more generally, having contributed to UN-backed public health campaigns and received UN Special Observer status in 2009 (IOC 2014a). In essence, the IOC is more than an affluent private organization concerned with corporate profits; it contributes directly to global governance and transnational legal ordering.

Transnational legal orders, write Terence Halliday and Gregory Shaffer (2015, 5, emphasis in original), are a “*collection of formalized legal norms and associated organizations and actors that authoritatively order the understanding and practice of law across national jurisdictions.*” Such orders, like global sport, have taken shape against the backdrop of globalization, and nonlegal actors (such as global sport organizations) can have significant influence in their development. As amalgamations of private and public actors and interests, transnational legal orders in global sport governance bring together (and often blur) hard and soft law—that is, binding and nonbinding mechanisms—to coerce social change (Trubek and Trubek 2005). Such arrangements challenge the scope assumed of both law and sport by eroding conventional understandings that jurisdiction is based primarily on hard, or public, law—an observation that should carry over into how we think about pursuing transparency in this context.

While it is important to note that global sports policy and governance is a broad and pluralistic field (Palmer 2013), it is equally important to acknowledge that global sport's hybrid characteristics retain a number of features that render it susceptible to abuses of power. The IOC and FIFA enjoy nongovernmental, nonprofit statuses, even though they have sizeable revenue streams from their business operations. They also exercise considerable levels of political influence across countries and sport organizations in addition to

their ability to appeal to global publics through mediated spectacles of sport. Despite the high visibility of global sport spectacles, the actors and relationships supporting them are rarely discernible in popular discourse. The prevalence of public-private partnerships often facilitates interactions between elites in ways that often protect them from public scrutiny. Thus, unearthing the extent of an international sport organization's influence can itself be understood as an act of transparency: that is, highlighting its impact can illuminate overlooked dimensions of broader transnational governance relationships. As the next section illustrates, calls for transparency, by drawing attention to a wide range of practices in need of reform, enable public scrutiny of global sport's influence in spaces of governance traditionally assumed to be the responsibility of the state operating in the interests of its citizens.

TARGETS OF TRANSPARENCY IN SPORT

Scholars and journalists who have documented instances of corruption in sport often attribute their causes to unbridled capitalistic pursuits and abuses of political power (e.g., Lenskyj 2008; Jennings 2006; Barney, Wenn, and Martyn 2002; Simson and Jennings 1992). Calls for transparency in global sport similarly focus on the appropriation of resources by governing sport organizations, concentrating on how corporate arrangements prioritize private profits to the detriment of the public good (Transparency International 2015). The IOC and FIFA are the primary targets of such criticism, as they reap the benefits of multibillion dollar sports revenues. FIFA alone made an estimated 4.5 billion US dollars from the 2014 World Cup in Brazil, a notable sum especially given that it already maintains a 1.4 billion dollar reserve and distributes only 400 million US dollars of its profit to the thirty-two national federations who participated in the tournament (Boykoff and Tomlinson 2014; Dunbar 2014). In addition, as a condition of hosting the World Cup, the Brazilian government granted FIFA and its corporate partners tax-exempt statuses during the event, which cost the country an estimated 248.7 million US dollars (Erb 2014). As part of a broader international push for greater integrity in sport, transparency promises to unveil the inequitable distribution of resources. Nevertheless, do the capitalistic underpinnings of global sport prevent the prospect of more radical change?

Transparency International (2014) qualifies the goals of transparency, arguing that it is necessary for counteracting the multiple forms of corruption that threaten to tarnish sporting brands and the "positive influence sport has in spreading the values of good sportsmanship and integrity, especially for young people." This line of argument presumes there is an inherent virtue of sport—something other campaigns aimed at preserving the integrity of sport—perhaps mostly notably the movement against doping in sport—have championed in the name of justifying greater regulation (Henne 2010).

Many sport reformers suggest that match-fixing has overtaken doping in sport as the primary threat to integrity of sport and call for enhanced anti-corruption agendas.⁴ A report published by the IOC and UN Office of Drugs and Crime (2013, 1) states, “The phenomenon of match-fixing brings to the surface its links to other criminal activities such as corruption, organized crime and money-laundering.” Investigative journalist Declan Hill (2008) concurs that organized crime and sport make for a *natural marriage*, which others say is evidenced by the diversity of criminal actors—from the Italian mafia to Asian organized crime groups—influencing professional sport (Cayli 2013).

While research on organized criminal involvement in sport tends to focus on betting scandals, Transparency International (2009) warns not to lose sight of practices used to launder money, such as the buying and selling of sports clubs, player contracts, and sponsorship deals. As a result, both match-fixing and money laundering are popular foci in transparency measures. To counteract them, Transparency International (2009) encourages the adoption of instruments like its Business Principles for Countering Bribery, which provide best practices recommendations and guidelines that advocate a more holistic antibribery framework for businesses. The organization has since outlined additional recommendations for clear and binding codes of ethics for executive officers, open and competitive elections for board membership, term limits, and the introduction of external directors who have the ability to provide oversight (Transparency International 2014, 2015). Its recommendations reflect a tacit acceptance of transparency as accountability-by-audit: that is, the production of rules and documentation in the pursuit of transparency are necessary administrative processes to “make things auditable” (Power 1999, 68). Accordingly, its pursuit of better governance practices relies upon the creation of *transparency-making* documents (Mathur 2012).

