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# The Influence of Discourse in Policy-making: An Analysis of EU Sport Policy in the Area of Good Governance

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## *Abstract*

In recent years ‘good governance in sport’ has become an important topic within the EU institutions and the sport movement. This article explores how the idea of good governance was constructed and served as a problem definition and as a problem solution. It is based on process tracing by analysing official publications and by conducting semi structured interviews. Using the framework of discursive institutionalism, which focuses the analysis on the content of ideas and how they are developed in the coordinative discourse of EU institutions, this article argues that different and sometimes rival narratives informed by very different ideas about sport were competing to construct the storyline good governance as an essential solution for problems concerning the sport. For instance the discursive struggle established on one hand the idea that the events of match fixing are inherent consequences of the governance structures in sport while on the other hand actors constructed the meaning that match fixing is caused by criminal forces outside the sport and separated from governance questions in sport. The conclusion of this article is that the discourse on good governance changed over the last years and this change did have an impact on the policy process of EU sport policy regarding the question of governance structures and practices in the sport sector.

## *1. Introduction*

Art. 165 TFEU which provides the EU with a supporting competence for a common sport policy might seem for observers as a toothless tiger: There is no scope for harmonization, the EU’s role is solely of supporting nature and contains no legislative power. The first budget line dedicated to sport came just recently for the first time in 2014 as part of the Erasmus+ program. However the former autonomous, self-regulated European sport sector is facing serious challenges due to the commercialisation of sport. Increasing governance problems raise substantial questions of the self-

regulation in the sport sector.<sup>1</sup> Certain actors promote a call for coordinated action and cooperation to tackle the challenges concerning the sport sector.

Additionally with the sport we face a policy sector which is highly charged up with ideologies. Different ideological backgrounds and a high reluctance against policy interference characterise the composition of this policy field.

This article looks from a constructivist perspective on the policy process of EU sport policy. In a nutshell, from a constructivist perspective, the reality is socially constructed. More specifically it, means that in a broad manner “the social construction of policy problems or frames of reference on which policy-making is based”<sup>2</sup> is what different constructivist approaches unifies. (For an overview about the different approaches see Saurugger 2013).

The strength of constructivism can be seen in the ontology and epistemology on which it is based: That is to see actors preferences not as given but as socially constructed. Constructivism puts ideas and knowledge in the focus of the construction of reality. The designed reality determines the actors’ preference. This preference may change, when new ideas emerge which alter the actors’ view of reality. Policy change from a constructivist view emerges when actors’ preferences are altered by new policy ideas. Alternation is caused by the change of the actors’ construction of reality, which is different from before. Therefore new norms or values appear which influence the actors’ identity.<sup>3</sup>

The second important point in which constructivism differs from positivist views is the “mutual constitutiveness”<sup>4</sup> between agency and structure. The constructivist approach is, as Saurugger stated “useful at explaining policy outcomes in a context of high issue complexity”<sup>5</sup>. As on European level the issue complexity (which is understood as “amount and nature of informational linkages”<sup>6</sup>) is high<sup>7</sup>, the constructivist approach is useful to analyse the policy process in EU sport policy. There is plausible criticism towards the explanation of change in that constructivist approaches tend to ignore the power of position and material interest<sup>8</sup>. In the light of this, this article does not intend to explain all sources of change in sport policy. Its intention is rather to focus on the role of discourse and ideas for the policy process as a complementary explanation to other research in this field.

It will be outlined how the discourse on good governance influenced and shaped the policy process regarding the EU Sport policy.

The academic interest this article contributes to lies in policy changes in areas, where the EU has no instruments of hard law. For the limited authority of the EU to influence and to regulate policy change up to a certain point might not be obvious at first sight, as there are no “hard” outcomes to look at and changes in this area may not be recognizable as rapid evolution but rather as

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<sup>1</sup> Forster, Pope 2004; Geeraert et al. 2013; Henry, Lee 2004.

