

SPORTS SOCIETIES OF FOOTBALL CLUBS IN BENIN

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Abstract: *This contribution comes in a particular context of profound changes undertaken at the level of football clubs in Benin. In the process of professionalization of sports clubs, managerial approaches have been sought requiring the establishment of sports companies with the aim of improving the governance of football clubs and making them more efficient, both in sport and in terms of economic and social plans.*

This contribution proposes to make a mid-term review of this new trend of fashionable sports society and to project avenues for improvement that can further ensure the emergence of clubs and their sustainability.

Key Words: *sport, club, football, governance, Benin, management.*

1. INTRODUCTION :

The professionalization of sports organizations is understood as a process of rationalization of sports activities, that is to say the way in which collective actions are structured with a view to the production of sports activities. This process includes the rationalization of training techniques, the transformation of a free activity into a paid activity, the institutional structuring of a profession, and finally the rationalization of organizational functioning (Chantelat, 2001). It is also the subject of important issues both for the authorities who decide on the policy and for the various actors who find themselves obliged to meet the challenges by carrying out a good number of actions. According to Le Roux and Camy (2001), the foundations of the transformation of sports organizations can be linked to the pressure exerted by demand or by the public authorities who tend to demand a rationalization of the management of organizations. Professionalization involves the rationalization of the links ranging from sports clubs to sports institutions and symbolizes the transformation of an amateur structure into a professional structure (Fontanel, 2007). It is thus aimed at trainers, employers and especially legal status (Moreau, 2004). It should be remembered that a club represents a melting pot of supervision for a group of individuals (coaches, players, managers, volunteers, doctors, etc.). It can therefore be likened to a mini-society where the co-action of its members generates bonds of prosperity, values of respect, social cohesion, etc. The sports club is therefore a favorable framework for learning and developing sports activities, especially football.

The advent of professional football was accompanied by a change in the legal status of clubs (Dermitt-Richard, 2013). According to Nys (2002), football began to change in the early 1980s with the arrival of media business leaders at the head of certain major clubs. Clubs have evolved their legal status as legislative developments have taken place, either because they were obliged to do so in the early 1990s, or by choice in the early 2000s. Clubs in the voluntary sector moved from organizations to not-for-profit to professional sports clubs which commercial enterprises are aiming to increase their turnover and market share for profit. The professionalization of sport then generates a real adaptation at the level of clubs and of the whole sports movement. The more the sporting activity evolves towards a high level with ever-increasing financial stakes, the more the legal framework of the association appears to be a straitjacket. From a certain commercial activity, it will be necessary to have, to avoid any drift, transparent structures, professional management and regular and serious management controls (Will, 1999). The main purpose of the sports society is to allow its members to share profits or, failing that, to improve their governance. Indeed, the transition to a corporate status has the effect of opening the club to interested external funding. The sports society appears as a legal insurance for professional clubs.

In Benin, football is the sport of choice due to the number of approved sports associations, the considerable annual budget allocated to this sport and the numerous club competitions organised. It seems relevant that football as a popular sports discipline constitutes a pilot model for the implementation of the reform of "sports societies" before its gradual generalization to other disciplines. Driven by political will after the construction of infrastructure throughout the national territory, the reform of sports societies appears to be an approach that can accelerate the professionalization

of clubs. This contribution, far from criticizing the spirit of this reform, would like to make a mid-term review of the establishment of sports societies.

2. State of the problem :

In their development dynamics, States need to ensure the professionalization of sports activities to make them more attractive and profitable (Bionomo, 2020). Clubs can evolve through professionalization (Bayle, 2005) or through rational management methods (Fontanel, 2007). In Africa, the countries of Mahgreb, South Africa, Nigeria, Angola, Equatorial Guinea or DR Congo, have begun the transformation of football clubs. The first step in this paradigm shift is legal change (Dermit-Richard, 2013). In Benin, the public policies implemented since 2016 have been strongly oriented towards the development of sport, specifically football. We note the establishment of infrastructures, the increase in the pot of subsidies to sports federations and a professionalization of sport, one of the main axes of which is the establishment of sports societies. In its experimental phase, football is the chosen discipline, demonstrating once again that this popular discipline is an instrument available to politicians (Martinache, 2010).