Subsequently, SportAccord (2012), the umbrella organization for Olympic and non-Olympic sport federations across the globe, has developed a similar approach, providing a detailed integrity report as a guide for identifying and counteracting match-fixing and other fraudulent activities in sport. It suggests a five-prong approach: the introduction of additional sport-specific rules, betting regulations, organizational safeguards, prevention and education measures, and mechanisms for monitoring suspicious activities such as intelligence gathering and independent investigations (SportAccord 2012). European ministers have endorsed similar tactics, as the Council of Europe recently adopted the Convention on the Manipulation of Sports Competitions, which commits signatories to efforts that aim to “prevent, detect, punish and discipline the manipulation of sports competitions, as well as enhance the exchange of information and national and international cooperation between the public authorities concerned, and with sports organisations and sports betting operators” (Play the Game 2014). While it is too early to evaluate the effectiveness of these measures, their evidence a

growing emphasis on preserving the integrity of sport through formal mechanisms of corporate policing and surveillance.

Beyond doping and match-fixing, other transparency initiatives target private and public actors that participate in global sport, often with an eye toward pursuing corporate accountability on the one hand and promoting government responsibility on the other. Although a popular tactic, transparency alone cannot remedy the growing concerns beyond match-fixing and money laundering. I outline three pressing areas in sport, illustrating how transparency-as-audit offers little in terms of positive change: reforming the bidding processes for mega events, addressing human rights concerns within host cities, and deterring doping in sport. In the pages that follow, I address the contextual features that reforms both consider and fail to address, acknowledging the limitations of transparency measures purposed in relation to each. Taken together, they point to the challenges of attending to the hybrid and capitalist relationships underpinning contemporary global sport.

BIDDING PROCESSES FOR MEGA EVENTS

The bidding process for sport mega events and contracts associated with their awarding are key targets for transparency reforms. As large-scale projects, mega events offer a number of opportunities for stakeholders to *take a cut* or negotiate contractual terms in their favor. This makes them particularly prone to corruption. The fact the negotiation processes are secretive exacerbates the problem.

The 2014 Sochi Olympics provides a recent illustration. Even prior to the event, critics, among them Transparency International, described Russia's construction industry as the most corrupt in the world due to endemic bribery, rigged bidding practices, and overcharging for services and materials (Surowiecki 2014). When the cost of the Sochi Olympic Games ballooned from the pledged 12 billion US dollars to over 50 billion US dollars, many observers attributed the reasons to existing forms of corruption and Vladimir Putin's desires to express a strong Russian nationalism on a global stage. Allegations of cronyism surfaced, as some of Putin's close associates had secured significant contracts. Among them were Vladimir Yakunin who heads Russian Railways (RZhD), the company tasked with building new roads and railways connecting the sites for events (Yaffa 2014), and Arkady Rotenberg, whose companies received twenty-one contracts totaling at least 227 billion rubles (7.4 billion US dollars), a sum that exceeded the entire budget for the 2010 Winter Olympics held in Vancouver (Arkhipov and Meyer 2013).

Even though there are seemingly evident instances of corruption, efforts to disclose the inner workings of sport-related agreements have yielded significant pushback. Members of FIFA, for instance, debated whether or not to disclose a 430-page investigative report into corruption and collusion allegations linked to the 2018 and 2022 World Cup bidding processes, ultimately

deciding to only publish a shorter *legally appropriate* version. FIFA's actions fall well short of interest groups' calls for the introduction of "bidding integrity pacts" and "citizen-monitoring mechanisms" that target the host cities' bids and construction contracts (Transparency International 2009). In addition, Transparency International has proposed whistleblower protections following the assassination of Jimmy Mohlala, who told officials about alleged corruption linked to the building of the Mbombela stadium for the 2010 World Cup in South Africa (Alvad 2009). Mohlala was one of nine local officials in the area to die under suspicious circumstances within a two-year period (Smith 2010). While the particular example suggests that sport-related corruption maps onto existing political conditions, transparency recommendations provide little recourse for them. Instead, they promote increased surveillance and procedural regularity aimed at corporate actors, practices that powerful actors can elude and even leverage to their advantage.

Mega events, many researchers acknowledge, are often brokered under the guise of delivering economic development (e.g., Fussey et al. 2012; Horne and Manzenreiter 2006; Matheson and Baade 2004). Such outcomes are dubious at best and carry long-term effects (Lenskyj 2008; Burbank, Andranovich, and Heying 2001). Urban planning scholars argue that the awarding of sport mega events enables a broader "reconfiguration of power structures at the local and national levels" by imposing "a new neo-liberal order marked by authoritarianism and exceptionalism" (Sánchez and Broudehoux 2013, 135). In other words, private-public partnerships facilitate and enable new forms of urban governance in host cities. Their critique points to how global sport organizations and other private interests partner with local and national governments to develop and change regulations in ways that benefit a small elite, not the general public.

