

## SEXTORTION IN SPORT: AN APPLIED ETHICS APPROACH TO MISCONDUCT

*SEXTORÇÃO NO ESPORTE: UMA ABORDAGEM ÉTICA APLICADA AO COMPORTAMENTO INADEQUADO* 

*SEXTORSIÓN EN EL DEPORTE: UN ENFOQUE ÉTICO APLICADO A LA CONDUCTA INDEBIDA* 

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**Abstract:** Sextortion, a form of sexual misconduct, entails the abuse of power to obtain sexual benefits, simultaneously rendering it an act of corruption. In sports, where power imbalances and hierarchical structures are common, sextortion is a growing issue. It often includes subtle or implicit threats, seeking compliance in exchange for privileges or opportunities. Despite growing awareness, research on sextortion in sports remains scarce. This study uses institutional theory and applied ethics to explore its key elements: the abuse of power and the improper obtention of sexual acts. The findings highlight the need for good governance, strong safeguarding protocols, and greater awareness of power dynamics, consent, and coercion. This research seeks to raise recognition among stakeholders and stresses the urgent need for prevention measures, guiding future policies and studies.

**Keywords:** Sport. Ethics. Sextortion. Corruption.

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## 1 INTRODUCTION

Sextortion is “the abuse of power to obtain a sexual benefit or advantage” (Feigenblatt, 2020, p. 8; McDevitt, 2022, p. 8). A sub-type of sexual violence<sup>1</sup>, it distinctively features an abuse of power or authority for private (sexual) gain, which renders the behaviour, simultaneously, an act of corruption<sup>2</sup>.

The International Association of Women Judges (IAWJ) initiated efforts for a distinct definition of sextortion after recognizing certain perpetrators and victims/survivors were overlooked in the legal system across various industries worldwide. While there is no universally accepted legal definition, the IAWJ identified two essential components and conditions for an act to qualify as sextortion (IAWJ, 2015): the two components require an *abuse of power* that is *intended to obtain a sexual act*. In addition, a *power relationship* must exist between the perpetrator and the victim/survivor, as well as a *sexual quid-pro-quo exchange*. Sextortion emerges when an individual exploits their authority or influence to solicit a sexual favour in exchange for benefits or privileges they can confer or withhold.

Sextortion’s complexity arises from the diverse power dynamics that shape it, manifesting in asymmetrical relationships, such as between employer-employee, official-subordinate, teacher-student, or coach-athlete. These situations may involve invitations, offers, requests, or threats, where benefits are conditioned – either implicitly or explicitly – on the performance of a sexual act.

Identifying sextortion remains challenging despite its clear definition. While some instances are flagrant and may lead to formal sanctions (legal or otherwise, e.g., criminal codes or codes of conduct), others are less straightforward and are influenced by cultural norms, historical contexts, institutional transparency, law enforcement practices, and socioeconomic conditions. These factors shape perceptions of sextortion and affect its recognition and prevalence within institutions and society. Limited awareness among law enforcement, legal professionals, and the public has also reduced sextortion to cases involving threats with intimate photos<sup>3</sup>. While important, this narrow perspective overlooks broader coercive behaviours across various industries and power dynamics, hindering efforts to address the issue effectively.

A deeper comprehension of sextortion and its key elements is crucial not only for effectively tackling the issue but also for developing targeted prevention strategies, improving legal frameworks, and ensuring survivors receive adequate support.

1 The World Health Organization (WHO) defines sexual violence as “any sexual act, attempt to obtain a sexual act, or other act directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting” (WHO, 2022). While this definition encompasses all forms of unacceptable sexual conduct, we will argue in section 5 that the term “violence” may be misleading, as not all unacceptable sexual conduct implies violence. Nevertheless, we will use “sexual violence” to refer to behaviors that are generally considered unacceptable in the context of sexuality.

2 Transparency International defines corruption as “the abuse of entrusted power for private gain” (What is..., [s.d].).

3 The “intimate photo context” of sextortion involves perpetrators threatening to share intimate images unless victims comply with demands, often leading to further exploitation. See: Metropolitan Police Service, U.S. Immigration & Customs Enforcement and recent joint warning issued by international law enforcement agencies, who offer insights into sextortion, although their definitions and emphasis do not fully capture its comprehensive scope.

Applied ethics can support navigating these complexities. In this paper, we aim to clarify the categorization of sextortion as *misconduct* by analyzing the norms violated by its fundamental components: the abuse of power and the improper obtention of sexual acts. Norms – rules or expectations defining appropriate behaviour within a group or society – play a central role in our examination.

Anti-corruption normative frameworks focus on ensuring proper exercise of public function, authority, and trust, while sexual violence identifies breaches to the principles of dignity and autonomy, including the right to free sexual self-determination. A comprehensive understanding of the norms violated by sextortion makes its wrongfulness clearer to all stakeholders. This is particularly significant because sextortion often does not neatly align with legal definitions within both sexual violence and anti-corruption frameworks.

The use of sex<sup>4</sup> as a form of payment, (rather than financial assets), poses major challenges in identifying and prosecuting sextortion cases within anti-corruption frameworks, especially when public officials are not involved (IAWJ, 2015). Likewise, applying sexual violence frameworks can be limiting, as cases may not fit legal definitions of *violence* if acts are deemed “consensual” or, they may require overwhelming use of force for prosecution as rape. These complexities highlight the challenges in addressing sextortion, especially due to its misunderstood nature and the rarity of “physical” violence.

An exclusive focus on sexual violence may overlook key corruption elements, such as the abuse of power for personal gain. Further, concentrating solely on *individual* acts of violence, sexual violence experts risk missing systemic governance issues that enable sextortion and other forms of exploitation. Likewise, anti-corruption professionals must recognize that abuses of power extend beyond *financial* gain and public office misuse; they should also consider how governance structures influence the prevalence of both sexual violence and corruption. Focusing on just one aspect risks neglecting crucial factors, such as power misuse and gender dynamics, which are essential for a comprehensive understanding of sextortion.