The work of Dakpo (2003) on the typology of Beninese football clubs appears as a reference and distinguishes socio-community clubs, representing local and geopolitical identity territories, business and/or society clubs, those referring to professional corporations and heritage clubs belonging to particular individuals or groups of individuals all operating under the legal regime of association. These clubs are different in their constitution but mark the same finalities like objective. The reforms initiated by public policies and the apex of football from the second quarter of 2020 have oriented towards the acceleration of the professionalization of sports clubs through the creation of sports societies. What is the reform of sports societies in the Beninese context? What innovations do these sports companies bring to the governance of Beninese clubs both economically and socially in addition to the sporting aspect? These are all questions to which we will try to give an answer.

3. Methodology :

This qualitative study fits well with the purpose of this research. Responding to a current topic captivating the attention of both actors and curious people, this qualitative study is carried out in Benin with key actors in the implementation of this reform while taking into account the stakeholders concerned. The investigation period extends from November 2021 to January 2022. We conducted our investigations with executives from the Ministry of Sports and those from the Beninese Football Federation at the heart of this reform. In addition, appointed expatriate sports directors, coaches, club managers and other club actors as well as media men have been identified as targets of our investigation.

The technique used to gather information is interview, documentary research and observation of news highlights. To this end, we had to develop an interview guide that we administered and adapted the content to our targets. The semi-structured interviews lasted between 45min and 1h42min depending on the subjects. After transcription of the recordings using Microsoft Word 2010, each verbatim was carefully analyzed. The transcribed data have been classified by themes for an adequate analysis according to the objective of our work.

Table 1 : Summary of the methodology

Type	Target	Technique
Qualitative	<ul style="list-style-type: none"> ➤ Officials of the Ministry of Sports (1); ➤ Head of the FBF (1); ➤ Expatriate sports directors (4); ➤ Club leaders (3); ➤ Coaches (3); ➤ Sports journalist (2); ➤ Resource persons (2) <p style="text-align: center;">Total : 14</p>	<ul style="list-style-type: none"> - Maintenance ; - Literature search ; - Observing;

4. Results

Our methodology has allowed us to cross-check a certain number of elements allowing us to better understand the establishment of sports societies and the changes that this imposes in the Beninese sports ecosystem. In our development, we will trace the various attempts at professionalization before returning to the specificities of this reform.

4.1. The various professionalization tests

The process of professionalization was initiated in Benin in the mid-2000s. The Beninese sports movement has attempted various dynamics of professionalization driven either by the politico-administrative authorities or the enthusiasts themselves.

- Professionalization driven by the private sector

The first attempt at professionalization in Benin was initiated by an economic operator and promoter of a football training center. Appointed at the head of the professional league, he was able to establish a legal framework of activity where he should be the first financial backer for the various clubs registered in the championship. This organizational formula has made it possible in its time to facilitate, among other things, the securing of stadiums with the establishment of anti-hooligan grids, better treatment of referees, an imposed wage margin, regularity in the payment of wages but finally a stadium occupancy rate up sharply. The 2009-2010 "Moov Ligue 1" is one of the most successful sporting seasons of the Beninese football championship. This form of professionalization reached its limits after the dissolution of the executive committee of the Federation and the Professional League, plunging Beninese football into an unprecedented crisis.

- Sports societies as the fashionable approach

More than a decade later, a new dynamic aimed at the professionalization of sports clubs has emerged. Called "sports companies", this reform has two main objectives, in particular the transformation of the legal status into a sports company and then the signing of an agreement with a state company whose turnover is estimated at over one billion.

The 2020-2021 season marks the implementation of this reform, which is accompanied by a new competition format. For this very first season of implementation, the results are more or less satisfactory with shortcomings that could be improved. We can already note that the work of preparation, information of the actors has been botched which leads to crises within the historical sports associations. The terms of the agreement between clubs and societies as well as the nature of the agreement pose enormous difficulties. The recruitment of sports directors is one of the positive points of this reform but has also caused a lot of ink and saliva to flow due to the new directives that this imposes.