During the 2014 World Cup in Brazil, amid increased government spending on sport-related infrastructure and security, local residents endured hikes in public transportation fees. The increased costs and changes to urban landscapes were the outgrowth of strategic planning, a practice enabled by public-private partnerships (Sánchez and Broudehoux 2013). Strategic planning creates consensus through the selective participation of stakeholders and the promotion of private-sector management, pushing many affected parties and members of the public out of the negotiation process. This approach employed varying tactics in each host city. In Rio de Janeiro, strategic planning worked on "improving the city's image, repackaging its assets, and marketing its competitive advantages in order to attract foreign investors, tax-paying residents, wealthy tourists, and professionals" (*ibid.*, 134). In doing so, the World Cup—like other mega events—contributed to refiguring urban development and governance practices through the adoption of market-oriented, managerial approaches negotiated by political and economic elites (Sánchez and Broudehoux 2013). It is perhaps not surprising then that protests erupted in the lead up to and during the 2014 World Cup, even though FIFA had already paid the Brazilian government 100 million

US dollars for earlier protests, an amount similar to what it had given the South African government after the 2010 World Cup. Transparency reforms may have made some of these processes more visible, but they do not offer tools to counteract broader inequalities sutured through pacts among elites.

Transparency reforms targeting global sport organizations also offer little in terms of responding to many state-sanctioned tools of governance. Legal changes made during a mega event can last for years, if not indefinitely. For example, in preparation for the Olympic Games in Beijing, the Chinese government expanded its surveillance camera systems in more than 600 cities, recruited over 600,000 volunteers to serve as surveillance assistants, established security collaborations with multiple global technology companies, and empowered special military units and an International Police Liaison Department to coordinate with outside authorities (Boykoff 2013). Costing an estimated 2 billion US dollars,⁵ the resulting security apparatus took aim at a range of *security threats*, including suspected terrorists and political dissidents. Even though officials formally ended the Olympic surveillance programs, many of the systems established for the Beijing Games remain in place. As Human Rights Watch reports, the infrastructure justified by the Olympics has become centralized, enabling the Chinese security apparatus to expand in institutionalized form.⁶ In a different vein, stadiums built for the 2010 and 2014 World Cups in South Africa and Brazil remain underused and in some cases abandoned, despite promises that they would be sustainable investments through multipurpose use. The Olympic facilities built for the 2004 Summer Olympic Games are also in disrepair, even though local residents still use some of the facilities (see Figures 1 and 2). The effects of mega events become embedded in the landscapes of the host countries, lingering well beyond the sporting events.

HUMAN RIGHTS VIOLATIONS

Concerns around mega events are not limited to the distribution of financial benefits. While the infrastructure costs associated with the 2022 FIFA World Cup in Qatar are expected to surpass 200 billion US dollars (Fattah and Tuttle 2014), the human costs are perhaps more disconcerting. Reports indicate that male migrant workers, who make up an astounding 94 percent of Qatar's work force, die at alarmingly high rates. Observers attribute many of these deaths to exhaustion from working in conditions akin to slavery, including extensive working hours, poor housing, and restricted mobility due to the kafala system (Australian Broadcasting Corporation 2014; Human Rights Watch 2012). The kafala system requires migrant workers to have in-country sponsors responsible for their visas. This has led to widespread exploitation, including employers holding workers' passports so that they cannot move freely or leave the country. Estimates go so far as to predict that nearly 4,000 workers could die before 2022, all to support infrastructure



Figure 1. Entrance and Information Booth at the Site of the 2004 Summer Olympic Games, Athens Greece (July 17, 2015, Image by Author).

projects for the FIFA World Cup (International Trade Union Confederation 2014). Although Qatar has since announced reforms to labor laws recommended by the international law firm DLA Piper, a number of organizations, including Amnesty International and Human Rights Watch, remain critical. The ongoing worry, according to Rima Kalush of Migrant-Rights, is “that Qatar will follow Bahrain’s footsteps in renaming the sponsorship system without actually abolishing the majority of the exploitative laws and practices that encompass the system” (Black, Gibson, and Booth 2014). Fears abound that legal reforms are merely symbolic gestures employed to evade additional scrutiny in the lead up to the World Cup.

During the 2014 Winter Olympic Games in Sochi, many Western onlookers and domestic activists condemned the Russian government’s *gay propaganda* laws, which criminalized images normalizing homosexual relationships. Despite significant attention paid to the repressive actions of the Russian state, few critics acknowledged the IOC’s complicit role in silencing protest (e.g., Hayes 2014). They failed to recognize that the IOC maintains conduct rules for Olympic athletes, which limit their political and religious expression. Specifically, Rule 50 of the Olympic Charter forbids any “kind of demonstration or political, religious or racial propaganda” and limits athlete protest in accordance with the IOC’s longstanding stance that



Figure 2. Current State of the Once Water-filled Oaka Plaza at the Site of the 2004 Summer Olympic Games, Athens Greece (July 17, 2015, Image by Author).