A holistic understanding of the intersections between these domains is essential for effectively addressing sextortion through a comprehensive approach that integrates both frameworks. Incorporating ethical analysis can also further enhance policy responses by providing assessments of moral dimensions and a nuanced understanding of ethical implications.

Ultimately, sextortion occupies a unique position at the intersection of sexual violence and corruption, representing an ethically reprehensible act that often slips through conventional frameworks and requires unequivocal condemnation. Establishing conceptual clarity is vital for developing effective prevention strategies. By adopting a comprehensive framework that includes ethical analysis, we can enhance our ability to identify and prevent sextortion.

4 Despite use of the term “sex” in this context, it is crucial to discern the clear demarcation between consensual interactions and those characterised by coercion, exploitation, or lack of consent, all of which constitute unacceptable sexual conduct.

This clarity is crucial for helping survivors, victims, perpetrators, and stakeholders recognize sextortion as wrongful behaviour, thereby minimising risks of it being obscured by complex safeguarding terminology and legal or regulatory requirements. Additionally, a broader perspective fosters awareness, dispels confusion, and highlights abuses of power that extend beyond financial gains and the misuse of public office (Lambsdorff, 2007; Lindberg; Stensöta, 2018; Von Maravic; Reichard, 2003).

This paper begins by outlining the theoretical framework for understanding sextortion. Subsequently, it illuminates sextortion within the realm of sport, highlighting its manifestations, involved actors, and the underlying factors facilitating its persistence. A conceptual framework is provided to identify sextortion as misconduct and to delineate the specific norms it violates. Our analysis dissects the wrongfulness of sextortion from two critical perspectives: anti-corruption and sexual violence, focusing on the abuse of power and the improper solicitation of sexual exchanges. By examining these components, we aim to provide a comprehensive understanding of sextortion and emphasise the urgency of addressing this reprehensible behaviour.

## 2 THEORETICAL FRAMEWORK

Institutional Theory and Institutional Corruption Theory offer valuable insights into how institutions influence behaviour and organisational practices. While Institutional Theory focuses on broader institutional contexts, Institutional Corruption Theory examines how these dynamics contribute to corrupt behaviour, making them complementary in analysing the interplay between institutional structures and corruption.

Institutional Theory explores how formal organisations, laws, regulations, and cultural norms shape behaviour and organisational structures. It emphasises the context within which organisations operate and how these conditions influence the evolution of formal structures and practices (David; Tolbert; Boghossian, 2019; Scott, 2005).

Institutional corruption, as defined by Thompson (1995), refers to a deviation from an institution's original purpose. This concept examines misconduct similar to conventional corruption but also addresses relatively overlooked harmful manifestations that affect those dependent on the institution (Thompson, 2018). Institutional Corruption Theory facilitates the examination of complex issues like sextortion by analysing how institutional features – such as structure, actor dynamics, and stakeholder accountability – shape its occurrence.

Institutional approaches enable a comprehensive understanding of sextortion in sport, encouraging interventions that target root causes rather than isolated cases. The misuse of power in sports is often a result of poor institutional dynamics, which can lead to systemic corruption. Integrating insights from various research domains is essential to understanding how corruption becomes systemic and resistant to change (Ashforth *et al.*, 2008).

Furthermore, these theories broaden the interpretation of “public office”, considering interests and agents beyond governmental actors. They expand on “private gain” and frame “abuse” as actions that undermine an institution’s core functions or values in specific ways (Thompson, 2018). This nuanced perspective rejects simplistic checklists for defining corruption (Kurer, 2015; Miller, 2011; Rothstein; Varraich, 2017) and aligns with the complex nature of sextortion, providing a comprehensive framework for its classification as corruption within institutional contexts.

### 3 SEXTORTION IN SPORT

Recent global research by Transparency International (Feigenblatt, 2020) demonstrates that sextortion exists worldwide across numerous industries: for example, judges offering favorable rulings in exchange for sexual acts; police demanding sexual activities from individuals to avoid detainment; sex being required within government institutions for promotions; teachers exchanging grades for sexual acts; and sexual favors being coerced from the most vulnerable in exchange for asylum, land, food, and water.

Sextortion also exists in sport (McDevitt, 2022), manifesting as a surreptitious pressure to engage in sexual acts in exchange for accessing, for example: funding, sponsorships, promotions, placement on national teams, contracts, field-minutes, or the threat of losing these opportunities. In more subtle instances, sextortion can occur through indirect suggestions or pressure that don’t explicitly demand a sexual favour in return for a benefit, but still heavily influence the decision-making of the recipient due to the power dynamics involved.

Factors that enable sextortion in sport, much like other forms of corruption, encompass unchecked concentrations of authority in select positions (including e.g., coaches, sponsors, industry superiors, agents, medical professionals, athlete-idols, government or sport governing body (SGB) officials, etc.); steep power imbalances within the organised sport structure; entrenched sport-specific cultures (e.g., “grit” or “win-at-all-cost” mentalities); inadequate national legislation; and the longstanding generalised appeal to unrestricted autonomy in sport governance (McDevitt, 2022).

Unchecked concentrations of power pose significant threats to the wellbeing of athletes and industry professionals, jeopardising the integrity of sport institutions. Such power dynamics create opportunities for abuses of authority. While efforts are being made to ensure just and safe sport (see e.g., Mountjoy *et al.*, 2016), they may be ineffective without systems to “custody the custodians” (*quis custodiet ipsos custodes*), limit authority concentrations, and address steep power imbalances in organised sport. Systems should ensure that entrusted power serves sport constituents, guarantees their autonomy, and provides safe reporting avenues and effective investigation mechanisms when personal autonomy is challenged, rather than exerting pressure – even if subtle – for personal gain. Given the adverse realities of unchecked power structures, a substantial response is urgently needed.