4.2. Legal changes observed

Before the advent of sports societies, football clubs in Benin operated under the legal regime of association in accordance with the law of July 1, 1901. With this reform, sports clubs must constitute themselves into a sports society in order to carry out economic activities in all legality and sustain their economic activity. And to do this, several models have been proposed, namely: Single-Person Sports Company with Limited Liability (EUSRL), the Public Limited Company with a Sporting Purpose (SAOS) and the Professional Sports Limited Company (SASP).

4.2.1. The One-Person Sports Company with Limited Liability (EUSRL)

This form of company allows the club that adopts it not to have recourse to new and external capital to constitute the social capital of the sports company. In this specific context in case of profits, the shareholders cannot share them because the profits are allocated to the club's reserves.

4.2.2. The Société Anonyme à Purpose Sportif (SAOS)

It is an ordinary commercial company but subject to derogatory provisions. For this form of company, it is forbidden to distribute dividends and to remunerate the directors and the club must hold at least one third of the share capital. This minimum share of shares held by the club allows it to possibly block shareholder decisions that could be likely to undermine the values and identity of the club. One of the major difficulties in this scenario is that it is difficult in the long run to increase the level of social capital with new financial partners.

4.2.3. The Professional Sports Limited Company (SASP)

It is the legal form closest to the common law of commercial companies. It has certain characteristics that distinguish it from OSAS. It can, in particular, distribute dividends and remunerate its managers, which is desirable beyond a certain level of investment in equity and the size of the budget to be managed. As for the relationship between the club called "Association-support" and the sports society, everything is sanctioned by an agreement between the two parties. The signed agreement clearly indicates the conditions of collaboration between the two entities which, initially

independent, find themselves in an entity called "sports group". The company can take the name of the club as it can take another name. In all cases, it is the executive office of the club that engages the club in statutory competitions and participates in FBF meetings. In addition, the sports society can receive subsidies with the listed subsidized activities. The association alongside the sports society can continue to receive subsidies.

These different legal forms imported from the French model are well thought out but still non-existent in the register of the Single Window for Business Formalization (GUFE) in force in Benin. For the moment, the sports companies created have been under the regime of common law companies, in particular Limited Liability Companies (SARL) or Public Limited Companies (SA).

4.3. A resumption of sports territorialization and a transitional competition format

4.3.1. A new distribution of clubs on the national territory

The establishment of the sports society has made it possible to update the territorialization of sports clubs within the elite throughout the national territory and the competition format. Thus, 5 clubs initially domiciled in Cotonou, the economic capital of the country, have relocated to the interior of the country, including 3 in the departments of Mono and Couffo while the other two now live in the Plateau for one and the 'Atlantic for each other as shown in the table below.

Table 2 : Geographical change of clubs

Clubs	Hometown	Current City
Lotto FC	Cotonou	Grand-Popo
Energy	Cotonou	Dogbo
JA Ketou	Cotonou	Kétou
Sun	Cotonou	Lokossa
ASPAC	Cotonou	Toffo
FC Cotton	Natitingou	Ouidah
Sports Union of Semè-Kraké	Semè-Kpodji	Avrankou

4.3.3. A redesigned competition format

The reform of sports societies has also led to an overhaul of the competition format. In a new scheme, the Ligue 1 and Ligue 2 clubs at the end of the 2019-2020 sports season all found themselves in the same competition called the Pro League.

- The Professional League

This is the so-called "professional" level of Beninese football. It is played with 36 teams divided into 4 zones of 9 teams. In each group, 4 teams must obtain their tickets for the competition which represents the elite. Matches are played back and forth. In this format, the constitution of the pools is done taking into account the geographical proximity of the teams.

- The Super League Pro

This competition represents the highest level of Beninese football. 16 teams representing the leaders of their groups of origin compete back and forth. The first 2 at the end of the confrontations will represent Benin for the continental competitions. The team that arrived first is the Benin champion of the season and is qualified for the CAF Champions League while the dolphin qualifies for the Confederations Cup.