Olympic sport should be distinct from politics (IOC 2013, 93). However, histories of the Olympics document the IOC's active suppression of dissent and support of discriminatory agendas under the guise that sport is to be apolitical (Hartmann 2003). For example, when Avery Brundage was IOC president, he took measures to have US track athletes John Carlos and Tommie Smith expelled from the 1968 Olympic Games after they stood shoeless with raised black-gloved fists during the medal ceremony as a form of protest against racial oppression. During that same time, Brundage had extended invitations to white-only Olympic teams from South Africa and Rhodesia throughout the 1960s despite protests about racial discrimination. Today, the Olympic Charter bans discrimination, but it still maintains strict rules around athlete conduct, including in relation to protest. Although IOC representatives have qualified the application of Rule 50, stating that athletes can speak openly in nonaccredited areas and press conferences, the rule remains with the aim of curtailing their expression. Even though not a clear instance of misconduct, the IOC's actions reveal another case of strategic management—in this case, one aimed at preventing athletes from disrupting the business of global sport by curtailing their right to expression.

In addition to regulating athletes' behavior, the IOC supported the use of *protest zones* at the Sochi and Beijing Olympics, most of which were far from

the sites of the actual sporting events. Protest zones served as designated areas where, according to IOC President Thomas Bach, “everybody can express his or her free opinion” (cited in Hayes 2014). In essence, the IOC confined dissent to these zones, leaving protesters outside of those areas vulnerable to police repression and punishment for noncompliance. IOC representatives framed protest zones as a way to protect free speech in a safe and controlled manner. Critics, such as Graeme Hayes (2014), provide a cautious reminder that the IOC has long prioritized “a sanitized spectacle of organizational efficiency” over human rights. Hayes (*ibid.*) warns of embracing the IOC’s solutions to control protest, stating that they undermine individual freedoms in favor of protecting consumption: “we should not just be thinking about free speech, but about the conditions in which these freedoms are offered and about who is excluded from these freedoms.” His observations bring into stark relief how capitalistic interests undergirding global sport can encourage the censorship of individuals who threaten to tarnish the Olympic brand—and who are not the primary financial beneficiaries of sport-related events.

The extensive spending required to host mega events has prompted concerns that few democracies—unwilling to invest the necessary resources without public support—will bid for sport mega events, leaving authoritarian regimes to host them. After Oslo, Stockholm, Lviv, and Krakow all withdrew their bids to host the 2022 Winter Olympics, fears surfaced that not only would the IOC have to choose between two candidates with poor human rights records, Almaty (Kazakhstan) and Beijing (People’s Republic of China), but also that this problem would become an ongoing trend. Thus, beginning with the 2024 Summer Olympics, human rights protections are a condition of host city contracts under the IOC’s recently endorsed strategic plan, Olympic Agenda 2020 (Human Rights Watch 2014; IOC 2014b). This condition, however, does not guarantee the nomination of desirable host cities for the games. The exorbitant costs associated with mega events are a key reason for cities backing out, as are the IOC’s perceived overindulgence and lack of transparency—especially now that the IOC keeps 68 percent of sponsorship and television revenues from events (Abend 2014).⁷

These concerns, taken together, point to the limitations of focusing on human rights as a way of holding states accountable to their citizens; private entities, including the IOC and FIFA, play important, although often overlooked, roles in securing (or failing to secure) human rights protections. Advocates for reform acknowledge these and other deeper issues of inequality impact sport-related problems, which crystallize around securitization of public spaces and the misappropriation of public funds in relation to mega events, not simply discriminatory acts against groups of individual citizens. These seemingly distinct issues emerge as interrelated when considered across a number of host cities in recent years. The growth in private investment into mega event preparations has coincided with the forced relocation of local residents and considerable spending on security in cities as diverse as Beijing,

Vancouver, London, Rio de Janeiro, and Sochi (Boykoff 2013). For example, in addition to the costs associated with infrastructure and relocating residents, the securitization spurred by the 2014 World Cup in Brazil alone reportedly cost over 850 million US dollars. The price of security for the 2016 Olympic Games in Rio de Janeiro is expected to exceed 1 billion dollars (Arnold 2014; Fussey et al. 2012). While this trend is often attributed to the post-9/11 awareness of potential terrorist threats, security tactics often target disgruntled residents who bear the brunt of the changes driven by mega events (Sánchez and Broudehoux 2013). Moreover, security expenditure reflects a greater interest in cities appearing safe for the investments of international visitors, global sponsors, and distant audiences spectating through mediated forms than in actually providing safety for local residents (Eisenhauer, Adair, and Taylor 2013). Human rights are therefore inextricably linked to other concerns related to mega events, the connections between which surpass the scope of proposed accountability mechanisms to date.