Over the last decade, diverse stakeholders have increasingly called for urgent action to address threats of corruption and sexual violence within sporting institutions (Brackenridge; Fasting, 2002; Evans; Benbow, 2021). While some governments have played pivotal roles in tackling unethical practises by making public funding conditional on compliance with good governance principles (e.g., democratic processes, transparency, accountability, integrity), many sports governing bodies (SGBs) and sports organisations (SOs) still operate with considerable autonomy in governing, administering, and regulating sport. Despite numerous reports from athletes indicating that these organisations have failed to uphold their responsibilities as custodians of both athletes and the integrity of sport, significant harm continues to occur.

In 2021, for example, a Human Rights Watch report triggered the International Basketball Federation (FIBA) to request an independent investigation for what was later confirmed as “institutionalised acceptance of abuse” against Mali’s Under-18 girls’ national team (McLaren, 2021, p. 25). FIBA’s Independent Integrity Officer, Richard McLaren, issued a report stating that the Malian Basketball Federation (FMBB) covered up sexual abuse by head coach Amadou Bamba, who led the Under-18 girls’ national team.

The report confirmed Bamba’s coercive exchange of team spots for sexual acts, as well as threatening removal of players who reported or refused. Despite FIBA’s zero-abuse tolerance in safeguarding policies, and the fact that these are criminal acts in Mali (given that the girls were minors), numerous interconnected authorities within FMBB failed to act. These may have included Mr. Hamane Niang, former FMBB president (1999-2007) and Malian Sport Minister (2007-2011), who currently presides over FIBA. The report notes that FMBB’s failure to investigate allegations predates Bamba, who was the third coach reported for abusive behaviour. Notably, it absolves Mr. Niang of liability despite his close ties to an alleged rapist (McLaren, 2021, p. 85) and his significant roles in both the FMBB and as Malian Sport Minister. While this research does not investigate the case or challenge FIBA’s President’s denial of prior knowledge, it highlights the leniency regarding accountability for someone overseeing both basketball and national sports policy.

In what follows, we attempt to lay out the conceptual foundations for identifying sextortion as misconduct. We evaluate its wrongfulness by examining the norms violated through its two fundamental components: the abuse of power and the improper obtention of sexual exchanges. Clarifying these transgressions aims to foster broader interpretations of sextortion and enhance prevention and reporting mechanisms

#### 4 SEXTORTION AS MISCONDUCT

In some instances of sextortion, the conduct components and conditions that make it wrong are easily identifiable (e.g., the case of the Malian U18 girls’ national team). However, many cases involve ambiguous boundaries regarding these components, leading to confusion about the behaviour’s permissibility. This is where the value of applied ethics can help in comprehending and classifying behaviours as *misconduct*.



The term *misconduct* is not neutral, it formulates a negative normative evaluation for a specific act. The evaluative position of the term *misconduct* is thus condemnatory, it indicates a priori wrongfulness, and calls for accountability from those engaging in such acts (Drew, 1998). Misconduct as a category, denotes transgressions to normative standards, thus requiring instances to be avoided (proscribed, limited, deterred), and those who engage to be held accountable (cautioned, reprehended, sanctioned) (Dempsey, 2021).

Conceptualising sextortion as misconduct necessitates a normative evaluation of its two independent components. By understanding the values associated with these components, it becomes easier to identify transgressions, determine which normative standards are being breached, and establish accountability. This conceptual work aims to highlight the urgent need for collaborative efforts to address this exploitative behaviour.

As previously discussed, holding individuals accountable for sextortion presents significant challenges. First, sextortion is often hard to identify due to limited awareness of the concept, and at times, hard to deem wrongful because:

- Physical violence is seldom present in sextortion cases, making it harder for survivors, victims, and stakeholders to recognize it as a form of wrongdoing or distinguish it from other types of sexual misconduct within the broader framework of sexual violence.
- It often involves subtle, complex behaviours where the abuse of power or the exchange of sexual favours may not be immediately clear.

Analysis on the wrongfulness of sextortion as misconduct, are thus conducted from two perspectives: 1) *anti-corruption* and 2) *sexual violence*. Each of these focuses on one of the two components that configure sextortion: 1) *abuse of power*; and 2) *the improper obtention of a sexual exchange*, and lay out distinct norms that this conduct violates. Anti-corruption frameworks concern the proper exercise of public function, public authority, and public trust. Sexual violence addresses breaches to the principles of dignity and autonomy which encompass the right to a free sexual self-determination.

While each perspective is independent, *coercion* serves as a critical point of convergence. Understanding coercion in relation to both perspectives clarifies the grey areas that complicate determining wrongfulness, demanding accountability, and establishing regulations. We will argue that meeting just one of the necessary conditions is sufficient to deem such conduct wrongful, as a following analysis will demonstrate.

## 5 SEXUAL VIOLENCE: THE IMPROPER OBTENTION OF A SEXUAL ACT

This section explores the norms that sextortion violates, specifically focusing on what makes sexual conduct unacceptable.

Sexual violence currently serves as an umbrella term, employing the word “violence” in its *prima facie* wrongful connotation. It attempts to encompass *all* forms of unacceptable sexual conduct, depicting various acts that constitute wrongdoing in

the realm of sexuality. Following the common umbrella term usage, the World Health Organization (WHO) defines sexual violence as “any sexual act, attempt to obtain a sexual act, or other act directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting” (WHO, n.d.). Sextortion can be then included as a sub-type of sexual violence.