<sup>2</sup> Saurugger 2013, p. 888.

<sup>3</sup> Béland, Cox 2011.

<sup>4</sup> Adler 1997.

<sup>5</sup> Saurugger 2013, p. 889.

<sup>6</sup> Zahariadis 2013, p. 811.

<sup>7</sup> Saurugger 2013.

<sup>8</sup> Schmidt 2012.

incremental steps and informal outcomes. The focus on discourse helps to understand how policy decisions are developed in the complexity of a policy process.

The argument will be brought up that from the starting point of a EU sport policy (White paper on Sport 2007) until now we can observe a change in the EU sport policy, regarding the question of (good) governance.

This article will investigate the shifts in the governance discourse. So the first question is: What are the changes in the discourse and how can they be explained? Why did some discourses become dominant and what kind of influence on the outcomes can be traced back on the changes in discourses? This research tries to contribute to the puzzle of discourse construction, development and success in the policy process in order to explain change and outcome in the EU sport policy process. Discourse analysis is used to understand if and why a particular discourse became hegemonic.

By employing qualitative modes the discourse on good governance is analysed by means of an inductive approach. Argumentative discourse analysis is used to gain insight into the construction and development of a certain discourse. This is done by identifying storylines which are “a condensed statement summarizing complex narratives”<sup>9</sup> and discourse coalitions sharing particular storylines.

Research is carried out through a document analysis and semi-structured interviews. Official documents were used to get a first picture of ideas and positions in order to develop categories. Following this, the semi-structured interviews with key players were conducted. Together with the document analysis, the interviews provide an accurate overview not only over certain events, but also over how events were interpreted by the actors. Furthermore the analysis comprises the reconstruction of the actors’ positioning and the discursive interaction in the institutional context.

## **2. Theoretical background**

### **2.1 Policy process and discourse**

With the argumentative turn in policy analysis a new focus was put on the role of discourse analysis in policy analysis<sup>10</sup>. In the view of the authors this constructivist approach helps to reveal the social and cultural factors lying underneath the facts and arguments presented by the actors. The starting point is the assumption that the policy process is a process of interaction in which ideas - and their meanings - get constructed by different actors and the construction of policy is a “struggle over ideas”<sup>11</sup>. Politics is in this view, “a struggle for discursive hegemony, in which actors try to secure support for their definition of reality”<sup>12</sup>. The policy process is, like Hajer stresses a discursive closure of policy problems. Therefore, the policy process is an “interpretive activity in which different and

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<sup>9</sup> Hajer 2009, p. 61.

<sup>10</sup> Fischer and Forester initiated with their work *The Argumentative Turn in Policy Analysis and Planning* (1993) a new focus on policy analysis. Due to their work much research was done on the role of argumentation and language in policy analysis. (Fischer 2012). The core of the argumentative turn in policy analysis is the conception that language and the social construction of political problems are deeply interconnected.

<sup>11</sup> Stone 2012.

<sup>12</sup> Hajer 1995, p. 59.

often contradictory claims as to what is the case are to be judged, compared, combined, and acted upon." The definition of a policy problem is therefore made up from "different claims" which became connected and "result in a particular definition of the policy problem"<sup>13</sup>.

There are two main concepts used in the argumentative approach: story-lines and discourse coalitions. Furthermore a distinct definition of discourse is needed and a good idea of what it means when a discourse becomes dominant or hegemonic. While a variety of definitions of the term discourse have been suggested, this paper will use the definition Hajer provided: Discourse is therefore defined as the "specific ensemble of ideas, concepts, and categorizations that are produced, reproduced, and transformed in a particular set of practices"<sup>14</sup>. Story-lines are a key element when it comes to policy change. A story-line can be defined as a "condensed statement summarizing complex narratives, used by people as 'shorthand' in discussions."<sup>15</sup> Actors who are drawing to the same particular story-line are building a discourse coalition. It "refers to a group of actors that, in context of an identifiable set of practices, shares the usage of a particular set of story-lines over a particular period of time".<sup>16</sup>

