

CAN SPORTS LAW CONTRIBUTE TO REGULATING THE UNDER-REPRESENTATION OF WOMEN IN SPORT GOVERNING BODIES? A CASE STUDY IN GREECE

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Abstract: *Today's sport literature examines questions concerning gender equity issues in sports¹ mainly, through ethical theoretical perspectives. Gender inequalities in sport are initially perceived as ethical issues, even though such approaches in competitive sport are ineffective and insufficient. The continuous rationalization and commodification of sport action and sport communication has been leading to transformations in sport along with the marginalization or exclusion of ethical interpretations in competitive sports. Today's postmodernist sport reality has been witnessing a relentless disappearance of ethics as a regulatory factor in sport relations: relations formed within sports as well as those between sport and other social environments (economy and politics, etc.). Sports Law comes in here, as a regulatory agent, to take the place of ethics. Gender inequalities in sport require that legislations be respected and enforced, and this is where Sports Law could play a vital role, without however undermining the interventionist role of Law or the legal system. Accordingly, this case study explores the participation of women in sport government bodies in Greece. The main question is: Could Sports Law intercede or play a role in eliminating the under-representation of women in sport governing bodies, decision-making positions?*

Keywords: Gender equity, gender equality, sport government bodies in Greece, women, sports law

Introduction

The last three decades many scholars have provided theoretical frameworks for analyzing gender issues in society in general, including those pertaining to sport.² This study does not contribute in identifying the causes of gender segregation in sport or in analytically discussing the historical discouragement and exclusion of girls and women from participation in sport and in athletic competitions. The goal here is to raise some important questions for sports law, regarding gender distribution in sport governing bodies (SGBs) in Greece.

Discussions on gender relations or gender equality in sport in Greece have been developed in relation to ethical and structural perspectives³ or they have concentrated on particular categories by discussing female participation in sport activities.⁴ Although they have not yet focused on women's *absenteeism* in sport

¹The term sport is used here to refer to competitive sport.

²Kamberidou 2011, 2007; Pfister & Radtke, 2009; Acker, 1990.

³Kamberidou 2011; Patsantaras & Kamberidou, 2006

⁴Chroni, Diakaki & Papaioannou, 2013; Kamberidou & Chroni, 2015.

governing bodies in a law perspective. Putting the question of gender segregation in the area of sport law will ultimately benefit the development of sport law itself but also all those who are engaged in the legal sport issues. At first I am however going to briefly discuss the meaning of gender equity in sport and sketch a general framework that may be useful in the development of a related law on gender equity as well. I will present some significant theoretical aspects which explain the lack of girls and women's participation in sport during past periods. This can help us understand the main causes for the lack of women's participation in SGBs.

Certain studies point out that the main reason is the structurally secured and enforced gendered division, demarcation and segregation in high level sport is the result of the biological *differences* between men and women -which have socio-cultural derivations originating from cultural practices within the social-historical specificity- that in fact defeat, eliminate or eradicate the advocated and legitimate values of social equity.⁵

In Greece, since the constitution of the modern Greek state, the biological factor, biological difference, biological determinism or *biologist knowledge*, as an analytical category had excluded women from most sectors of public life - leading to a deadlock in all subsequent debates, questions and discussions on social equality and gender equity in the periods that followed. In this perspective SGBs were typically structured according to the *androcentric* spirit of the time. However, we have to point out that historically the sport system has been gender segregated and the gender practices of this system can not be separated from the broader society. Sports, are not structured or perceived as "gender-neutral".⁶

Nonetheless, the categorization or gender classification of sport performance into men's and women's sports is not generally viewed as mistaken or wrong, but as natural or unavoidable. Gender classification, gendered division or segregation is always actively present and has been supported notionally (in meaning) for a long duration of time by rules and regulations, primarily in relation to the different socio-cultural *scales* and not only the *evaluation scales* of men's and women's sport performances. It is a public form of "social communication"⁷ which creates specialized -according to gender- social expectations, such as social roles and identities, formulated through biological difference.⁸ Due to this gender demarcation or dichotomy, competitive sport roles are *genetically personified*.⁹

So, using Simone Beauvoir's views (1971) we can say that the sport system, as a social space, cultivates a one-dimensional impression that femininity is rooted

⁵Patsantaras & Kamperidou, 2006; Patsantaras, 2007.