At this point, we challenge the use of the term “violence” in the context of sextortion, questioning whether it accurately encompasses *all* forms of unacceptable sexual conduct or, in some cases, may be misleading. When we categorize non-physically forceful acts, such as verbal sexual harassment or exhibitionism, as “sexual violence”, *we risk overstretching the term*. This may lead to uncertainty<sup>5</sup> about whether such incidents should be included under the broader label of sexual violence, which denotes unacceptable sexual conduct. While the conceptual debate on the limits of violence is out of the scope of this paper, we can assert sextortion rarely employs physical force (or threats of physical force). This divergence positions sextortion outside the “ordinary” understanding of violence, which typically involves the use or threat of physical force to inflict harm. Consequently, ambiguity surrounding sextortion can create confusion and even result in the acceptance of such behaviours as permissible.

In contrast, other forms of sexual misconduct may represent more severe normative transgressions, typically determined by the degree of harm caused. These acts are often *formally recognized* as wrongdoing under specific regulations (e.g., sexual offences or illegal conduct) and are subject to various forms of sanctioning, including reporting mechanisms, investigations, and criminal charges.

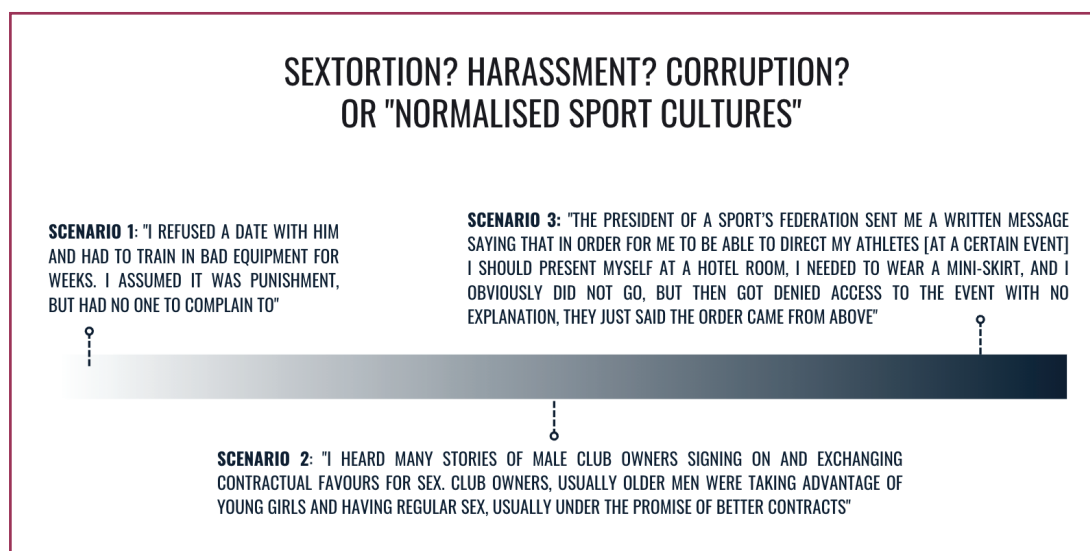
Sextortion, however, is presently not *formally recognized* as an offence of any nature, which again raises hesitance about its wrongfulness and im/permissibility. To illustrate this point, consider the following continuum while keeping two questions in mind: Are all these scenarios examples of sextortion? Are all these scenarios considered wrongful?

Navigating the Grey Area: A Continuum (see Figure 1) – This continuum illustrates various scenarios of sexual conduct, accompanied by quotes from an international survey by Bragagnolo & Lezama (2022, 2024a).

5 In a 2022 study on sextortion among athletes and sport professionals from 49 nations, researchers identified significant factors enabling sextortion and discouraging reporting. These factors included deficiencies or gaps in understanding, particularly when sextortion became obscured within convoluted or overly complex terminology related to gender-based violence (GBV). Such complexities hindered individuals’ ability to effectively identify this misconduct. (See: Bragagnolo; Lezama, 2022, 2024a, 2024b).



Figure 1 – The Significance of Conceptual Clarity



Source: Bragagnolo; Lezama, 2022, 2024a

The first answer is conceptual, and is tied to the components and conditions that constitute sextortion, "[...] the *abuse of power* to obtain a *sexual benefit or advantage*" (Feigenblatt, 2020, p. 8, emphasis added). The second answer is normative and evaluates wrongfulness from the perspective of what makes sexual conduct un/acceptable. In the case of sextortion, this concerns specifically *the way* in which a sexual act is obtained.

## 5.1 A CONCEPTUAL ASSESSMENT

What constitutes a sexual benefit or advantage? When we speak about sextortion, we identify a behaviour in which a Perpetrator (P) invested with *power or authority*, makes use of this power *to solicit or invite a sexual act* from Victim (V) – who depends upon P's power – *in exchange for something under P's authority* to confer or withhold. So, follow-up questions to answer whether behaviour qualifies as sextortion are:

- Q1) Is there a power relationship between P and V?
- Q2) Is P abusing their entrusted power/authority for personal gain from V? (regardless of whether they obtained gain or not)
- Q3) Does this personal gain include/might include sexual act(s) from V?
- Q4) Was there a sexual act (or invitation) that resulted in the conferral or withholding of a benefit for V, or was a benefit offered or conditioned upon the sexual act (or invitation)?