4.4. A predominantly corporate typology

After the signing of agreements with sports companies, the clubs have in some cases changed their name to mark the loan of the support company in the life of the club:

Table 3 : Onomastic evolution of football clubs in Benin

Front name	Current name	Company Support
AS Cotonou	AS Cotonou - CNSS	National Social Security Fund (NSSF)
ASPAC	ASPAC	Autonomous Port of Cotonou (APC)
Borgou buffaloes	Borgou buffaloes	National Council of Shippers of Benin (NCSB)
Dadjè FC	Soneb - Dadjè FC	National Water Company of Benin (SONEB)
ESAE FC	Loto FC	Benin National Lottery (LNB)
Tanékas FC	Coton FC	Cotton Development Society (SODECO)
USS Kraké	AS Sobemap	Benin Port Handling Company (Sobemap)

These name changes were possible thanks to the sports company model which provides in its section of the professional sports limited company that "the company (Sports company) can take the name of the club as it can take any other name".

4.5. An unsuitable and obsolete legal framework

On the legislative level, the reform aimed at the creation of companies for the professionalization of sport in Benin remains in difficulty. Law No. 91-008 of February 25, 1991 on the sports charter in the Republic of Benin did not mention the word professional or "professional sport" in these 7 chapters and 34 articles. Thirty years old, this law seems obsolete compared to current trends. Similarly, professional sport requires great resources and therefore funding. No law in force in Benin is related to the financing of sport.

In the absence of an appropriate legal framework, some incentive measures exist. Since 2019, the central State has instituted a tax in the general tax code to encourage public and private companies to invest in sport. Called "Tax for the Development of Sport", the TDS, provided for in Chapter 13, Articles 293-13, takes into account companies whose annual turnover is over 1 billion. Exempt from payment of the tax are large companies that meet the following conditions: "being the owner or co-owner of a professional sports club involved in a national championship; incur operating or investment expenses for the benefit of the club for an amount greater than or equal to the tax to be paid; incur operating or investment expenditure for the benefit of sports federations benefiting from State subsidies, for an amount greater than or equal to the tax to be paid" (articles 293-13; CGI 2021).

4.6. The different approaches of sports companies in Benin

Several approaches to sports society coexist in the Beninese sports environment, more specifically in football. We distinguish :

- **Corporate clubs or original sports societies**

Energie FC of the Beninese Electricity Company, Adjidja FC of the Beninese Armed Forces or the AS Police of the Republican Police of Benin are always present in elite competitions. With the reform of sports societies, these clubs complied by creating a sports society. The new sports company created depends financially on the support company according to the EURSL form.

- Free sports societies

To meet the requirements of the umbrella of football in Benin and in the absence of having been granted sports companies, some clubs have created common rights companies, in particular Limited Liability Companies. These include clubs such as AS Tonnerre de Bohicon or Dynamo d'Abomey which have respectively created SOGAS (AS Tonnerre Management Company) and ASAM (Association Sportive Accrombessi Maixent). This is the second category of sports company comparable to traditional companies. In terms of structure and operation, these sports companies are similar to single-person sports establishments with limited liability due to the presence of the support association as the sole shareholder.

- New sports societies

As pilot sports associations, some clubs have been assigned sports companies or, conversely, some clubs have approached the sponsorship of new sports companies created. In this case, it is a state or private company with a substantial turnover that creates a legal entity to manage its sports-related activities. This marriage gives rise to sports groups bringing together the sports association and the sports society. In most of the agreements signed, the sports company takes over the governance of these sports clubs thus "The director of the sports company takes care of the professional side of the team while the president of the association takes care of the professional side of the club" according to the sports society model. The president of the sports society becomes the new master of the game on all levels, both administrative and financial, with the obligation to help the original sports association to develop by injecting the means for the sustainability of the services of general interest that she offers to the community.