As already stated, the policy process is some kind of a struggle for discursive hegemony. This leads to the question, when a discourse can be seen as hegemonic or - as a weaker form - at least dominant? Following Hajer, the conditions to be met are discourse institutionalisation and structuration. Discourse structuration is "if the credibility of actors in a given domain requires them to draw on the ideas, concepts, and categories of a given discourse".<sup>17</sup> A discourse is institutionalised, if it is translated into concrete policy. Hajer points out three elements which are determinant for a discourse to be successful: Credibility is essential "to make actors believe in the subject-positioning that a given discourse implies for them".<sup>18</sup> In the same context Schmidt<sup>19</sup> noted that the credibility of a discourse seems to depend on its consistency and coherence. Secondly, a discourse needs acceptability to be an attractive position for the actor. Thirdly, a discourse needs to appear trustworthy in order for actors to suppress doubt.

The approach of discursive analysis is a valuable research instrument and preferred in this work. It should be embedded in a theoretical framework. In this paper the discursive institutionalism, broadly elaborated by Vivian Schmidt is used.<sup>20</sup> It constitutes discourse as "a missing link" between ideas and collective action recognising the need for ideas "to be carried by agents". But furthermore, ideas alone do not constitute the policy process. The interactive part, in which ideas are exchanged, plays an equal role in the construction of policies. Institutions are also part of the process, although they are not assumed as stable, but rather "serving [...] as structures that constrain actors and as constructs created and changed by those actors"<sup>21</sup>.

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<sup>13</sup> Hajer 1995, p. 59.

<sup>14</sup> Hajer 1995, p. 44.

<sup>15</sup> Hajer 2009, p. 61.

<sup>16</sup> Hajer 2006, p. 65.

<sup>17</sup> Hajer 1995, p. 60.

<sup>18</sup> Hajer 1995, p. 59.

<sup>19</sup> Schmidt 2004.

<sup>20</sup> Schmidt 2002;2004; 2011b; 2011a.

<sup>21</sup> Schmidt 2008, p. 314.

If discourse is seen as the medium which interconnects the actors, their ideas and the following collective action in an interactive process, then it is reasonable to agree on Schmidt's argument that discourse is often *a cause* of political change, in the way that ideas are not constant but will be reshaped during the process and in this way ideas are also reshaping actors perceptions and definition on a policy problem.

## **2.2 Policy process in the EU – Discourse construction**

Having discussed policy construction and the role of discourse, the question can be raised how discourse construction takes place on the European level. According to Schmidt policy ideas pass through a coordinative and a communicative stage of discourse. To put it in a nutshell in the coordinative sphere where mainly the policy actors are included, policy programmes are constructed, whereas in the communicative sphere the policy programs are presented and discussed in the public which could lead to further modifications. The extent of both of these stages depends of the governance system. In the EU, due to the multi-level system or “compound system” without central government, the communicative stage remains weak, like Schmidt stresses, whereas the coordinative stage is strongly highlighted.<sup>22</sup> The coordinative discourse in the European Union is characterized by a regulated access for actors depending on the different policy arenas, who are mostly experts, politicians and interest groups, who interact one with each other, so the public is not directly involved. Moreover the multi-level system of the European Union implies that information and ideas emerge from different sources and different levels (high issue complexity).<sup>23</sup> The governance discourse of sport in the European Union is in this sense also located in the coordinative sphere.

## **3. Sport policy and the EU**

For a first time the entry into force of the Lisbon treaty in 2009 provided the EU with a direct competence and a supporting authority to become active in the area of sport.<sup>24</sup> But regardless of treaty competence EU institutions and particular the European Court of Justice (CJEU) have been addressed with issues of the sport world in the past. Due to the fact that sport has to comply with EU law in terms of the single market regulation, these issues referred to the “regulatory approach to sport as an economic activity”<sup>25</sup>. A second approach of EU institutions to sport is the recognition of sport as a cultural and social activity, both contexts in which the EU has no regulatory competence.<sup>26</sup> The white paper on sport, published in 2007 reflects these two approaches. On one hand it recognises the specificity of sport (“specificity of sporting activities and of sporting rules” and

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<sup>22</sup> Schmidt 2008, p. 313.