**Figure 2** – Sextortion: Comparative Analysis of Scenarios

|                                                                                  |                                                                                                                                               | <b>Scenario 1</b>                                                                        | <b>Scenario 2</b>                                                                            | <b>Scenario 3</b>                                                                                                      |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>Corruption</b><br>Questions relate to the (im)proper use of entrusted power.  | Q1. Is there a power relationship between P and V?                                                                                            | Yes<br>Coach-athlete                                                                     | Yes<br>Employer-employee                                                                     | Yes<br>SGB official and sport constituent (coach)                                                                      |
|                                                                                  | Q2. Is P abusing the power/ authority entrusted in their position for personal gain from V? (regardless of whether they obtained gain or not) | Yes<br>Not explicitly in request, but apparently in the consequence. See response to Q4. | Yes<br>Yet whether P's power/authority (the club owner) qualifies as entrusted is debatable. | Yes<br>P established an arbitrary sexual requirement for the coach to perform her job.                                 |
| <b>Sexual Violence</b><br>Questions relate to improper obtention of sexual acts. | Q3. Does personal gain include/ might include sexual act(s) from V?                                                                           | Ambiguous<br>Date might include a sexual request, but not necessarily.                   | Yes                                                                                          | Yes<br>Not explicitly, but the request to go to a hotel room in specific clothing is transgressive of one's sexuality. |
|                                                                                  | Q4. Was there a sexual act or invitation which resulted in conferring or withholding (or the offer/conditioning) of a benefit for V?          | Yes<br>Consequence was punishment allegedly imposed for refusing date.                   | Yes<br>Sexual favour(s) in exchange for professional contract with team.                     | Yes<br>V received punishment after refusing to comply with request of sexual nature.                                   |

Source: The authors

A criteria for determining if a behaviour counts as sextortion could be, if you answer **YES** to questions 1 or 2 **AND** questions 3 or 4, then it qualifies as sextortion. However, in some scenarios, the questions may not have straightforward YES/NO answers, underscoring the significance of an applied ethics approach.

Applied ethics helps clarify ambiguities and navigate “grey areas” where traditional legal or regulatory guidelines may lack clarity. It equips us to analyse complex ethical dilemmas and make informed, ethically sound decisions by weighing competing moral considerations. In essence, understanding sextortion requires more than labelling behaviours as right or wrong; it necessitates a deeper analysis of the moral complexities and social context involved.

## 5.2 A NORMATIVE EVALUATION

Shifting focus to norms allows for a more nuanced evaluation of the transgressions underlying sextortion, particularly in defining what constitutes misuse of power or authority and improper solicitation of sexual benefits. This evaluation is enhanced by incorporating the perspective of applied ethics and normative standards.

Surrounding Figure 1, a posed question asks whether all the scenarios are wrongful. This question has two answers, each tied to the normative evaluation of the transgressions configuring the misconduct: misuse of power/authority and improper obtention of a sexual benefit.

While none of the scenarios in Figure 1 are **formally** recognized as wrongful, it's essential to acknowledge that each still violates/contravenes normative standards. Normative standards transgressed by sexual conduct, whether formally recognised as wrongdoing or not, are grounded in the protection of the same values: a person's dignity and autonomy. The transgressions are therefore importantly similar, albeit violating the values to a higher or lesser degree. The transgressions are constituted when there is a **use of coercion** to obtain a sexual act. We argue that it is the use of such coercion for obtaining (or attempting to obtain) any sexual act that renders such behaviour as *misconduct*<sup>6</sup>.

Coercion itself is a term that has sparked significant philosophical debate. On one end, it is seen as a clear abuse of power that constitutes criminal behaviour. On the other, it can be ambiguous whether an individual (P) is truly using their power or authority, making it difficult to determine if a *quid-pro-quo* sexual exchange is being offered.

In theory, if P can show their position didn't influence the response to an invitation and that no transactional sexual exchange took place, the conduct would not be classified as sextortion. However, this is where the challenge lies. In hierarchical relationships, such as those found in organised sports, it is difficult to claim that someone's authority does *not* influence the decision-making of the individual receiving the invitation, especially when that individual relies on P's power. Within these hierarchical structures, there is often a pre-existing dynamic of admiration and respect at best, and subordination, submission, or fear at worst, all of which can significantly impact decision-making.

It is evident that scenarios at the higher end of the scale involve the misuse of power through direct threats or conditioning benefits for sexual acts. However, individuals in positions of authority cannot fully control how their influence affects others' decision-making, even unintentionally. This raises the question of how much influence is acceptable, tolerable, or reprehensible. Ethically, we argue that tolerance for such influence should be close to zero, in stark contrast to the prevailing norm that only deems flagrant abuses as unacceptable. Any sexual approach by someone in a position of authority constitutes sexual misconduct, as it dismisses the importance of consent.

<sup>6</sup> One implication we cannot expand upon in this piece is the observation that categorizing sextortion as misconduct might seem to downplay the seriousness of the act, as opposed to for example, calling it a form of assault, or even rape (assuming that the conditions for assault or rape are also met). Here we wish to clarify that assault and rape can occur alongside sextortion. In such instances, a separate analysis of the elements that constitute each of the sexual offences is necessary. The configuration of more than one form of sexual violence in a single act does not however, make a conduct less serious. On the contrary, we argue that identifying different forms of sexual violence taking place in any given (mis)conduct, supports implementation of mechanisms for prevention and accountability.

Philosophically, consent is rooted in the value of autonomy – *inter alia*, the human prerogative to make decisions freely in accordance with self-chosen plans – and in the principle of respect for our agency, or autonomous choices. Although there is debate as to what constitutes autonomous choice and whether choices can ever truly be made fully autonomously, there is general agreement that influences that exert pressure towards manipulating or limiting options, constrain liberty and thus hinder our decision-making prerogative are impermissible. There is also agreement that power differentials compromise human agency or the capacity of autonomous choice (Anderson, 2015; Scully, 2015).

A three-condition theory (Beauchamp; Childress, 2013) widely recognized in bioethics lists criteria for autonomy of choice: 1) intentionality (agency), 2) understanding (cognition), and 3) lack of controlling influences (liberty). These three criteria are reflected in the legal recognition of the principle of respect for autonomy, and in the enacted regulations to protect it.