A select few UN representatives have expressed concerns regarding the influence of mega events on local communities. Two different UN special rapporteurs on the right to adequate housing, Miloon Kothari and Raquel Rolnik, have spoken out about the devastating effects the Olympic Games had on low-income housing in Vancouver (Boykoff 2013). Beyond those actions, the United Nations has done little to address, or even acknowledge, the IOC's contributing role in undermining human rights claims. Instead, it has opted to place blame on national actors. In contrast to its treatment of transgressing states, the United Nations has made a number of legal gestures that reinforce the ideal that Olympic sport is a social good to the international community without drawing attention to the IOC's problematic history or the influence of its corporate interests. The United Nations formally endorsed the Olympic Truce, a time intended to be an observance of international peace, during the 2012 Olympic Games in London, even as commentators cited those games as the most militarized to date (Fussey et al. 2012), and failed to implicate the IOC in the human rights violations identified during the Sochi Games (Hayes 2014). While the United Nations emerges as an advocate of human rights in other domains, it remains relatively silent in relation to the IOC or other sport organizations' complicit roles in practices that have contributed to human rights violations.

DOPING IN SPORT

While transparency agendas are not yet well established in relation to match-fixing, money laundering, host city and infrastructure contracts bidding, or human rights in sport, they are in the case of antidoping regulation. Leaders suggest that the global antidoping arrangements offer a useful model for anticorruption efforts in sport, with some proponents, including WADA Director General Howman, calling for a global anticorruption agency for sport, a *World Sports Integrity Agency* (Harris 2011).⁸ Antidoping regulation

offers a foreboding example of reforming sport, however. Despite making thousands of athletes' bodies more transparent by subjecting them to invasive forms of surveillance, critics have convincingly argued that antidoping regulation is not as effective as it portends (e.g., Rohan 2013). In other words, more transparency does not necessarily deliver on its stated outcomes of better governance or effective reforms.

While this analysis does not advance Howman's recommendation, it does acknowledge WADA's distinct hybridity as reflective of the broader governance arrangements in global sport. The IOC was instrumental in establishing WADA, the agency that spearheads a global regime comprised of sport (e.g., international sport federations, national Olympic committees) and nonsport (e.g., government, law enforcement, scientific laboratories) actors in 1999.⁹ WADA's aim is to prevent, deter, and adjudicate drug-related offenses in sport (WADA 2015). Proponents justified WADA's mission to counter performance-enhancing drugs as necessary to protect athletes' health and *fair play* in sport, and embraced tactics of mass surveillance and bodily intrusion to test athletes for thousands of banned substances, including many recreational drugs without evident performance-enhancing effects.¹⁰ Today, formal surveillance, such as random drug testing in and out of competition, monitoring athletes' daily whereabouts, and blood profiling, is common practice in elite sports, and is increasingly used in lower-level competitions and even in some recreational contexts (Henne 2015; Henning 2013).

By rendering athletes' actions and ethics visible through surveillance, testing, and sanctions, the regime has fostered a culture of suspicion in the name of safeguarding ethics (Sefiha and Reichman 2014; Henne and Troshynski 2013). Others highlight that reforms developed to enhance antidoping regulation have actually made doping *more* dangerous, because they incentivize the development of more potent substances that the body can absorb and discharge more quickly so as to avoid detection (Beamish and Ritchie 2006). Researchers have also questioned the regime's effectiveness: approximately 2 percent of samples yield positive tests, but recent survey findings (which WADA initially withheld from publication) indicate much higher rates of doping (29–45 percent), at least among track-and-field athletes (Rohan 2013). The embrace of technocratic rules and testing is thus perhaps better understood as a *ritual of comfort*: it creates the appearance of checks being in place to prevent the undesired behavior but does not necessarily deliver on that promise (Power 1999). In sum, WADA's rules have done little to shift the markets for drugs, thereby undermining its regulatory aims to protect the health of athletes. In fact, if anything, they have increased risks for athletes (Henne 2015).

More importantly, as Nancy Reichman and Ophir Sefiha (2014, 116) contend, antidoping regulation, by “framing individuals as cheats and holding individuals accountable obscures the organizational dimensions of performance enhancement.” It also fails to shed light on the public–private partnerships at work—and their interests—in maintaining the current system

of regulation (Henne 2015). The IOC continues to fund 50 percent of the agency's budget and provides incentives (as well as sanctions) for sport-specific and government actors to support its regulation. Governed by the World Anti-Doping Code and legally backed by the United Nations Educational, Scientific, and Cultural Organization (UNESCO) International Convention against Doping in Sport, the regime develops requirements and procedures to ensure that government signatories pass legislation that supports WADA's mission. The speedy ratification of the UNESCO Convention against Doping in Sport offers a clear instance in which the IOC influenced the legalization of a largely private regulatory regime (Henne 2010). Only forty-one countries had ratified the convention when it came into force in 2007. In response, WADA added IOC-backed clauses to the World Anti-Doping Code that prevented nonsignatory countries from enjoying certain benefits such as hosting mega events and receiving sport-specific forms of funding. The number of state parties to the convention has since surpassed 175.