⁶Kamberidou & Patsantaras, 2006.

⁷In reference to the meaning of "social communication" and "social practice", see: (Patsantaras, 1994: 35-63).

⁸Kamberidou, 2007; Carlson, 2005.

⁹Patsantaras & Kamberidou, 2006.

in nature and not in culture. Although it could also be argued that nothing in sport is simply *natural* but is, rather, cultural or social.¹⁰ For example according to Harvey (1993), spaces are real geographies of social action, real as well as metaphorical territories and spaces of power. Spaces like places are not free of power, and struggles are fought over who is taking control over them. Even the sport space as a territory¹¹ in the perspective of M. Foucault (1980) could be seen, first of all, as a juridico-political one: an area or social the space controlled by a certain kind of power. The power of man! Sack's theory (1986) on territoriality is that territories are socially constructed forms of spatial relations and their effects depend on who is controlling whom and for what purpose.

The sport culture is based on a *two-sex model* and the sport achievements are categorised in two mutually excluding categories, as either masculine or feminine. Accordingly it is maintained that the abilities and behaviour of the two sexes are associated with biological bodies and therefore often naturalised. In these perspective men and women can easy be interpreted and conceived as a result of biological differences between men and women rather than arbitrary cultural and social constructions.¹² Therefore, masculinity is often ranked as superior to femininity in the sport area. Compared to similarly successfully male athletes, female athletes as a group earn less money and are promoted less frequently in the mass media. The gender *difference* assigned to men's and women's sports have created discriminatory hierarchical evaluations in many sectors, such as the extensive promotion and coverage in the mass media of men's competitions, of male athletes, their sport performances and athletic roles, in contrast to the non-promotion and comparative 'invisibility' and absenteeism in the media of female athletes and women's competitions.¹³ Whilst women's sport in Greece, mainly since 1990, has enjoyed success, media interest is still limited.¹⁴ For example, in Greece women's sport achievements are *othered* by a continues comparison to those of men, as well as by meanings, strategies, social goals and targets etc. Their achievements have a low status and a low market values.¹⁵

Previous international research indicates that the issue of the lack of women's participation in SGBs is open and subject to the socio-cultural time and space.¹⁶

¹⁰Bale, 1993.

¹¹“Sport, in most of its individual and/or collective forms of organization can be analyzed as being the result of a double *process of transformation of the space into territory (ies)*. In other words, two sociological dimensions can give information on the interconnections between space and sport. *The sporting pretext* acts really as an operator, as a socio-cultural mediator transforming space into territory. (Callede, 1993: 227).

¹²Hjelseth & Hovden, 2014: 259.

¹³Patsantaras & Kamberidou, 2006; Kamberidou, 2007, 2011.

¹⁴Kamperidou, 2011.

¹⁵Patsantaras, 2007: 317-325.

¹⁶Acker, 1990; Pfister & Radtke, 2009.

We can understand the sport space as a social space that includes organized patterns of behavior, specific actions, interactions, roles, symbolic meanings, and especially as a social space for specific collective agency. Researchers have been arguing for decades that in the social space of sports, two cultures have been created: the male-masculine culture and the female-feminine culture. Unquestionably, the male-masculine culture normal *reigns* at the top of the pyramidal hierarchy of this social space in which semantic prototypes, models, role-models, cultural icons and sport idols are established and promoted for the *staging* of gender, the construction of gender identity,¹⁷ among other things. Undoubtedly, this creates and consolidates social distinctions, discriminations and inequalities for female athletes, such as the under-representation of women, excluding them from positions of power and responsibility in SGBs.¹⁸

Methods, Results and Discussion

This study presents descriptive data which was collected on September 2014. It is important to note that this paper does not focus on the already extensively studied qualitative analyses of the complex interconnectedness of gender with other systems of domination such as class, race, religion ethnicity etc.¹⁹ Despite the comparatively accelerated integration and incorporation of women in competitive sports, due to the elimination of formal obstacles and established socio-cultural prohibitions, women in Greece are still under-represented in comparison to men as far as the participation in SGBs.²⁰ There is a gender stratification within the administrative sport hierarchy, with women typically holding lower positions. The administrative sport field confirms this pattern. Women's successful access to all levels of sport activity over the past two decades has not been accompanied by equal success in their progression to occupy decision-making posts in sports in Greece.²¹