In the legal context, we assert our agency through the expression of consent. Many actions or decisions involving multiple individuals legally require manifest consent. Legally, consent is defined as *the tacit or explicit expression of agreement or will* (Hickman; Muehlenhard, 1999). And as an expression of autonomy, it has prerequisite conditions that intend to protect human agency and cognition.

Consent:

- Can only be legally exercised by individuals with full agency (i.e., not minors nor mentally disabled individuals)<sup>7</sup>;
- Needs to be free of vices that thwart liberty (i.e., lack of information; mistaken, misleading, or deceiving information; violence; intimidation).

While the legal intent to protect autonomous choice is evident, formalist legal approaches – especially those ignoring gender and power dynamics – struggle to address the vices that undermine liberty. Violence is traditionally linked to physical harm, while intimidation involves the threat of such actions. Intangible harm and associated threats are often harder to codify and prove, leading to their frequent neglect (IAWJ, 2015). This is particularly true for many instances of sexual abuse and especially for sextortion, where coercion is central to the “agreement” to engage in sexual acts.

Our research acknowledges the philosophical value of autonomy and the legal intent to protect individual choice. We identify coercion as a controlling influence that constrains liberty and undermines consent, defined as a manipulative force stemming from asymmetrical power relations that limits options or affects judgement.

The extent of coercion’s impact on liberty varies with the power disparity between perpetrator and victim: the greater the perpetrator’s power, the more control they can exert, potentially leading to increased abuse and reduced agency for the

<sup>7</sup> There are cases in which minors can exercise consent (see: Santelli; Haerizadeh; McGovern, 2017). However, these are very specific and in general, it is not the case that one can appeal to a minor’s consent to be excused from what would normally be perceived as wrongful behaviour.

victim. The continuum illustrates varying degrees of agency in decision-making, from the victim having nearly full control to being entirely controlled, depending on the specific context and objectives (Beauchamp; Childress, 2013).

While overtly coercive behaviours are easier to identify as wrongful, wrongfulness should not be assessed solely by their impact on personal freedom. Coercive consent undermines agency and autonomy. For instance, consider a workplace scenario where an employee may feel pressured to work overtime due to their supervisor's expectations. Even if refusal is *possible*, fear of negative consequences – such as poor evaluations or missed promotions – creates a power imbalance that distorts their perception of choice, making true consent elusive.

At the lower end of the scale, even when one might argue that liberty is minimally constrained (and thus agency is respected), this position is flawed because “consent” is influenced – whether positively or negatively – by the authority of the individual seeking the sexual exchange. Neglecting to address these misconducts undermines consent and trivialises its importance. This oversight enables sextortion and other forms of exploitation to continue, implying that consent can be easily compromised. Moreover, abusing power for personal gain is corruption, regardless of the level of coercion involved.

In summary, power entrusted to “P” is an advantage that P is morally obligated to not exploit. It is essential for P to refrain from both explicit abuses (threats or conditioned benefits) and implicit ones (suggestions or invitations). This obligation arises not only because exploiting authority for personal gain is corruption, but more importantly, because it undermines and disrespects the autonomy of those reliant on P's power. An invitation or demand for a sexual exchange by P implies that V is either:

- Not deserving of dignity and autonomy, which allows P to violate those rights (an explicit abuse of power), *or*
- Giving consent influenced by P's authority, confusing V's dependence with agreement or permission, and (falsely) rationalising their violating conduct.

## 6 ANTI-CORRUPTION: THE ABUSE OF ENTRUSTED POWER

Sextortion is corruption due to its inherent abuse of power. Corruption, broadly recognized as unethical conduct that harms organisations and society (Cleveland *et al.*, 2009; Rose-Ackerman; Palifka, 2016), is commonly defined as “the abuse of entrusted power for private gain” (Lambsdorff, 2007; IAWJ, 2012; What is...[n.d.].. Anti-corruption literature, addressing the proper exercise of public functions, authority, and trust, offers valuable insights into understanding sextortion as a form of corruption (Lambsdorff, 2007; IAWJ, 2012; Pozsgai-Alvarez, 2020; Rose-Ackerman; Palifka, 2016; McDevitt, 2022)

This section explores the norms violated by sextortion from the perspective of corruption, focusing on abuse of entrusted power. It emphasises two key aspects: breach of trust, professional responsibility, and ethical standards, and the exploitation of vulnerability through power dynamics. Understanding sextortion within the anti-

corruption framework is vital for recognizing its profound negative impact on individuals and society, including the realm of sport.

In sport, individuals occupying positions of authority – such as coaches, medical professionals, and other influential figures – bear significant responsibility for ensuring the safe administration of sporting activities. Brennan and Wildflower (2018) argue that the duty of care in professional contexts involves both legal and ethical considerations, viewing it integral to the ethical framework that guides conduct in promoting the welfare of others.

While some individuals may not strictly meet *legal* definitions of corruption, particularly as outlined in anti-corruption laws pertaining to “public officials”, they are still entrusted with public responsibility and expected to provide public goods and services. As stewards of public goods, often funded through taxpayer dollars, their actions have far-reaching implications on public safety, health, trust, resource distribution, and the integrity of sporting institutions (Bragagnolo; Lezama, 2024b).

Additionally, evidence shows that corruption transcends conventional boundaries, affecting individuals in various positions of authority tasked with delivering public services, regardless of organisational affiliation or sector (Von Maravic; Reichard, 2003). Acts of corruption, including sextortion, not only undermine the purpose of institutions but also harm the people who depend on them (Fotaki, 2020). Such actions erode public trust and may ultimately lead to the collapse of entire systems if the perception of endemic corruption persists (UNODC, 2021, p. 35). Fotaki (2020) emphasises this significance, arguing that the failure of designated institutions to safeguard the public interest undermines the principles of good governance and perverts the rule of law.