Hybrid arrangements have codified the intrusive tactics to which athletes across national jurisdictions and sports are subject. Many of them supersede indoctrinated legal commitments to privacy, bodily integrity, and procedural justice (Henne 2010). In addition, corporate partners, such as technology firms and pharmaceutical companies, including F. Hoffman LaRoche, Ltd. and GlaxoSmithKline, facilitate the expansion of testing and surveillance through research and development. As a result, the companies that profit from making drugs also benefit from developing tests to detect them. Antidoping regulation offers pharmaceutical companies an emergent market to develop testing technologies (which can be sold for use in fields beyond sport), enabling them to find new outlets as their profits have shown signs of slowing (Dukes, Braithwaite, and Moloney 2014). Instead of focusing on the business pursuits informing antidoping surveillance, the nature of regulatory capitalism in this context maintains an explicit focus on athletes' bodies. As failure by athletes to comply with complex regulatory requirements can result in multiyear bans from sport, public scrutiny tends to reflect the regulatory gaze targeted at athletes, not the broader structures overseeing athletes (Henne 2015; Park 2005). Many discussions of integrity in sport, in turn, also focus narrowly on individuals—and comparatively disempowered individuals—instead of structural conditions or overseeing authorities. Antidoping regulation can thus be understood as a cautionary tale of pursuing transparency through technocratic rules and individualized policing.

PURSUING REFORM IN LIGHT OF HYBRID CHALLENGES

The aforementioned examples attest that evocation of transparency does not necessarily guarantee the reform of governance practices. In this case, global sport institutions and the partnerships that fortify them are difficult to infil-

trate, often preventing full disclosure. Accountability mechanisms employed under the umbrella of pursuing transparency can instrumentalize solutions, amounting to symbolic gestures rather than meaningful reforms. More insidiously, transparency instruments, when framed as solutions, can actually hinder the pursuit of reforms that attend to the deeper institutional relationships that foster corruption and perpetuate inequality. For instance, efforts aimed at drawing attention to the problem of gambling in sport have failed to counteract the practice, instead making it more visible to those who cannot afford a gambling addiction. Despite public service announcement campaigns, Australians lost a record-high 20.5 billion Australian dollars through gambling between 2011 and 2012, a statistic that does not account for overseas websites (Queensland Treasury and Trade 2014).

To get a better sense of how transparency instruments can have a limited impact on global sport governance, let us consider transnational relationships that pose particularly pernicious challenges for the pursuit of openness, using the IOC as an example. The IOC's influence surpasses the mega events and activities of the Olympic Movement, as it partners with other international governing bodies, including the United Nations. Returning to the example of the UN-sponsored Sport for Development and Peace Movement, the IOC is a key stakeholder among the many different actors that contribute to sport-for-development efforts, including sport and nongovernmental organizations, national governments, private companies, and even the armed forces. The IOC has established Olympic Youth Development Centers in Zambia and Haiti, with the endorsement of the UN Office on Sport for Development and Peace and in collaboration with governmental and private stakeholders. The centers have well-equipped sports, medical, and educational facilities. Although the infusion of private donor funds into development programming may support projects, skeptical observers working in development note that their contributions often end when sport mega events move on to other parts of the world.¹¹ The failure of some well-established sport-for-development projects in South Africa after the 2010 FIFA World Cup serves as a case in point.

The relationships between sport and development at the global level reveal other capitalist influences. The UN special adviser on sport for development and peace, currently Wilfried Lemke, has a background in professional football, not development, which has prompted questions about what interests would shape the international sport-for-development agenda, especially as development is already a space where public-private partnerships are influential and reinforce asymmetrical power relations (Turshen 2014). Empirical research supports this concern, indicating that multinational corporations provide notable levels of funding for sport-for-development programs as part of their corporate social responsibility portfolios, which has impacted the nature and messages of programming targeting aid recipients (Mayhurst 2011). Thus, even in altruistic endeavors, such as development, sport's capitalist underpinnings prevail. Moreover, by contributing, organizations like

the IOC can solidify public–private partnerships, enabling it to better leverage them to its advantage in other spaces, including in relation to hosting the Olympic Games.

It would be a mistake to say that the IOC has made no attempt at improving the outcomes of mega events. To date, any such efforts are, however, limited in scope and lack a well-conceived governance framework, in part because they prioritize business bottom lines (Girginov 2011). One recently introduced requirement for hosting the Olympic Games is the delivery of legacy projects. Most prominently championed as a cornerstone of the 2012 London Olympics, legacy projects are to deliver long-term economic, sporting, social, and regeneration benefits. Leaders promote such contributions as foundational Olympic values of reciprocity and community building (Tomlinson 2014). They also characterize legacy projects as tools to ensure that host cities deliver outcomes that reflect Olympic values, rendering them a distinct regulatory technology that reinforces the perception of accountability.