This is contrary to what might be expected since the proportion of female athletes during this time period is widespread and growing. It appears that in Greece there is a repeated gender segregation trend in sport, which is reflected not only in athletic participation but also in sport administration/governance, men occupying the higher positions/posts, as shown in the study we conducted in 2013. For example, according to the data from the eight randomly chosen sport federations listed below:

1. In the **National Association of Athletics Federations** (SEGAS): Twenty-one (21) Executive Board Members. Men: 19, (83.33%). Women: 2, (9.53%) in the lowest place of the hierarchy.

¹⁷Kamberidou, 2007.

¹⁸Kamberidou & Patsadaras 2007.

¹⁹Kimmel, 2004.

²⁰Kamberidou, 2011.

²¹Kamberidou & Chroni 2015.

2. In the **National Association of Gymnastic** (EGO): Fifteen (15) Executive Board Members. Men: 9, (60%). Women: 6, (40%) in the lowest place of the hierarchy.

3. In the **National Association of Tennis** (EFOA): Seventeen (17) Executive Board Members. Men: 17 (100%). Women: 0, (0%).

4. In the **National Association of Volleyball** (EOPE): Twenty-one (21) Executive Board Members. Men: 16, (76.19%). Women: 5 (23.21%) in the lowest place of the hierarchy.

5. In the **National Association of Skating** (EOPAG): Seven (7) Executive Board Members. Men: 6, (85.71%). Women: 1, (14.29%) in the lowest place of the hierarchy.

6. In the **National Hellenic Sailing Federation** (EIO): Nineteen (19) Executive Board Members. Men: 18, (94.73%). Women: 1, (5.27%) in the lowest place of the hierarchy.

7. In the **National Federation of Swimming** (KOE): Twnenty-five (25) Executive Board Member. Men: 18, (72%). Women: 7, (28%) in the lowest place of the hierarchy.

8. In the **National Federation of Soccer** (EPO): Twenty-one (21) Executive Board Members. Men: 21, (100%). Women: 0, (0%). A presentation of the data is listed in the following table.

Table: Membership by Gender in Greek Athletic Federations

Federation	Members in Executive Board	Men (#, %)	Women (#, %)
SEGAS (1)	21	19,90.47	2,9.53
EGO (2)	15	9,60	6,40
EFOA (3)	17	17,100	0,0
EOPE (4)	21	16,76.19	5,23.21
EOPAG (5)	7	6,85.71	1,14.29
EIO (6)	19	18,94.73	1,5.27
KOE (7)	25	18,72	7,28
EPO (8)	21	21,100	0,0
TOTAL	146	124,84.93	22,15.07

- EPO (8)²²

²²We have to point out that the world's football governing body FIFA in 2013 appointed three women to its Executive Committee for the first time in its history. "With three women directors now at the FIFA executive table alongside the 24 male members, women's representation stands at 11.1%. However, only one of the three women is a full member, the other two have been co-opted for special tasks for a one-year period. This way, a more accurate figure for women's representation is one out of 25, or 4%". <http://www.farenet.org/news/international-womens-day-closing-gender-gap-sport/>

Notes:

1. *National Association of Athletic Federation*
2. *National Association of Gymnastics*
3. *National Association of Tennis*
4. *National Association of Volleyball*
5. *National Association of Skating*
6. *National Hellenic Sailing Federation*
7. *National Federation of Swimming*
8. *National Federation of Soccer*

What is striking about the data in the table is the fact that women are significantly underrepresented. The gender imbalance is even more striking if we take into consideration that women are in the lowest place of the hierarchy in all the referred sport organizations. There is no woman President or General Secretary. The data does not reflect an optimistic sign, as far as democratic and equitable perspectives are concerned!