Despite absence of specific legislation on sextortion, ethical principles, codes of conduct, and professional standards often guide appropriate behaviour and condemn such actions. Regulations may require those in power to protect individuals under their care, avoid exploitation, and maintain conduct that upholds the reputation of their organisation or profession (IAWJ, 2012). For instance, in June 2019, a former president of the Afghanistan Football Federation and former FIFA Standing Committee member was banned for life from all football-related activities after the FIFA Ethics Committee found him guilty of having abused his position to sexually abuse female players, including children, in violation of the FIFA Code of Ethics (FIFA, 2019).

Relying solely on formal systems can lead to an incomplete understanding of corruption; comprehensive assessments must also address *informal* aspects within institutions. Helmke & Levitsky (2004), as referenced in Lindberg and Stensöta (2018), define informal institutions as unwritten rules that shape behaviour. This is particularly relevant in sport, where informal practices reinforce political control and sustain patronage networks, allowing predominantly male figures to retain power and influence.

Lindberg illustrates how feminist institutionalism reveals male power dynamics through these informal practices, warning that overemphasis on *formal* institutional aspects can overlook corruption embedded in these “unwritten rules”. In sports, formal



regulations coexist with informal customs that significantly influence the behaviour of athletes, coaches, and officials, thereby shaping their experiences and career trajectories.

Examining informal practices like clientelism, as noted by Piattoni (2001), reveals networks built on personal favours for political gain, often reinforcing male dominance (Lindberg; Stensöta, 2018). In sports, these informal networks prioritise personal connections, fostering loyalty and protection in male-dominated settings. These dynamics can conceal abuse, obstruct reporting, manipulate investigations, perpetuate a culture of silence, and exploit vulnerable groups, thereby enabling sexual exploitation (UNODC, 2021, p. 21). This underscores the pervasive nature of corruption in unchecked informal systems and the challenges in addressing it effectively.

Although frequently neglected in discussions of criminal misconduct, corruption in sport is of paramount public interest. This significance is highlighted by the substantial investments made by governments and citizens, who view sport as a catalyst for promoting health, education, and social benefits (UNODC, 2021, p. 35). Adopting a broader definition and understanding of corruption can enhance awareness, reduce confusion, and identify abuses of power that extend beyond financial gains and misuses of public office (Lambsdorff, 2007; Lindberg; Stensöta, 2018).

Defining corruption solely based on explicit “illegality” overlooks scenarios where individuals abuse entrusted power within legal boundaries, as is the case with sextortion. Perpetrators exploit vulnerable individuals by leveraging promises of preferential treatment – such as funding, job promotions, access to training, participation on special teams, and networking – often accompanied by implicit or explicit threats of reprisal. This coercive tactic undermines victims’ autonomy and perpetuates a culture of fear and silence.

Corroborating Lambsdorff (2007), Towns (2015) argues that the risk of corruption, including sexual misconduct and exploitation, exists where power imbalances exist between those in positions of authority and those dependent on organisations for goods and services. Consequently, whenever inequality exists within an organization, the risk of sexual harassment increases, potentially leading to sexual corruption.

When individuals possess the authority to grant or withhold desired benefits, coerced sexual exchanges can become a form of currency akin to financial transactions. This dynamic is exemplified in the Mali case, where Bamba leveraged team positions for sexual acts, threatening reprisals against those who resisted, highlighting asymmetrical power dynamics and a grave abuse of authority, particularly against individuals with limited resources.

Hierarchical abuse of power, as defined by Vredenburg and Brender (1998), encompasses behaviours that undermine subordinates’ right to dignity, autonomy, or impede their performance or access to deserved rewards. In such dire circumstances,

where the potential loss of opportunities is significant, compliance with coercive exchanges may seem imperative, despite a blatant violation of ethical and legal norms.

Entrusted power comes with a moral obligation not to exploit it, encompassing both explicit and subtle forms of influence. This moral obligation extends beyond merely avoiding corrupt use for personal gain; it centres on actively ensuring the autonomy of those under one's power.

Focusing on the mechanism of exploitation, feminist perspectives (Goetz, 2007; Lindberg; Stensöta, 2018) highlight the role of exploitative power relations and their disproportionate impact on women. In sport, gender serves as a lens to analyse individuals' roles, responsibilities, constraints, and opportunities within society. The sports sector's vulnerability to sexual harassment and exploitation is exacerbated by the power dynamics inherent in relationships between female athletes and predominantly male professionals including coaches, medical professionals and other authority figures.

Coaches wield significant influence over athletes, determining playing time, team selection, and various opportunities. This creates an environment where athletes may feel coerced into relationships. Such vulnerability is compounded by systemic issues like the gender pay gap and male-dominated leadership, which expose women to heightened risks of corruption and exploitation (Johansson; Kenttä; Andersen, 2016; Puri, 2017).

These power dynamics often manifest in personal relationships that can become ethically problematic. Exploitation, as defined by Roemer (1993), occurs when one party takes advantage of another's vulnerability due to an imbalance of power, leading to an unjust distribution of opportunities and resources. Even if interactions between coaches and adult athletes appear consensual, they can lead to unequal consequences that disproportionately affect the careers of those in subordinate positions. Although consensual adult relationships between an athlete and coach may be seen as acceptable in some contexts, the inherent power imbalance raises ethical concerns. The dependence on the coach for career advancement can create pressure on athletes to comply with demands, undermining their autonomy. Consequently, such dynamics may inadvertently contribute to the normalisation and perpetuation of gender-based inequities, reinforcing structural inequality in the long term (Lindberg; Stensöta, 2018; Tilly, 1999).