<sup>23</sup> Schmidt, Radaelli 2004.

<sup>24</sup> Art. 165 TFEU: 1. [...] The Union shall contribute to the promotion of European sporting issues, while taking account of the specific nature of sport, its structures based on voluntary activity and its social and educational function.

2. Union action shall be aimed at: [...] developing the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen.

<sup>25</sup> García 2007.

<sup>26</sup> Parrish 2003.

“specificity of the sport structure”<sup>27</sup>) and on the other hand it clearly states, that a general exemption for sport from EU law would not be justifiable. This model for the regulation of sport is characterised as “supervised autonomy”<sup>28</sup>.

In that context it was the policy of the EU institutions to grant sports organisations the right of self-regulation in governance issues, expressed by the opinion, “challenges can be addressed through self-regulation respectful of good governance principles.”<sup>29</sup> Nevertheless it should be stressed, that there was a certain expectation regarding good governance principles: “It [the Commission] can also help to develop a common set of principles for good governance in sport, such as transparency, democracy, accountability and representation of stakeholders (associations, federations, players, clubs, leagues, supporters, etc.).”<sup>30</sup>

This discourse is still ongoing as observable in the current debate<sup>31</sup> whether sport can self-regulate autonomously or, conversely, more help by EU institutions is needed to improve governance standards in sport with the cleavage between the claim of autonomy of sports organisations and the development of a “fully-fledged sport policy”<sup>32</sup> by the EU. So the tension between the right of self-regulation and EU regulation with very weak competence is still a main policy topic.

#### **4. The governance discourse**

This chapter outlines the development of good governance in sport. The term *good governance* in general became prominent, when the World Bank established the term in connection with development aid (1991), although the “career of the broad concept good governance”<sup>33</sup> already began at the end of the 70s. In the world of sport the questions of good governance began to arise slowly in the beginning of the 21st century.<sup>34</sup> Several international and national sports associations developed principles of good governance. As one of the first in Europe the EOC published their “Statement of Good Governance principles” in 2001. In football, the sport sector with the highest economic importance in Europe, it was even later: The UEFA published good governance principles in 2009 and the FIFA installed their commission for reform of FIFA structures in 2011.

Due to increasing commercialisation in sport in combination with inappropriate governance structures rooted in the non-profit status of sport organisations, sport is undoubtedly vulnerable to governance failures.<sup>35</sup> As Henry and Lee point out, “in recent years sport has been subject to a whole series of high-profile difficulties that have threatened the credibility of key sporting bodies.”<sup>36</sup>

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<sup>27</sup>).European Commission, (2007). White paper on Sport p. 13.

<sup>28</sup> Foster 2001.

<sup>29</sup> European Commission, (2007). White paper on Sport, p. 13.

<sup>30</sup> European Commission (2007) White paper on Sport, p. 12.

<sup>31</sup> Until now 13 semi-structured interviews with actors of EU Sport policy, including EU-Commission and European Parliament are supporting this tendency.

<sup>32</sup> García 2011, p 33.

<sup>33</sup> Nanda 2006.

<sup>34</sup> Geraert et al. 2013.

<sup>35</sup> Forster, Pope 2004; for a description of governance failures in sport see Henry, Lee 2004.

<sup>36</sup> Henry, Lee 2004, p. 26.

To give a first overview, the following table shows the corner stones of the good governance discourse in the EU.

