

Soccer: Doing the Impossible, Holding FIFA Accountable

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There is a sense of frustration in bringing that unruly and labyrinthine football entity known as FIFA (Fédération Internationale de Football Association) into the world of squeaky clean finance. It resists two terms with an almost tribal enthusiasm: accountability and transparency. Both concepts are intrinsically linked – that of transparency being a means to keep accountability on the straight and narrow; accountability making it easier to be transparent. The operating rationale of FIFA has been to reject both concepts. When the football players start dribbling the ball, the bureaucrats are forgotten.

Academics have ventured into this field with ponderous unease and postulated several models of accountability (Roger Pielke Jr. in *Sport Management Review* suggests seven), though this is by no means reliable.[1] A rather simple view is put forth by R. Grant and R. O. Keohane in the *American Political Science Review* (2005), though their recipe is intended as a broad splash over a range of fields. Accountability “implies that some actors have the right to hold other actors to a set of standards, to judge whether they have fulfilled their responsibilities in light of those standards, and to impose sanctions if they determine that those responsibilities have not been met.”

The whole point of FIFA is that it resists theorisation on an easy model in a world of opaque global governance. It is, in itself, an organism of considerable sophistication, part thief and part bargain hunter. It also plays the best of games, having voices within it who sing the song of transparency without having the vote to push it through. Its church is broad enough to tolerate dissent without actual change.

Michael Garcia, the ethics chief beavering into FIFA’s bidding process for the 2018 and 2022 World Cups, reminded those who cared to listen that his report ought to be released in full. How utterly idiosyncratic of him, and how demonstratively ignorant. According to Hans-Joachim Eckert, head of the adjudicatory arm of the ethics committee, only four people have laid eyes on Garcia’s 350-page report, and the fewer eyes the better. It could be destined for the archives, the incinerator, or a lonely life as a classic on a shelf.

US Soccer president Sunil Gulati, who is on FIFA’s executive committee, is one who has taken Garcia’s line, along with Prince Ali bin al-Hussein of Jordan and the Concacaf president, Jeffrey Webb of the Cayman Islands. “If we’re going to truly support the idea of transparency and change within FIFA, [the report] has to be made public in the truest meaning of the word.”[2] But no one, it seemed, had asked the FIFA president Sepp Blatter. On Friday, he suggested that, “There was not any request from any of these members to publish this report.” Then, the transparency advocates suddenly vanished – Gulati, when asked about Blatter’s position, seemed to have lost his tongue.

It should surprise no one, student of impartial observer of the institution, that FIFA has its own code of ethics, including proscriptions against the acceptance on the part of officials of “bribes” or “bribing third parties”. Clause 12 prohibits officials from accepting commissions, or promises of such, while negotiating deals connected with FIFA duties. Officials have been keen to exploit the lack of definition as to what constitutes “bribe” or “bribing”. In such cases, relativity is king.

Far more representative are such instances as FIFA’s Audit and Compliance committee, a watchdog which, when watched, was found wanting. Earlier this month, Canover Watson, one of eight members of the committee, was suspected, in the words of anti-corruption commissioner David Baines of the Cayman Islands, of “breach of trust contrary to section 13 of the Cayman Islands Anti-Corruption Law, as well as abuse of public office... and conflict of interest.”[3] There was also a strong whiff of money laundering, though Watson remains defiant.

Given FIFA’s Swiss base, and increasing hostility shown by law makers to its practices in the country, change may well be pressed or coerced through. While Switzerland may have a warm reputation to the making and conserving of money, the legal committee of the Parliament’s lower house has been busy trying to close the loop on money laundering activities. Transparency International feels it could be busier, suggesting the public registration of information on the beneficial ownership of limited liability companies, and the abolition of bearer shares.[4]

For all of this, the stick in the mud executive led by Blatter, who increasingly resembles a stone god of antiquity, remains well versed in tactics of simulated inertia. Even Garcia’s own probing efforts had proven incomplete, at least when it came to interviewing all 22 executive members behind the fateful decisions. Some were never reached. For the cover-up artists and charlatans of the world, FIFA offers a doctoral-level guide to deception and dissimulation. It may take more than the Swiss laws to stun the habit. At the very best, the organisation might just decamp.

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Notes

[1] http://sciencepolicy.colorado.edu/admin/publication_files/2013.01.pdf

[2] <http://www.theguardian.com/football/2014/sep/24/michael-garcia-fifa-investigation--public-world-cup>

[3] <http://www.abc.net.au/news/2014-09-07/fifa-finance-watchdog-member-arrested-on--corruption-charges/5725268>

[4] <http://www.swissinfo.ch/eng/switzerland-urged-to-tighten-its-money-laundering-laws/40585182>

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