In the eight Greek Athletic Federations, out of the 146 members, only 22 (15.07%) are women while 124, (84.93%) are men. Indeed, the biological gender²³ is actively present in the sport pyramidal hierarchies: decision-making sport bodies and organizations. The sport institutions in Greece have had and continue to have an androcentric direction. In this perspective is not possible to establish and enhance cooperation and mutual assistance between men and women!

Sport governing bodies in Greece may believe that there is no problem for women within their sport, in other words that their sport is open to both men and women along with their administrative bodies. However, our data shows large scale inequalities in the level of administration. This is a *violation*, an *infringement* or contempt of sport values. Certainly, there is a complex interconnectedness of gender with other systems of domination such as class, race, religion ethnicity etc.²⁴

Obviously, different systems of power interact to shape the administrative reality in sport in Greece. We know that gender cannot be understood in isolation because an individual's social position is always a result of multiple social realities.²⁵ Male domination is a multifaceted phenomenon with many possible sources in accordance to socio-cultural time and space, and a great number of factors contribute to this imbalance.²⁶ In this framework it could be very simplistic to assume that SGBs could solve this issue automatically, nor could the development of certain social conditions alone, without other interventions. We need to develop policies and plans through which we can increased the

²³Kamberidou, 2011.

²⁴Kimmel, 2004; Hjelseth & Hovden, 2014; Hylton, 2009; Hall, 2001.

²⁵Hanis-Martin, 2006.

²⁶Hylton, 2009; Patsantaras & Kamperidou, 2006; Hall, 2001.

number of women involved in senior positions, sport leaders, administrators and executives.

What could be proposed!

In the related literature, the fact that men and women hold unequal positions in SGBs has been described in many and different perspectives.²⁷ Usually it is understood in an ethical perspective as a deviation from the formal or informal sport rules.²⁸ For example, Greece respects the rules of the Olympic Charter, according to which:

“The IOC strongly encourages, by appropriate means, the promotion of women in sport at all levels and in all structures, particularly in the executive bodies of national and international sports organizations with a view to the strict application of the principle of equality of men and women” (Olympic Charter, Chapter 1, Rule 2, paragraph 2, in force as from 9 September 2013). However, today like in the past, women in Olympic administrative bodies also comprise a restricted minority.²⁹ This is obviously a clear contradiction between the values and rules and their institutional declarations, regulations and activation in the social reality of sport. In this perspective I would like to pose the following questions:

How could this situation be evaluated: as discrimination in an ethical perspective or as a kind of deviation from sport rules? Could this issue be approached in a legal perspective as a question of equity between men and women? Don't women have the legal right to approach equity on this level? Could sport law provide a general framework for the development of legal rules and sport policy for the equitable treatment of women in sport governing bodies? Could sports law fix this kind of inequality? Could women use the law—in the perspective of gender equity in sport to address the imbalance between men and women as far as the occupation of decision-making posts in sports in Greece, is concerned?

Without a doubt, this study does not give final answers to these questions. However we can point out that in order to approach such questions, sport law has to go much further from a conventional legal analysis that prevents it from dealing appropriately with such issues³⁰. What is needed here is a multidimensional analysis through which the interaction between many elements that cause this situation could be revealed. For example, questions on *time and space* in sports are of crucial significance to understand current sport reality, to understand gender relations on all sport levels: competitive sport, sports for all, school sport, etc. Sport, in general, appears as a differential and relatively autonomous system

²⁷Donnelly, 2015; Hjelseth & Hovden, 2014; Kamberidou 2007, 2011.

²⁸Kamperidou & Patsadaras 2007; Patsantaras, 2008.

²⁹Donnelly, 2015; Kamberidou & Chroni, 2015.

³⁰Max Weber's (1988) evaluation as far as the law is concerned, could be very useful!

of social actions and communication practices because it succeeds in liberating itself from the complex social environment in relation to *time and space*. This autonomy is achieved through particular sport regulation structures on the basis of which sport processes are developed.