<b>Date / Year</b>	<b>Event / Document</b>	<b>Core statement concerning good governance</b>
11.07.2007	White Paper on Sport	Commission announces its expectations concerning good governance principles in sport. (see chapter 4: Organisation of Sport)
18.01.2011	European Dimension on Sport (Communication from the Commission)	“Good governance in sport is a condition for the autonomy and self-regulation of sport organisations.” “Good governance in sport is a condition for addressing challenges regarding sport and the EU legal framework.”
20.05.2011	Preparatory actions in the field of sport	For the first time, good governance is one of the main targets of the annual preparatory action plans. It is the only topic which is part of the preparatory action plans without interruption.
01.06.2011	European Union Work Plan for Sport for 2011-2014 (Council)	“Expert Group on Good Governance” in sport is established.
01.07.2011	Polish council presidency	the Polish presidency puts good governance in sport on top of the agenda for the first time: “[...] risks to the integrity of sport, focusing mainly on those caused by corruption”. <sup>37</sup>
20.9.2012	Nicosia declaration on the fight against match fixing (Commission, Council, EU Sport Forum 2012)	Good governance is named as one of five key areas for the fight against match fixing.
02.02.2012	Resolution on the European dimension in sport (EP)	“[...] good governance in sport is a condition for the autonomy and self-regulation of sports organisations, in compliance with the principles of transparency, accountability and democracy and stresses the need for a zero-tolerance policy on corruption in sport; underlines the need for appropriate representation of all stakeholders in the decision-making process.”
in 09/ 2013	Publication of the ‘Principles of good governance in sport’ by the Expert Group “Good Governance”	First common definition of good governance in Sport. <sup>38</sup>  Making the compliance to good governance principles a condition for public funding shall be contemplated after a period of voluntary adoption.
11.12.2013	Establishing of ‘Erasmus+’	“The Programme shall focus in particular on grassroots sport and shall pursue the following specific objectives: [...] to promote and support good governance in sport [...]” <sup>39</sup>

What can be pointed out is that Good governance became one of the key topics in the EU sport policy agenda. Furthermore a change in the argumentation of the EU institutions towards the sport

<sup>37</sup> Polish Government 2011, p. 33

<sup>38</sup> “The framework and culture within which a sports body sets policy, delivers its strategic objectives, engages with stakeholders, monitors performance, evaluates and manages risk and reports to its constituents on its activities and progress including the delivery of effective, sustainable and proportionate sports policy and regulation.” Expert Group on Good Governance 2013.

<sup>39</sup> Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013, art. 16.

movement regarding the questions of good governance between 2007 and 2014 can be observed. The white paper recognises good governance as highly desirable, but the said discourse is not linked to the claimed right of autonomy of the sport organisations. In 2011 the sport movement faces another situation when the commission initially published in their communication *Developing the European dimension in Sport* “good governance as a condition for the autonomy”. As the fight for autonomy remained one of the main aims of the sport organisations over time, this is a large step towards more control by the EU, because besides the compliance to EU law a much broader condition is defined to maintain autonomy. In this development it can be observed how supervised autonomy works through setting more restrictive limits. Nevertheless at this point there is no common understanding on what exactly belongs to good governance in sport. This changes in 2013 with the publishing of the final report of the Expert Group on Good Governance which established ten principles of good governance. Although the same report states that “autonomous self-regulation by the sport movement remains the best option”<sup>40</sup> to ensure effective good governance structures, at the latest from this time onwards it can be considered established in EU law that respecting good governance will be a condition for sports organisations to maintain their autonomy.

As the interaction takes place in closed circles like the Sport Forum or in the expert groups, where the access is limited, the discourse on good governance in sport takes place in the coordinative sphere.<sup>41</sup> The composition of actors in these policy arenas, reaching from national experts sent by their governments via NGOs like transparency international to representatives from international sport bodies, clarifies the high issue complexity of the EU sport policy.

