Creeds of Good Governance & the Constitution of Pakistan Federation Baseball

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Abstract: Having won regional titles in Asian baseball events, Pakistan has occupied a respectable niche in Asian baseball. In order to raise Pakistan’s status in baseball, there is a need to help improve and promote baseball in Pakistan by contributing research on the status and quality of baseball in Pakistan. The current qualitative study is a step in this direction. Since formulation of constitution is an important component of systematic governance in sports, the current study undertakes qualitative document analysis (QDA) of the constitution of Pakistan Federation Baseball. This paper tries to explore constitutional provisions from the perspective of four dimensions of good governance: transparency, democratic process, checks & balances and solidarity. The analysis begins with a focus on physical and textual aspects of constitution and then measures thematic contents of the document with the yardstick of the said four dimensions. In-depth survey of the constitution reveals that there are issues of credibility due to structural inconsistencies in the text of the constitution. As far as constitutional provisions for good governance are concerned, PFB constitution makes provisions for democratic process, checks & balances and for the development of solidarity with the stakeholders. However, it leaves questions unanswered and issues unaddressed with regard to transparency and public communication. The paper rounds off with recommendations for the refurbishment of the constitution.

Keywords: Baseball in Pakistan, Pakistan Federation Baseball, PFB Constitution, Good governance in sports, sports in Pakistan.

Introduction

Baseball is not an indigenous game of Pakistan. Actually, games and sports move across continents. Cricket and baseball are two examples of this dictum. Both are bat-and-ball field games which originated in the West but are now played in Asia as well. Baseball was introduced in Pakistan in 1990s. It is relatively less popular in Pakistan than cricket. Thanks to media support, sport landscape in Pakistan is dominated by cricket. What attracts young Pakistanis towards baseball is its close resemblance with cricket. Pakistan has already made some rapid strides in baseball in Asia. Syed Khawar Shah, president of Pakistan Federation of Baseball holds that ‘the game of baseball is progressing rapidly in the country’ (as cited in Ali, March 05, 2015, para 1). Achievements of Pakistan in bat-and-ball field games show that Pakistan enjoys versatile and richer talent in bat-and-ball field games. If good governance is ensured in baseball, our baseball team may surface as one of the best teams of the world.

Good Governance in Sports

Good governance in sports refers to effective management of sports and effective interactions with all the stakeholders of sports. So, it involves effective execution and settlement of professional, ethical, legal and financial responsibilities and issues. One indication of good governance is that sport federations win trust of all stakeholders and poor governance in sports loses confidence of stakeholders. Poor governance is marked by corruption and scandals. Chaker (2004) explains that ‘sport governance is the creation of effective networks of sport-related state agencies, sport nongovernmental organizations and processes that operate jointly and independently under specific legislation, policies and private regulations to promote ethical, democratic, efficient and accountable sports activities’(p.5). This comprehensive definition draws our attention to four important dimensions of good governance in sports.

Four Important Dimensions of Good Governance

Four important tenets of good governance are: transparency and public communication, democratic process, checks and balance, and solidarity. In fact, these four dimensions have been adapted from Sports Governance Observer 2015, a benchmarking tool which was developed by the experts of leading European universities to measure good governance in sports. The following figure shows these said dimensions:

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Each of these four tenets needs to be explained individually. As mentioned earlier, federations can win the trust of the public through effective communication about the developments in federations. Furthermore, good governance hinges on the quality of democratic process followed by the federation. In addition, introducing checks and balances on the utilization of funds and use of powers by the federation members helps in curbing concentration of power in a few hands. Solidarity is another important tenet of good governance. It refers to cooperation, expertise and training extended by the main federation to smaller federations. Thus, governance appears to have two aspects: formulation of rules (systematic governance) for good governance and implementation of those rules (good governance). Thus, formulation of the rules is the first step towards good governance. Rules are formulated and presented in the form of a constitution.

What is a constitution?
A constitution is an agreed upon set of rules. It is a written document which serves as a guide for all the members of a federation. A constitution is not a static entity. It is a flexible entity and can accommodate changes and amendments. Constitution of a federation in sports reflects policies, preferences, priorities and principles of that federation. Federations constitute special committees for the development of constitutions.