While the jury is still out regarding the positive influence of legacy projects and Olympic Agenda 2020, John MacAloon (2008, 2060), a noted historian and ethnographer of the Olympics, advises that the Olympic Movement’s long-standing legacy discourse evokes a “common and laudable purpose” while “reinforcing the IOC administration’s preferred model of franchiser/franchisee relations with other Olympic bodies” and “furthering the transnational managerial revolution in Olympic affairs.” Thus, it is perhaps not surprising that the IOC endorsed the yearlong consultation process that yielded Olympic Agenda 2020 in light of mounting criticisms of the Olympic Movement. While the agenda commits the IOC’s support to a number of reforms in relation to sustainability, match-fixing, and antidiscrimination, it also includes recommendations to strengthen the UN-recognized autonomy of Olympic sport globally and to create an Olympic Channel that promotes its brand and values. Furthermore, Olympic Agenda 2020 only offers a limited intervention in the IOC’s governance structures by suggesting more independence for its existing internal Ethics Commission (IOC 2014b). Such projects do not break from the “Prolympism” framework.

Legacy projects are imbued with “the rationalization and lure of celebration capitalism,” perpetuating an aspirational sense of hope that has yet to materially benefit those who occupy host cities (Boykoff 2013, 5). They, like other regulatory tools discussed in this article, may express good intentions in their aim to hold host governments to account, but they also reveal strategic transparency on the part of the IOC. These selectively targeted attempts at transparency may offer the IOC some brand protection, but they do not change the fact that even though sport mega events require significant investments by countries, a relatively small group of elites decides the key terms of their governance. These elites are well positioned to enjoy most of the benefits associated with global sport, and they are key to expanding its reach. The recent FIFA scandal illustrates the consequences of allowing these relation-

ships to go unchecked. Given their influence, the challenges for transparency are not simply to hold these actors to account but to find ways to gain their support and leverage their positions of influence in order to appeal for disclosure and openness.

IMPLICATIONS FOR TRANSPARENCY AGENDAS

The calls for reform addressed in this article bring to light the role of public–private partnerships in global sport governance as well as the need to consider their far-reaching effects. Specific issues addressed here include, but are not limited to, corruption and human rights abuses, rigged bidding practices, unfair laws imposed on local communities, elements of criminal networks, doping, and closed decision-making processes that benefit economic and political elites. In short, these examples highlight that global sport affects a number of citizens—well beyond sport participants and fans. A challenge for transparency, then, is how it might better account for those who are unwittingly affected by global sport. This points to a bigger problem: transparency-by-audit cannot overcome the power dynamics of sport, because they are situated within and buttressed by hybrid arrangements. This is particularly problematic when powerful actors, such as the IOC and FIFA, are charged with the task of self-disclosure. Accounting for power means that transparency is only partial in nature, a form of admission that is often strategically limited.

Making public–private relationships visible and open to scrutiny is an important, albeit challenging, task for transparency advocates. Of particular concern is how political and economic elites are able to leverage such partnerships across domains within and beyond sport, often doing so in ways that are largely unchecked and invisible to public onlookers. Considering them against the backdrop of transnational hybridity reveals that it is not simply individual state, corporate, or sport actors that enable acts of corruption or exploitation, but the entanglements between them. While specific strategies for transparency may vary, the more pressing concern is that they be adapted in order to pursue transparency’s deeper reform agenda, which may not privilege the audit cultures that have come to characterize bureaucratic exercises of transparency. Transparency in principle calls for openness and a separation of powers that enables different institutions to check and balance abuses of power. In practice, at least within the context of global sport, it means that the public–private partnerships pose challenges for reform. As governmental and corporate actors stand to benefit from the global sport industry, neither emerges as the clear arbitrator of transparency in this domain. Even as the IOC advocates holding various threats to sport’s integrity accountable, it also attempts to evade such scrutiny. Given the strong capitalist influences in global sport, we might look to earlier scholarship on regulatory capitalism by asking: How could market institutions be steered to

aid in the work of transparency in global sport instead of contributing to its opaqueness?

Some examples within sport already exist. Global media and gambling interests have had corruptive influences on sport, but they have also contributed to making refereeing and umpiring errors more transparent. Together, they have made visible the patterns of refereeing corruption, because gambling multinationals have a vested interest in the integrity of officiating. In the racing industry, where gambling interests are also evident, controls on race-fixing and doping emerged in part because there were demands to protect racing as a brand that attracted spectators and gamblers alike. Further, Mark Davis, the director of Betfair, an Internet betting exchange, was a vocal advocate for stronger responses to corruption. Corporate power can be corruptive, but it can also be wielded to serve certain productive interests of transparency, even if only in a limited capacity.

Likewise, the spectacularization of global sport through media outlets has fueled its growth and contributed to making it financially enticing for those with corruptive interests. However, it also offers mediated accountability to the general public. Take the fall of big tobacco as an example. To make transparent the misleading nature of corporate advertising that associated tobacco with healthy bodies, nongovernmental organizations and public health groups were able to mobilize effective media campaigns. Eventually, major sporting venues across much of the globe would ban smoking, with high levels of compliance and largely without the aid of policing. At a critical juncture, weaker actors enrolled big media (and sport) in the much larger and longer project of defeating big tobacco. When the dangers associated with abuses of power can be made visible by those less powerful, there are opportunities for corrective forms of transparency to counteract such abuses. In an odd twist, powerful actors can become allies. This observation already applies to the recent FIFA scandal. In addition to calling for Blatter's resignation, demands for an independent reform commission have not fallen on deaf ears. Corporate sponsors, including the Coca-Cola Company and VISA, have joined the activist #NewFIFANow campaign, Transparency International, and the International Trade Union Confederation in denouncing the proposal of a taskforce headed by a FIFA appointee and insider, Domenico Scala (Transparency International Secretariat 2015).