The institutional context also matters. Formal institutions “constitute the institutional context and give shape to discursive interactions. Formal arrangements affect where discourse matters by establishing who talks to whom about what, where, and when.”<sup>42</sup> Reflecting the concept of mutual constitutiveness, institutions are affected by the good governance discourse as well. The EU institutions which are mostly dealing with EU sport policy are the Commission and the Council on Education, Youth, Culture and Sport. The Commission has the resources to develop policy networks and to build up cross-EU expertise. It acts as a coordinator in the discourse or “manager of policies”<sup>43</sup>. That makes the role of the Commission important and yields a lot of influence despite the formal policy making institution is the Council of ministers. A third actor is the expert group on good governance. Despite having only a consultative function, as Heritier rightly points out, expert groups are able to “exercise considerable influence” on issues with high complexity.<sup>44</sup> The expert group on good governance forms a discourse arena where actors as officials, representatives from sport governing bodies, experts from national states, think tanks and NGOs encounter each other.

Aside from that, the Council represents the interests of the member states and “their first priority is to pursue whatever seems to be preferred objective of national policy”.<sup>45</sup> So the national background is affecting the ideas the Council members add to the discourse. A representative of the

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<sup>40</sup> Expert Group on Good Governance 2013, p. 15.

<sup>41</sup> Schmidt 2002;2004; 2011b; 2011a.

<sup>42</sup> Schmidt 2012, p. 105.

<sup>43</sup> Peterson, Shackleton 2012, p. 116.

<sup>44</sup> Heritier 1997, pp. 178–179.

<sup>45</sup> Wallace et al. 2010, p. 79.

Council working party describes the national differences in the following way: “The French, they have a totally different state-sport relation as Germany, totally different. For this it is not easy to get along“. This statement also reinforces Sauruggers assumption, that different ideological backgrounds have an impact on the policy process.<sup>46</sup> Differences in national agendas such as gender questions in sport seen as an issue in Poland but not in Denmark are another example of how different backgrounds affect the discursive setting.

It should be noted that within the institutional context, power and influence are not only dependent on the position of actors but also on their ideas and values.<sup>47</sup>

#### **4.1 Institutionalisation of the good governance discourse in sport**

Turning now to the question of why the discourse on good governance can be understood as hegemonic, according to Hajer, two conditions need to be met: Discourse structuration and discourse institutionalisation. The former refers to the condition when an actor’s credibility depends on the usage of the ideas, concepts and terms of the discourse, the latter to the translation into concrete policy (“institutional arrangements”).<sup>48</sup>

In a certain sense it can be said that the structuration already started before the governance discourse entered the agenda of the European Union. International sport organisations started to talk about good governance at the beginning of the 21<sup>st</sup> century. Concerning the claim for autonomy in the EU sphere, a culminating point is the argumentative link between autonomy and good governance as cited above: The ideas and concepts of good governance are used to justify self-regulation as if autonomy would be a precondition for good governance.

2011 appears to be the year of the beginning institutionalisation of the discourse. For the first time a concrete policy regarding good governance can be observed, when within the preparatory actions plan 2011 one of the identified targets was good governance. The preparatory actions ran until 2013, when they were replaced by the funding of the Erasmus+ program. The specific objective of good governance can be found in 2011 and 2013, whereas in 2012 match-fixing was on top of the agenda. So it can be said, that within 2011 the discourse of good governance was translated into concrete policy by directing EU-money into projects under the name of good governance. Another cornerstone of solidifying the discourse in institutions was the constitution of the expert group on good governance as already mentioned. Within the framework of the working plan 2011-2014 six Expert groups, which were replacing the former working groups were installed.

In 2013 a further step to the institutionalisation was the publishing of the principles on good governance by the expert group.

#### **4.2 External events and their influence**

To understand the role of discourse in the policy process, the aspect of external events needs further investigation. Two different examples shall illustrate how external factors affect the EU sport policy or may be used to affect it, respectively: *the economic crisis* and *scandals in sport*. Starting point is the remark of Schmidt about ideationally constructed events, which may open windows of

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<sup>46</sup> Saurugger 2013.

<sup>47</sup> Schmidt 2010.