Sport events cannot exist beyond these regulatory structures. In this perspective, sport *time and space* are the pillars on which the particular meaning and character of sport reality exists. They play a decisive role in the dissemination of any social meaning through athletic action and sport communication practices. They also play an influential role on determining the social usage and functions (political, cultural, economic, etc.) of these sport actions and communication practices. What this means in practice is that when our viewpoints or perspectives change with regard to sport *space and time*, then sport semantics are transformed as well. Specifically, what is being transformed here is the social usage of the sport meaning. Consequently, in formulating a coherent image on *space and time* with regard to sport, we are provided with the tools to explain how sport social reality is constituted, transformed and reconstructed. A sport sociological perspective goes beyond its descriptive dimension so as to decisively contribute to the understanding of issues related to different sport events (eg. Gender, sport violence, doping).

Sport space is a social space where power structures and identities are formulated or transformed. It is also an arena for social events³¹, cultural conflicts, the promotion of a consumer culture, among other things. Additionally, sport space provides the *topos* for the apotheosis of the human body, the cultivation of ethical perspectives, empowerment and simultaneously the dissolution of social cohesion. In approaching sport activity and sport communication practices with such a methodological perspective, we can contribute decisively to the clarification of today's confusing and conflicting views with regard to sport institutional competence, jurisdiction, responsibilities and duties.

Do Sports Law theorists or scientists take into consideration the *space and time* specificities and the different meanings of sport action-communication that could help them find the limits or boundaries between the juridical and ethical responsibility in sport? Is the question of gender equity in all sport levels and structures a juridical or ethical one?

Concluding remarks

Today, women have entered many traditionally male occupations. However gender still defines most leadership positions. At the present time, sport

³¹Basically Sport Reality consists of processes and events which are the only substantives (Dunning, 1994: 334). In the competitive sport the process and events are structured according to gender. So we have female sport events and male sport events on the basis of which are created social expectations which may be different in accordance to space and gender.

continues to be an area in which gender equality still has barriers to overcome. Sport governing bodies not only in Greece, but around the world, are mainly dominated by men³². Nevertheless, what is clearly apparent today is that women's integration into competitive sports has no linear relation to their representation or rather under-representation in decision-making sport institutions. In other words, women continue to be an *invisible* or rather an *absent minority*, excluded from decision-making positions of power and responsibility in SGBs.³³ As observed in this study on the institutional sport realities in Greece, the proportional representation of women is in the proximity of *absenteeism* or *invisibility*.

This study shows the gap in the opportunities for women to occupy decision-making positions in sports in Greece, namely in SGBs in which women comprise a restricted minority. This also indicates that SGBs have not formally adopted equity statements or policies. Undeniably, we have a lack of equitable representation and democratized governance in sport organizations and progress must be made in this area! Sport values need be considered and formally strengthened (and when necessary by law). Sport governance must ensure that sport, since it is a public good, be run in accordance to sports values. The participation of women in decision-making posts in sports in Greece is also a question about democracy! It is important, especially in European sport governance, to perceive sport as social capital, as a democratic instrument.³⁴ A plethora of research has been directly or indirectly discussing the democratisation of sport.³⁵

Accordingly, academic and non-academic agents of sports law in Greece could take into consideration, among other things, the recent Council of Europe report on *Good governance and ethics in sport*³⁶ and take the initiative to promote a deliberative democratic system of sport governance. Sport equity is also about changing the culture and structure of sport! Equity policies could also cover women's participation in SGBs. What do we mean when we say that SGBs must produce equity policies and relevant actions? We mean an improved representation of women in management and executive positions that will bring many benefits to sport organizations.

In order eliminate social exclusion and make sports more gender-inclusive in Greece, we need to extensively examine, on an interdisciplinary level, theoretical approaches and studies which contribute to the understanding of gender relations, beyond anachronistic biological theories and outdated conceptions and in accordance to democratic and moral-universal principles on gender equality.³⁷

³²<http://www.farenet.org/news/international-womens-day-closing-gender-gap-sport/>

³³Patsantaras & Kamberidou, 2006

³⁴Kamberidou & Patsadaras, 2007.

³⁵Katwala, 2000; Thibault, Kihl & Babiak, 2010; Patsantaras, 2015.

³⁶<http://www.scribd.com/doc/88270872>

³⁷Kamberidou & Patsadaras, 2007.

Sport rules and values already exist. So the question raised is how can sports law activate these rules and values on a social-institutional level? Can sports law assist SGBs in developing a policy, an action-plan or program in this direction?

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