

FIFA: ETHICS, VOICE AND ORGANISATIONAL POWER PLAYS IN WORLD FOOTBALL/SOCCER'S GOVERNING BODY

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Presidential Power

- ▣ i) Longevity: Brazilian Havelange 1974-1998; Swiss Blatter 1998-2015.
- ▣ ii) FIFA: accountable only to its Congress and its Statutes, one member one vote. Vanuatu therefore has as much power in Congress as does, say, Germany.
- ▣ iii) President described as the “Supreme Leader”.

TERMS 1: Ethics/ethical

By “ethics/ethical” I refer to those principles and criteria according to which an organisation judges and justifies its practices and procedures, particularly in terms of broadly agreed moral commitments to how one should function with regard to accepted roles and responsibilities

TERMS 2: Voice

- ▣ 'Put at its crudest, the Hirschman argument is that
- ▣ organizational failings are found out by management when those they manage exercise either an exit option, whereby they leave, or a voice option, whereby dissatisfaction is expressed directly to management or
- ▣ some other appropriate authority. Exit is neat, in that "one either exits or one does not," whereas voice is far more messy, and can include anything from "faint grumbling to violent protest", p. 175.

Albert Hirschman, *Exit Voice and Loyalty* (1970), in Alan Tomlinson, *FIFA: The Men, the Myths and the Money* (2014)

TERMS 3: UNIVERSALISM & PARTICULARISM

- ▣ Christien van den Anker, “Global ethics and implications of globalisation”, in Martin Shaw ed. *Politics and Globalisation: Knowledge, Ethics and Agency*, 1999.
- ▣ Universalism: universal moral theory, applicable to all (Kantian generalisation)
- ▣ Particularism: appeals to practices/traditions of particular communities, ruling out any cosmopolitan scope

The Swiss Factor

- ▣ Under Swiss law, FIFA is:
- ▣ “an association registered in the Commercial Register in accordance with ... the Swiss Civil Code” on Associations, “with a political, religious, scientific, cultural, charitable, social or other non-commercial purpose”

FIFA Statute

- ▣ In line with the Civil Code, and as stated in Article 2 of its Statutes:
- ▣ “FIFA’s objective is to improve the game of football constantly and promote it globally, particularly through youth and development programmes. FIFA is a non-profit organization and is obliged to spend its reserves for this purpose ... The non-profit character of FIFA and the four-year accounting cycle are thereby taken into account”
- ▣ From *FIFA Financial Report 2010*

FIFA's MISSION

To “develop the game, touch the world, build a better future”

Slogan: “For the Game. For the World”

“Our core values of authenticity, unity, performance and integrity are at the very heart of who we are”

FIFA and Ethics

- ▣ Ethics code introduced 2004, several revisions
- ▣ Investigative Chamber
- ▣ Adjudicatory Chamber

Ethics Case 1

- ▣ The Executive Committee (EXCO) and its challenge to the President, 2002
- ▣ Disciplinary code not mobilised; Voices silenced
- ▣ Congress saves the day

Ethics Case 2

- ▣ The December 2010 World Cup votes for the FIFA men's World Cup 2018 and 2022
- ▣ Ethics and the redaction process

Ethics Case 3

- ▣ The Russian Federation and its FIFA Placeman
- ▣ Vitaly Mutko: Russian Federation Minister of Sport; on FIFA's EXCO, with a vote for the World Cup 2018 and 2022 decisions
- ▣ In breach of ethics clause on "conflicts of interest", as he did not disclose "personal interests that could be linked with" his "prospective function"?

ETHICS COMMITTEE(S) AS AGENTS OF CHANGE?

- ▣ WHOSE VOICES?
- ▣ EXIT STRATEGIES?
- ▣ INTERNAL REFORM?
- ▣ May 2015: Swiss authorities, FBI and US Attorney General raised the stakes

Key Questions

- ▣ Ethical Misdventures or (A/Im)Moral Malpractice?
- ▣ When does Collusion become Corruption?
- ▣ When do Voices persist and activate change?
Susan Strange and significant ignorance

The Public Sociologist's Voice: Ethical Issues in Investigative Research

- ▣ Identity
- ▣ Accountability
- ▣ The public interest and the right to know
- ▣ [UK's National Union of Journalist code and the overriding clauses 5 and 6]

Ethical Principles (Daniels Fund Ethics Initiative, University of Colorado [Denver] Business School)

- ▣ 1) INTEGRITY
- ▣ 2) TRUST
- ▣ 3) ACCOUNTABILITY
- ▣ 4) TRANSPARENCY
- ▣ 5) FAIRNESS
- ▣ 6) RESPECT
- ▣ 7) RULE OF LAW
- ▣ 8) VIABILITY

Towards an Ethically Credible FIFA: Essentials

- ▣ Leadership review: nature of presidential position
- ▣ Complete Committee overhaul (members, criteria, briefs)
- ▣ Stakeholder participation
- ▣ Authentic monitoring of revenues/ distribution
- ▣ Genuine financial transparency

A Fair and Ethically Credible FIFA?

- ▣ Mission: Universalist
- ▣ Practices: Particularist (conducive to corruption)
- ▣ Ethics code: Universalist (emboldened interventions)
- ▣ Conclusion: FIFA's mission and morals/values locked in a ruthlessly exploited contradiction that has been beyond the reach of law until RICO

John G. Ruggie, *FIFA & Human Rights* (2016)

▣ Adaptation of UN human rights policy, making 25 recommendations covering three areas of change:

1. From Constitution to Culture
2. From Reactive to Proactive
3. From Insular to Accountable

But Ethics and Voice will be vital to any chance of achieving change at/in FIFA, and tackling the core contradiction that has shaped FIFA's morally deficient *modus operandi* and rendered it a "RICO enterprise" vulnerable to racketeering fraudsters.