<sup>48</sup> Hajer 1995, p. 61.

opportunity for policy change.<sup>49</sup> From a constructivist point of view these windows of opportunity do not just turn up because of external events, but rather external events have to be interpreted so they can serve to augment a set of ideas or promote new ideas which then get accepted and lead to policy change. In that understanding a window of opportunity gets constructed only through interpretation of an external event.

The economic crisis in the EU and its reflection in EU sport policy illustrate such a construction of a window of opportunity. In the light of the economic crisis, the Council identified sport as a sector that “makes a significant contribution to Europe’s economy and is an important driver of growth and employment”<sup>50</sup>. Even the Commission sees Sport in times of crisis as a sector with economic power and growth. This leads member states to direct resources to sport. Increased public funding for sport in turn increases public authorities attention to the governance structures in question. With that said, the question of good governance in sport got linked to the economic relevance of sport. This strengthens not only the good governance discourse as a whole but also the idea to make the accordance with good governance principles a condition for public funding. For instance this rationale was used in the Council Meeting on Youth Culture and Sport in November 2013: “A number of them [national states] declared that they should intervene if those [sports] organisations received public funding and didn’t respect good governance principles”.<sup>51</sup>

The sport world was certainly never free of scandals (e.g. corruption, doping, bribery, match fixing). But with increasing commercialisation of sport they received increased public awareness. Consequently, the idea was created that increasing scandals threaten sport and sport is in a deep crisis. The first ones to promote this idea were investigative sports journalists and initially it was not widely shared among sports organisations. Occurring scandals were not argumentatively linked to structural governance issues, only actors with very limited resources who were not in the focus of the sport policy discourse promoted the idea of the crisis of sport and that it is linked to governance failures in sport. A key moment in the “struggle for discursive hegemony”<sup>52</sup> was the observed new dimension of match fixing (e. g. by online gambling). With match fixing the idea that sport is plunged into a crisis by scandals became widely shared because the social phenomena of match fixing got constructed as a phenomena with the potential to harm sports substantially. Summarizing the importance of match fixing, the Cyprus presidency and the Commission highlighted in the Nicosia Declaration (2012) that “Match fixing constitutes one of the most serious threats to contemporary sport. It is a growing and pressing problem affecting many Member States and many sports.”<sup>53</sup>

With the growing pressure to tackle the problem of match fixing, and the commitment of the sport governing bodies that this is a problem which cannot be solved alone, the door was open for those actors, who already themed governance failures in sport. Their primary concern was not match fixing, but the ideas of *match fixing as a major threat for sport* and *sport as being in crisis because of governance failures* were linked together. This new story-line empowered them to influence the

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<sup>49</sup> Schmidt 2011b, p. 108.

<sup>50</sup> Council of the European Union, 27.Juni 2013. Conclusions of the Council and of the Representatives of the Governments of the Member States, on strengthening the evidence-base for sport policy making.

<sup>51</sup> Press Release 3275th Council Meeting Education, Youth, Culture and Sport, p. 23.

<sup>52</sup> Hajer 1995, p. 131

<sup>53</sup> Commision 2012. Nicosia Declaration on the fight against match fixing.

discourse on governance in sport. It can therefore be concluded that external events had a supportive function in the struggle for good governance and a window of opportunity is constructed in particular by the match fixing issue.

### **4.3 The normative storyline – good governance is a solution for the threatening problems of sport**

The issue of good governance was combined with the complex problem of match fixing in one story-line. With the combination of these originally different domains the “functional role of facilitating the reduction of the discursive complexity of a problem and creating possibilities for problem closure”<sup>54</sup> can be observed. Not governance failures per se are interpreted as serious threats of the sports world. Instead the issue of match fixing received the image of a real danger for sport. The new story-line *good governance as a solution for the threatening problems of sport* therefore enables different specialised actors – like Transparency International or Supporters Direct – to portray where “his or her work fits into the jigsaw”<sup>55</sup>. It provides these actors with discursive power that is not founded in their position but accrues from their ideas. A story-line has also the function to cluster actors who use a particular story-line into discourse coalitions. Here, very differently structured actors like the EU Institutions, NGOs and also “new”<sup>56</sup> actors have been drawn to this storyline.