How might these lessons apply to the other ongoing challenges facing global sport governance? In relation to international sport organizations, particularly FIFA, Transparency International (2009, 2011) has called for multistakeholder involvement so as to democratize their decision-making processes. Similarly, it recommends that they become more open to working with civil society groups as a starting point for the development of a system of checks and balances. Nevertheless, Transparency International's recommendations alone have not prompted reform. Instead, public campaigns bringing to light the many abuses associated with FIFA's mega events have prompted critics outside and within the organization to call for reforms to its

bidding processes. Among the recommendations are that FIFA adopt the IOC's guidelines for host city bids (Radnedge 2014). While asking FIFA to follow IOC rules (which have their own limitations) may not be enough, the call does point to the influence of the IOC as a potential ally for at least qualified change, especially as the IOC is pushing for reform while not drawing attention to its own practices. As the cases of antidoping regulation and the sport-for-development movement suggest, the IOC's track record demonstrates that it can lobby for and secure governmental and international legal support of sport-specific measures.

In sum, regulatory enforcement that attends to the conditions of regulatory capitalism requires reformulating the traditionally narrow focus of transparency as accountability-by-audit in order to devise incentives for disclosure and openness. Analyses of hybridity do more than enable the understanding of prospective barriers; they assist in identifying which stakeholders in these relationships are more likely to use their clout for positive change. Moreover, they enable the introduction of practices that promote greater transparency. As punishing individual perpetrators is less effective than concentrating on ways to prevent future violations, encouraging acts of whistleblowing and punishing cover-ups of corruption and abuse show more promise than surveillance alone. Transparency is a key value instilled through these processes, but it requires the multistakeholder engagement for which Transparency International has lobbied. Just as—if not more—importantly, it requires rethinking the terms and nuances of power within a transnational domain etched and shaped by capitalism and the hybrid arrangements it has fostered.

NOTES

1. Soccer for North American readers.
2. The hearing is available via C-SPAN at <http://www.c-span.org/video/?327125-1/hearing-future-international-soccer-fifa> (accessed July 23, 2015).
3. From 2007 to 2013, I conducted fieldwork in Australia, Canada, Spain, Switzerland, New Zealand, and the United States on the emergence of the international antidoping regime and gender verification rules. In 2011–2012, I studied the politics of planning for the London Olympics, focusing specifically on the relocation and securitization efforts as well as resistance movements to them. Since 2013, I have studied the Sport for Development and Peace Movement and the International Olympic Committee's governance structures, thus far having conducting fieldwork in Australasia and the Pacific, as well as the UN Headquarters. Taken together, these projects have required me to interview athletes subject to sport governance arrangements, national and international administrators and policymakers, politicians, sport support staff, residents affected by mega event organizing, and protestors. In addition, I have observed meetings of governing bodies, sport-specific conferences, sport outreach activities, developmental and elite sporting events, participated in high-level sport in order to experience regulation firsthand, and conducted archival research at the International Olympic Studies Centre in Lausanne while an IOC postgraduate fellow.

4. Fieldnotes, June 6, 2013, New York. A number of media outlets and publically accessible interviews reiterate this sentiment.
5. Estimates for security expenditures do not include the 6 billion US dollars for CCTV camera installations (Boykoff 2013).
6. Presentation by Nicholas Bequelin, Amnesty International Regional Director for East Asia, entitled "The Human Rights Cost of the Beijing Olympics: An Assessment," Melbourne, November 29, 2014.
7. In the 1980s, for example, local hosts kept the vast majority of revenues, because they auctioned the television rights (Abend 2014).
8. In a statement at the 2011 European Union Sports Forum, Howman advocated for a dedicated international organization (Harris 2011). Others have made similar cases, including Mark Davis, director of Betfair (an Internet gambling exchange), in 2008, and Dick Pound, former WADA president, in 2007.
9. The first antidoping regulations actually targeted horse racing, and concerns around fair play emerged in relation to protecting gambling interests, not the "spirit of sport" (Gleaves 2012). The globalization of antidoping regulation in horse racing emerges earlier than the antidoping regime targeting (human) sport in part because of this linkage to corporatized gambling.
10. In Aotearoa New Zealand and Australia, for instance, the majority of antidoping rule violations stem from testing positive for cannabis metabolites, with bans from sport ranging from four months to ten years.
11. Fieldnotes from four interviews conducted in Canberra and New York on September 6, 2012 and June 5, 2013, respectively.

KATHRYN HENNE is a senior research fellow at the *Regulatory Institutions Network*, Australian National University, and author of *Testing for Athlete Citizenship: Regulating Doping and Sex in Sport* (Rutgers University Press 2015).

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