Moreover, the prevalence of such arrangements may lead other athletes to perceive them as the only means of achieving success, further entrenching systems of exploitation and corruption. These circumstances could reinforce an unjust distribution of opportunities and contribute to systemic inequalities within institutions (Tilly, 1999). Ultimately, the hoarding of opportunities within coach-athlete relationships disproportionately impacts women, deepening existing disparities.

In conclusion, the normative arguments discussed underscore the ethical responsibilities associated with positions of authority within sports organisations. They highlight the broader implications of corruption and exploitation in sports, emphasising the importance of ethical conduct, integrity, and equality in preserving

the trust and legitimacy of these institutions and in upholding human rights. Sextortion is categorised as both corruption and misconduct, violating ethical standards and breaching trust in authority figures. Its wrongfulness lies in its erosion of public safety, institutional integrity, and perpetuating systemic inequalities. Thus, upholding ethical values is essential for ensuring safety, trust, and fairness in sports institutions.

## 7 CONCLUSION: IS “THIS” SEXTORTION?

The analysis from both anti-corruption and sexual violence perspectives underscores the seriousness of sextortion, highlighting its unequivocal classification as misconduct. Sextortion violates ethical standards and the core values of dignity and autonomy by leveraging power imbalances to coerce sexual acts, disregarding consent and individual autonomy. The philosophical foundation of autonomy stresses the importance of free decision-making, which is compromised in coercive situations.

Moreover, normative assessments reveal broader ramifications within sports organisations, including the erosion of trust, safety, and institutional integrity. Recognizing sextortion as misconduct is crucial for maintaining ethical standards and ensuring the well-being of individuals in the sports community. Relying solely on explicit “illegality” to define corruption proves insufficient, as it overlooks instances where individuals exploit entrusted power within legal boundaries. This narrow focus also fails to account for informal rules and ineffective legal frameworks that facilitate corrupt behaviour, harming those who depend on institutions.

Many actors outside the realm of “public officials” are overlooked in traditional corruption frameworks, despite their role in delivering key public services. Prioritising the analysis of entrusted power allows for a deeper understanding of behaviours that threaten public welfare and institutional integrity. A comprehensive approach to sextortion involves analysing abuses of power within institutional dynamics. By scrutinising these dynamics, we gain insight into the underlying causes of corruption, enabling the development of more robust strategies for mitigation. Recognizing that corruption often transcends isolated incidents highlights the critical role of governance in addressing and preventing these issues.

When analysing misconduct in sport, it is vital to consider broader societal interests, particularly public health and the proper exercise of public functions. Failure to do so can lead to significant harm and a systematic departure from an institution’s intended purpose.

With this understanding, when entrusted with power, there exists a profound moral obligation – not just to abstain from exploiting authority for personal gain, but to actively safeguard the autonomy and dignity of those entrusted to one’s care. This ethical imperative transcends mere avoidance of corruption; it embodies a commitment to preserving individual autonomy through both overt and nuanced forms of influence.

By comprehensively understanding the norms that sextortion violates, its wrongfulness becomes universally identifiable for all stakeholders, even outside existing legal frameworks. This recognition empowers us to confront and combat

sextortion more decisively, reinforcing a collective commitment to ethical conduct within sports organisations. By examining how individuals wield their power, we can better identify behaviours that promote public well-being and strengthen institutional integrity, ensuring a safe and equitable environment for all participants, even in the absence of explicit legal violations.

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**Resumo:** A sextorsão, uma forma de conduta sexual inadequada, envolve o abuso de poder para obter benefícios sexuais, o que também a caracteriza como um ato de corrupção. No esporte, onde os desequilíbrios de poder e as estruturas hierárquicas são comuns, a sextorsão é um problema crescente. Frequentemente inclui ameaças sutis ou implícitas, buscando a conformidade em troca de privilégios ou oportunidades. Apesar do aumento da conscientização, a pesquisa sobre sextorsão no esporte ainda é limitada. Este estudo utiliza a teoria institucional e a ética aplicada para explorar seus elementos principais: o abuso de poder e a obtenção inadequada de atos sexuais. Os resultados destacam a necessidade de uma boa governança, protocolos de proteção eficazes e uma maior conscientização sobre as dinâmicas de poder, consentimento e coerção. Esta pesquisa busca aumentar o reconhecimento entre os interessados e enfatiza a necessidade urgente de medidas preventivas, orientando políticas e estudos futuros.

**Palavras-chave:** Esporte. Ética, Sextorsão. Corrupção.

**Resumen:** La sextorsión, una forma de conducta sexual inapropiada, implica el abuso de poder para obtener beneficios sexuales, lo que a su vez la convierte en un acto de corrupción. En el deporte, donde los desequilibrios de poder y las estructuras jerárquicas son comunes, la sextorsión es un problema creciente. A menudo incluye amenazas sutiles o implícitas, buscando la conformidad a cambio de privilegios u oportunidades. A pesar de la creciente conciencia, la investigación sobre la sextorsión en el deporte sigue siendo limitada. Este estudio utiliza la teoría institucional y la ética aplicada para explorar sus elementos clave: el abuso de poder y la obtención indebida de actos sexuales. Los hallazgos subrayan la necesidad de una buena gobernanza, protocolos de protección sólidos y una mayor conciencia sobre las dinámicas de poder, el consentimiento y la coerción. Esta investigación busca aumentar el reconocimiento entre los interesados y resalta la necesidad urgente de medidas preventivas, orientando políticas y estudios futuros.

**Palabras clave:** Deporte. Ética. Extorsión Sexual. Corrupción.

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## CONFLICT OF INTERESTS

The authors declare that there is no conflict of interest in this study.

## AUTHOR CONTRIBUTIONS

Whitney Bragagnolo: Foundation, Conceptualization, Literature Review, and Writing (revision and editing).

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## EDITORIAL RESPONSIBILITY

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