Apart from that a competing story-line is that match fixing is reduced to originate only in criminal behaviour attracted by sport due to the international unregulated gambling market. For actors, utilizing this kind of storyline the distinction between match fixing and good governance issues was crucial. They should remain separated throughout the discourse. This was needed to avoid any inconsistency in the way that on one hand, sport governing bodies want support from the EU to fight against match fixing and on the other hand claiming that governance issues are questions of the sport governing bodies’ autonomy that they can handle themselves. As stated before, this alternative story-line became dominated by the first one. The discourse coalition using this story-line was formed by key sports organisations, e.g. the International Olympic Committee (IOC).<sup>57</sup> While the first storyline emphasized normative values like democracy is the second story line a commitment to technical betting regulations and criminal law enforcement.

We can conclude that during the last years the governance controversy focused on issues on which actors held competing claims: To what extent do governance failures contribute to match fixing? Which role do normative ideas and values play in the development of sport in Europe in the sense of a ‘European dimension on Sport’? In this sense it can be observed, what Hajer stresses: “Identifying story lines brings out that people not merely refer to a problem with a fixed identity, but are continually *changing the problem definition*”.<sup>58</sup>

## **5. Conclusion**

This paper does not claim to paint the full picture of EU sport policy regarding the governance of Sport. Instead it focuses on the argumentative construction of policy in the case of good governance.

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<sup>54</sup> Hajer 1995, p. 63.

<sup>55</sup> Hajer 1995, p. 63.

<sup>56</sup> „new“ refers to recently in the last 7 years appeared NGO in the field of EU sport policy like EU Athletes.

<sup>57</sup> Expert Group Good Governance 2013. Report from the 6th meeting (17-18. July 2013), P.3.

<sup>58</sup> Hajer 2006, p. 69, 1995, 1995, 1995.

Notwithstanding the said limitation, this paper describes how a particular idea – the idea of good governance – evolved from a normative content to an idea which served as a problem definition and solution. The issue of match fixing got reinterpreted by the discourse coalition as a problem of internal structural failure. The case of EU sport policy illustrates how over a period of 7 years the story-line of good governance as a solution for assumed trouble in sports became hegemonic and began to alter the approach of “supervised autonomy”.

Besides the given explanations concerning structuration and institutionalisation, it can also be assumed that the governance discourse was successful because in the beginning the Idea of good governance was due to the lack of a definition open for interpretation for different actors. This is what Schmidt conceptualises as vagueness of a discourse.<sup>59</sup>

In this article it is argued that for the case of sport – as a policy field, in which the EU has no legislative power – to pay attention to a more subtle way of ‘regulation’ is useful. In order to achieve coordination, the EU uses what Jacobsson entitles as *discursive regulatory mechanisms*. That is, “mechanisms related to language-use and knowledge making and thus fundamentally to meaning making”.<sup>60</sup> In this respect Jacobssons definition of regulation as “rule setting and monitoring measures used by the EU to govern the political behaviour of, in this case, not individual citizens but member states, the aim of EU regulation is coordination of member-state policy”<sup>61</sup> is extended to the coordination of organisational structures in the third sector. This mechanism produces a climate of social, structural and functional pressure for coordination.

Joint language use, common knowledge base, strategic use of comparisons and evaluations are instruments of these mechanisms. For instance joint language – that means a common understanding and definition of policy problems - makes it easier to justify policy descriptions.<sup>62</sup> In this respect, future will show if the definition of good governance in sport and the detailed principles make a regulatory impact on sport governance structures.

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<sup>59</sup> Schmidt 2004.

<sup>60</sup> Jacobsson 2004, p. 356.

<sup>61</sup> Jacobsson 2004, p. 356.

<sup>62</sup> Jacobsson 2004.

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