Why is a Comprehensive Constitution needed?
A comprehensive constitution is needed for the smooth management of a federation. It may not be possible to develop a comprehensive constitution in a day. Actually, development of a comprehensive constitution requires the incorporation of relevant amendments. A comprehensive constitution serves as a reference system which can define the development of policies and neutralization of corruption. In the absence of a comprehensive constitution, a federation is likely to witness chaos. It goes without saying that sports federations play important roles for the promotion of games. Khan, Abid and Ahmed (2015) argue that ‘development of sports within a country is dependent upon the federations that manage and organize them, and any instability in either its infrastructure or in running of these federations, puts the sports of a particular country at a risk of deterioration’ (p.1). Sports of a country are put at a risk, if officials of federations get involved in activities which are against the spirit of good governance. Khan, Abid and Ahmed (2015) explain that ‘the federations fight to avail sport related privileges and while doing so divert from their actual goals and cause damage to sport development’ (p.1). These words of the Pakistani researchers highlight some causes of problems in sport governance in a country like Pakistan. Officials may prefer privileges over sports. What ensue from this insincere attitude are conflicts among officials and creation of power structures. Thus, a comprehensive and credible constitution is required to ensure smooth functioning and management of a federation. It is in this background that the current research was conducted. Before talking about the findings of the study, it seems relevant to talk about the research methods adapted for this research.

Research Question:
How far does the PFB constitution incorporate the four dimensions of good governance?

Research Methodology
Constitution of PFB served as source of secondary data for this study. Document analysis was adapted as a tool to analyze constitution of PFB. Document analysis is one of the several ways of eliciting information. Althiede, Coyle, DeVries and Schneider (2008) explain that Qualitative document analysis (QDA) is an emerging research method. They explain that it is also called ‘Ethnographic Content Analysis’ and elucidate that ‘a document may be defined as any symbolic representations that can be recorded and retrieved for description and analysis’ (p.127). They argue that ‘QDA is more interested in thematic emphasis and trends in communication patterns and discourse than in mere...
frequencies and statistically inferred relationships’ (p.128). It consists of analyzing and reviewing the content and structure of a document. In document analysis, researchers analyze and interpret documents, papers, plans, memos, contracts, strategies, policies, constitutions, minutes of the meeting and the like. Babbie (2010) explains that in document analysis, researchers try to answer: ‘Who says what, to whom, why, how and with what effect? (p. 333). These views of research experts about the nature and operationalization of document form the following model:

Thus, document analysis tries to identify the sender and receiver of messages in a document and then there are questions of thematic emphasis and communication or discourse trends which are addressed. Use of document analysis in sport research is common. Researchers study statutes, laws, regulations and websites of federation for this purpose. Geeraert (2015) conducted document analysis of 35 European sports federations’ statutes, byelaws, internal regulations (if available) and website’ (p.38). Herring (2006) conducted a qualitative research on the mega sports events and used documentary sources along with semi-structured interviews. Shilbury, Ferkins & Smythe (2013) conducted document analysis of a book written on cricket by Mr. Speed (2011) entitled ‘Sticky Wicket’. Hussain, Farid, Hussain & Iqbal (2011) also studied budgetary aspects of sports in Pakistan and partly based their research on official documents of the Ministry of Sports, Islamabad.

**Document Analysis of Constitution of P.F.B**

*Pakistan Federation Baseball is a nonprofit sport organization. It has its own constitution. The following document analysis has been conducted in the light of the model given above in figure 2. The analysis starts with a brief discussion on the purpose of the constitution.*

**Purpose of the Constitution**

Like constitution of any sport federation, the purpose of PFB constitution is to guide executive members and office bearers in running the federation in democratic and transparent ways. However, this is an inferred purpose of the constitution because the purpose of the constitution has not been mentioned explicitly as such.

**Who is the Author of the Constitution?**

PFB is the ‘sender’ in the constitution but the question is ‘Who is the author of the constitution?’ The constitution does not mention names of people who wrote it. However, article 28 of the constitution says that it is the responsibility of executive council to formulate laws and rules of PFB (p.13). Furthermore, according to article 43 of the constitution, ‘the PFB Executive Committee has the power to make By-Laws, Rules, Regulations and Policies for the good functioning of the PFB and all its activities’ (p.20). Besides, article 38 of the constitution points out that it is the duty of legal commission of the federation to analyze rules and inform the executive committee about the statutes and amendments required in the constitution’ (p.18). Thus, it can be said that constitution was written under the supervision of executive committee and legal commission of the federation.

**Intended Readers of the Constitution**

The constitution does not mention the target readers. It can be inferred from the context that office bearers of PFB, all the members of PFB, International Olympic Committee, International baseball Federation, Pakistan Olympic Association, Punjab Olympic Association, Pakistan Sports Board, Punjab Sports Board and anybody who is interested in knowing about baseball governance in Pakistan are the intended readers of the constitution.