Table 4 : Companies and their sports companies

Enterprises	Sports Societies
CNCB	CNCB Sports
CNSS	CNSS Sports
LNB	Loto-Popo
SOBEMAP	Sobemap Sport
SODECO	Coton Sport
SONEB	Soneb Sports
ASPAC	ASPAC-

4.7. An injustice in the allocation of sports companies

No selection criteria are set in the choice of clubs to benefit from the support of sports companies and the services of expatriate sports directors. Thus, the clubs benefiting from sports companies are not necessarily the oldest, like the Dragons of Ouémé, one of the oldest and most successful clubs in the country which does not have a partner state company. ; nor the most successful in recent years, such as Ayema FC, which has always remained a stone's throw from the podium in the last 3 seasons before the implementation of the reform; let alone the clubs of the former first division like the Panthères de Djougou, the Association Vallée Omnisports which were there before this reform. In this context, clubs with more resources are therefore more efficient than others, regardless of seniority, sports record and other more relevant considerations.

4.8. The structure and operation of sports societies

In an effort to overhaul the governance of clubs and to orient sports associations towards profitability, sports companies needed equipped and experienced human resources that could enable the accomplishment of these important changes. We are thus witnessing the advent of expatriate sports directors.

4.8.1. The advent of sports directors

The implementation of the reform of sports companies has called on competent human resources that can enable companies to develop and conduct their project effectively and efficiently. After a call for applications with dozens of applicants of Beninese nationality, all deemed unsuitable for the profile sought, the authorities in charge of the project called on external skills.

- Mission of sports directors

Recruited on a renewable 3-year contract by the Ministry of Sports, the main mission of sports directors is diversified and revolves around the sports and administrative development of football clubs as indicated by the coordinator of the program for setting up sports directors: "All the Sports Directors in place will bring real expertise to develop our clubs. In some clubs, the managers consider it necessary for the Sporting Director to be on the pitch. They then play the role of English Manager. The coaches in place must take this situation as a chance to learn and complete their training". In the same vein, one of the sports directors lifts a corner of the veil on the missions assigned to him: "my role will be to build a competitive team, develop a training policy and finally set up an organized and efficient administrative department to meet the demands of professional football. In addition to all this, he will have the establishment of a communication and marketing department.

The project coordinator demonstrates the involvement and political will of this entire program which is in line with the government's action program: "What we are implementing in these sports companies is the will of the head of the State. He can't have invested so much money in our stadiums and not want clubs to grow. This is the mission that we have assigned to the sports directors with that of training those who will have to take over. Finally, this very close collaborator of the boss of sports did not fail to show the medium and long-term importance of this reform on the development of young people and the creation of employment "let us not forget that the sport is a huge reservoir of jobs and that employment is one of the major challenges for the future of our youth".

- Profile of sports directors

Two tendencies emerge within sports directors. The sports directors following the French model are more in the role of the trainer who coordinates the overall sports policy of the team and the training centers, the team's game philosophy, the transfer policy without much involvement on the administrative side. On the other hand, managers in English are in a more global role.

Table 5: Profile of foreign sports directors

Initial profile	Number	Percentage
Coach	4	57,14 %
Coach - Manager	1	14,29 %
Manager	2	28,57 %

To explain the specificities of the two profiles, one of the Sporting Directors states: "the sporting director must be more focused on the management of the club. Everything that happens around football and the different categories, infrastructure and around logistics. That is the purely French-speaking profile. We are called to see the Anglo-Saxon approach where the manager is also a coach, he combines the two hats. It's a question of profile and personal approach" In terms of hierarchy, the manager is attached to the President of the club without any major intermediary, while on the other hand, the sporting director is under the authority of the general manager of the club. According to the table above, most sports directors of French nationality were originally coaches, therefore more technicians and sports tacticians. They are therefore more equipped with regard to the sporting dynamics of the club than administrative, financial or any other non-sporting aspects related to the image of the club.

4.8.2. An evolving structure

The new sports groups must induce a change in the structure of football clubs in Benin. Until the advent of the reform on sports societies, the clubs operated according to the standard model of association with the functions of President, Secretary General and Treasurer General at least according to the standard statute of the Ministry of the Interior and the Department of Elite Sport of the Ministry of Sports. In this new scheme, sports companies must operate like real businesses.