**Semiotics in the Constitution of PFB.**

This 21-page constitution is available in PDF form on the Internet. The first noticeable thing on this electronic document is the word ‘constitution’
written in capital letters in green background. The title of the constitution contains images of baseball field and baseball player hitting baseball. All these pictures are on the title page with green background. The green background seems to stand for the colour of Pakistani flag. So, from the point of view of semiotics, green background is the signifier and the signified is Pakistan. Articles of the constitution begin on the next page and there is no list of contents. This absence of list of contents might appear to be an unfamiliar feature. But constitutions of baseball federations normally begin without list of contents. Most of the pages bear the signatures of the authorities of PFB. These signatures are signs of approval given by the authorities.

Credibility of the Constitution

The constitution of British Baseball Federation (BBF) begins by stating the objectives (British Baseball Federation Constitution, January 26, 2013, p.1) but constitution of PFB begins with ‘objects’ and not with ‘objectives’. So, it appears to be a spelling mistake. Constitution of Asian baseball federation and constitutions of BBF and BFA do bear dates of formulation and amendments. There is no date of formulation of the constitution. However, the constitution does contain dates of certain amendments. (p. 10). A reader is likely to remain in the dark about exactly when the constitution was formulated. Spelling and grammar mistakes are not uncommon in the document. For example, on the very first page after the title, the article 1 says, “The PFB legally established in accordance with its own statutes as well as Article 44” and ‘the PFB through is proper autonomous nature is a political; makes no distinction between race, sex or religion’. (Constitution Pakistan Federation Baseball n.d, p. 1). Again on page 13 of the constitution, contains ‘to do ever thing possible’ instead of to do ‘everything possible’. These typos, errors and mistakes are almost ubiquitous and seem to mar credibility of the document. All pages of the document bear signatures of its president and secretary general. These signatures show that all the articles and rules contained in the constitution have approval of the higher authorities of the federation.

Information Provided by the Constitution

What is said in the constitution? The constitution contains a lot of information about different aspects of governance of baseball in Pakistan. However, since the focus of the current study is on the four dimensions of good governance, the following discussion will look at what information the constitution provide regarding the four important dimensions of good governance in PFB.

Constitutional Provisions on Transparency & Public Communication in PFB

This discussion will look at how far the PFB constitution supports and promotes transparency and public communication in the running and management of the federation. It goes without saying that effective public communication is part of good governance in sports. Transparency refers to honesty and openness in communication, financial affairs and policy making. This appears to a surprising matter that the 21-page constitution does not mention the word ‘transparency’ even a single time. This absence of the word transparency may mean two things: the federation gave little importance to transparency in governance or it can also mean that they did give importance to this dimension of governance but they used other words for it. Similarly, the words ‘public communication’ are not found in the document. However, in a couple of clauses, the constitution does incidentally refer public communication. Clause B of article 5 says that PFB will hold seminars, conferences to promote baseball in the country. Incidentally, these events may serve public communication. Since, PFB is a nonprofit organization, it is appropriate for PFB officials to make constitutional provisions which enjoin PFB members to be open and honest in communicating inner and outer affairs to the public and all stakeholders otherwise absence of open and honest communication may negatively impact PFB. If PFB officials want to win trust and boost sponsorship, they have to make adequate amendments in the constitution regarding transparency and public communication. Ineffective communication will not bring trust of private and public sector. Trust boosts games and sponsorship. Another important dimension of good governance is democracy.

Constitutional Provisions on Democratic Process in PFB

Democracy in governance necessitates that federations should follow a democratic process in the elections of its members and in arriving at consensus in policy making. The question that arises is ‘ Does PFB constitution enjoin its members to follow a democratic process ?’ In fact, this is one of the positive communication trends of the constitution that the thematic emphasis of the constitution is on democracy. The very first article of the constitution states that the federation does not entertain any discrimination on the basis of sex, race and religion. Article 11 of the constitution states that members of PFB ‘have right to speak in all deliberations’ and ‘vote in all matters’ where a vote is required and make suggestions for the improvement of the working of the organization (p. 4). Besides, article 19 of the constitution stresses that for the approval of a resolution ‘an absolute majority’ is required (p. 8). The constitution further emphasizes that there will be a general council which will elect the executive committee of the federation. General council can approve and reject the decisions of the executive committee. The council can approve and reject financial statements.
The constitution states that elections will be held in the federation ‘in the first year of the four-year Olympic Cycle’ (p.10). The executive committee consists of Executive Director, Chairman President, Senior Vice President, Vice President, Secretary General, Treasurer, media director and other 7 members. Article – 23 of the constitution underlines that ‘all the members of the Executive Committee elected by the General Council shall belong to different affiliated Association or Organizations of PFB’ (p.11). Furthermore, democratic process has been enjoined in the working of executive council of PFB. Article 27 underlines that ‘each member of the Executive Committee shall have the right to vote at the meetings and the decisions shall be adopted on a majority basis. In the case of a tie the Chairman shall have the casting vote. The quorums shall be constituted with the concurrence of at least 7 of its members. In the absence of a quorum the Executive Committee duly convened may nevertheless act as it goes along with the affirmative vote of at least five of its members’ (p.12). In addition, the approval of by-laws is done through democratic process. Article 44 of the constitution says that ‘all By-Laws, in order to have effect, must be adopted by a 2/3rd majority vote of General Council / Executive Committee Members present at a valid meeting of the General Council / Executive Committee’ (p.20). So keeping in view the aforementioned constitutional articles and provisions, it can be said that the constitution does enjoin PFB members to follow democratic process.

**Constitutional Provisions on Checks & Balances**

Here the discussion focuses on the incorporation of checks and balances in PFB constitution. The main question of this part of the discussion is ‘Does PFB constitution favours the introduction and maintenance of checks and balances in PFB’. Internal checks and balances are needed to sieve the growth of absolute power in any federation or organization. Concentration of power in a few hands in a governing body hinders good governance. So, power should be judiciously distributed across various governing bodies and boards. In fact, PFB constitution does talk about organizational break-up of PFB. The constitution states that the General Council is the supreme authority and has 20 members from regional federations. The general council elect’s office bearers of executive committee. Elections are held after every four years. The figure below shows the two bodies of PFB.

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![Figure 3: Two Main Governing Bodies of PFB](image)

Article 28 of the constitution states that the executive committee should ‘prepare the annual budget, which must be approved by the General Council’. It is also responsible for preparing ‘the balance sheets financial statements and annual reports on the financial activities duly audited that should be approved by the next General Council Meeting (p.13). Article 36 states that financial records and books maintained by the treasurer of the federation shall be audited by a competent company (p.18). The article further states that balance sheets and financial statements will be submitted to the members of the general council (p.18). In addition to these two bodies, the federation has a legal commission, a technical commission, a medical commission, development commission and a youth commission. All these commissions have their own duties and beats according to constitutional powers. The members of the executive committee have their own administrative duties. The administrative hierarchy of PFB is given below:
Connections are important in running a federation. They bring opportunities and better organizational results. Pakistan Federation Baseball develops and maintains solidarity with the member organizations and stakeholders or not. Article 28 of the constitution says that one of the responsibilities of the executive committee is ‘to give maximum cooperation and support to its members’ (p.13). Clause I of article 5 says that PFB will provide useful information and assistance to the members. Clause J of the same article says that it will promote member bodies. Thus, there are some constitutional provisions in PFB for the development of solidarity with the members and stakeholders.

After discussing articles of the constitution from the point of view of the four dimensions, it appears germane to calculate frequencies of the articles on the basis of their thematic emphasis. The following figure, figure 5, shows the thematic distribution of the 45 articles of constitution:

Figure 5: Frequencies of Constitutional Articles
24 articles of the constitution deal with administration and management of the federation. They define functions and responsibilities of various bodies and commissions of the federation. They also define the roles and duties of various key office bearers of the federation like Chairman, President, Vice-president, secretary general and treasurer. They also deal with the periodic meetings, obtaining membership of the federation and define quorum required for the approval of laws. Around 10 articles deal with democratic process, 5 deal with checks and balances, 4 deal with solidarity and only 2 deal with transparency and public communication.

Conclusion:

This analytic research in systematic governance in sports studied PFB constitution from the point of view of incorporation of the four tenets of good governance in the constitution of PFB. The analysis started with textual features of the constitution. The analysis revealed structural inconsistencies in the constitution. Below these structural consistencies on most of the pages, there are signatures of the higher authorities of PFB. Were these mistakes ignored by PFB authorities? Did they sign the pages without reading them? These inconsistencies undermine the credibility of this document. The constitution bears no date of formulation of the constitution. However, the constitution does contain dates of certain amendments. In addition, there is little information about the authors of the constitution. Most of the communication trends in the constitution are towards administration and management. Regarding the four dimensions of good governance, thematic emphasis of the PFB constitution is on democratic process. It makes provisions for democratic process, checks & balances and for the development of solidarity with the stakeholders. However, it leaves questions unanswered with regard to transparency and public communication. There are little trends in the constitutional communication about public communication. The entire constitution does not mention the words ‘transparency’ and ‘public communication’. The constitution should provide support for transparency and public communication because public trust is associated with these two aspects of good governance. Absence of public trust and transparency may negatively impact PFB. Furthermore, transparency and effective public communication are also linked with achievement of sponsorship. Since a constitution is dynamic document and amendments can be made, therefore, it is recommended that PFB should incorporate constitutional provisions on transparency and public communication in the constitution.

References