To this end, the different compartments of a sports entertainment company are suggested according to the specifications proposed by the Beninese Football Federation. According to the National Football Championship Specifications in force since the 2020-2021 season in its chapter II in its articles 5 in criteria B related administrative and personnel aspects presents the various inherent responsibilities for a club playing in a professional championship, in particular the secretariat of the club, the administrative manager, the financial manager. For the time being, none of

the directions that can make sports societies work are in place, so sports societies are more virtual than physical, more theoretical than operational.

4.9. A non-existent business model

The sustainability of the activities of a sports company with high ambitions must be built on a balanced economic model. This is where the notion of business model or business model to use the English expression comes in. For a professional sports club, income comes from several sources including: ticketing, merchandising or sales of derivative products, TV rights, player transfers, sponsorship or its variant naming (Tribou, 2013).

- High resources invested in line with the ambitions

Compared to the first part of our survey carried out on new trends in sports companies and in view of the results obtained, it can be seen that sports companies are injecting more resources, significantly improving the living and working conditions of athletes and taking care considerably about the image of the clubs. Salaries have experienced a considerable increase (reaching up to 500,000 FCFA, nearly 1,000 dollars) compared to clubs that do not have allocated sports companies, not to mention the extraordinary income of sports directors. The material and the logistics are more considered which in the end makes a consequent assessment in terms of the budget at the end of a sports season.

- A system unsuited to substantial revenue

The construction of new stadiums can appear as an important impetus to the establishment of a business model for sports clubs. With a capacity of 3,000 seats with the possibility of having spectators standing around the gates, sometimes incomplete and free admission in places.

These stadiums can represent an important lever in the business model of the clubs but will serve first and foremost as a basis for the production of a quality show. The environment and the quality of the facilities represent an essential element for the brand image of a club and could be used in the future to attract potential sponsors. With regard to player transfers, basic training poses a problem, which does not facilitate the tasks of Beninese clubs in player transfers. Unlike clubs from neighboring countries such as Burkina-Faso, Côte d'Ivoire or Senegal, Beninese clubs do not organize themselves into a network with clubs from the Maghreb or Europe in order to offer opportunities to export their players.

Finally, TV rights are non-existent at the moment and cannot be a reality anytime soon. The size of the audience forces the public service to claim a whole fortune for the broadcast of the championship matches. Rolling over several million debts, television becomes a pocket of expenditure instead of being a recipe. For the time being, nothing has been done to allow the clubs to make money. In a purely budget-intensive system, the sustainability of sports companies risks being threatened.

4.10. Some difficulties in implementation.

Several other difficulties persist in the implementation of this reform on the sports companies in particular the delays in the payment of the wages, the substitution of the sports directors in the place of the main trainers of the clubs relegating the latter to the functions of deputy. We could also not note the hierarchical difficulties due to the upheavals in the administrative framework of sports associations. Finally, the administrative slowness at the level of the support companies considerably influences the functioning of the sports companies.

5. CONCLUSION :

The reform of sports societies remains one of the major innovations in the process of professionalization of football clubs in Benin. After having made up for the lack of infrastructure, it was necessary to affect the organization of the clubs and the sports movement in general. In this process of club transformation, several other aspects have been affected, in particular the legal form, the typology of clubs, the club sponsorship approach and the competition format. External skills have been brought in to accelerate these various transformations. It should be noted that the establishment of sports societies, as essential as it is, is not the only lever to accelerate the professionalization of sports clubs in football. Unlike English or German clubs that are legally constituted as sports companies, Real Madrid and FC Barcelona still operate under the 1901 law association regime with the worldwide success that we know of them.

With regard to the involvement of the actors, it is necessary to assess the training needs beforehand after analyzing the skills and motivations available. Adherence to the new approach is necessarily voluntary because it cannot be forced into action for actors who do not believe in it or for those who structurally cannot achieve it. For the time being and due to a lack of communication, the actors at all levels remain skeptical about the success of this reform. It is certain that corrections will have to be brought to the process already started so that each actor is located on the role which is his starting from the leaders of clubs to the footballers while passing by the actors of the media. For now, sports

companies are not yet operational in most cases. Their operationalization will make it possible to change the governance of football clubs in Benin as a whole.

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