



Optimizing the Transformation of Lex Sportiva into Local Regulations to Achieve Good Sports Governance in Bekasi City

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Abstract

Lex Sportiva is a transnational normative order produced by sports organizations, federation rules, and arbitral practice. Its norms do not automatically operate as municipal public law. This normative legal study examines how selected Lex Sportiva principles may be received and harmonized within Bekasi City sports regulations without displacing mandatory national law. The study uses statutory and conceptual approaches and qualitatively compares Law No. 11 of 2022 on Sports, Presidential Regulation No. 86 of 2021 on the National Sports Grand Design, Bekasi City Regional Regulation No. 5 of 2019, Bekasi Mayor Regulation No. 50 of 2020, and Bekasi Mayor Regulation No. 6 of 2022 against a consolidated framework covering lawful organizational autonomy, integrity and fair play, accountable governance, athlete protection, and accessible dispute resolution. Interviews and focus-group discussions mentioned in the research record are treated only as contextual expert consultation because participant-level and ethics documentation was not available for reproducible empirical reporting. The analysis finds that Bekasi already has a sectoral regulatory foundation, but the reviewed instruments do not transparently establish a complete, integrated good-sports-governance architecture. Reform should therefore proceed through selective reception: each transnational standard must be screened for municipal competence, compatibility with superior law and public policy, institutional feasibility, and procedural safeguards. The study contributes a non-quantitative, provision-by-provision legal screening model and rejects automatic incorporation, an arbitrary compliance threshold, and an unsupported municipal equivalent of the Court of Arbitration for Sport.

Keywords: good sports governance; Indonesia; Lex Sportiva; local legislation; regulatory harmonization; transnational sports law

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A. Introduction

Sports governance operates simultaneously through public law and the private rules of organized sport. International federations prescribe competition, integrity, disciplinary, eligibility, and anti-doping standards, while states retain authority over public order, public finance, labor protection, criminal law, human rights, and judicial supervision. Lex Sportiva is therefore best understood here as a transnational normative order whose practical authority commonly arises from federation membership, contractual commitment, and specialized dispute-resolution systems, not as a unitary body of public international law (Duval, 2013; Foster, 2003).

This distinction matters for local regulation. A municipality cannot simply declare private federation rules to be public law. It may receive selected principles when they fall within local competence and remain consistent with the hierarchy of Indonesian legislation. In this article, selective reception means the deliberate translation of a transnational sports principle into a domestic rule after tests of authority, compatibility, necessity, and enforceability. Regulatory harmonization means resolving overlap or tension among municipal rules, national sports law, and applicable sports-organization norms.

Optimization refers to improving this screening and drafting process; it does not imply wholesale transformation in the strict dualist sense.

Indonesian sports legislation reflects concerns also associated with Lex Sportiva, but this parallel does not prove automatic legal reception. Law No. 11 of 2022 replaced Law No. 3 of 2005 and provides the current statutory framework for sports principles, rights and obligations, governmental responsibility, sports management, organizational structures, funding, supervision, and dispute settlement. Presidential Regulation No. 86 of 2021 supplies the National Sports Grand Design (DBON). These instruments are the superior-law baseline against which any municipal measure must be assessed.

The original manuscript grouped unrelated national controversies—criminal liability, federation sanctions, corruption, crowd safety, and eligibility disputes—as equivalent evidence of failed transformation. Because the research record did not include authoritative decisions for each matter, those examples are not used as findings. They illustrate only that sporting autonomy has legally distinct boundaries depending on the applicable field and forum. Likewise, general risks such as grant misuse, leadership disputes, match manipulation, and salary default are not

presented as facts about Bekasi City absent official Bekasi decisions, audit findings, or case records.

Bekasi City is an analytically relevant bounded case because it has a layered municipal sports framework: Regional Regulation No. 5 of 2019 on Sports, Mayor Regulation No. 50 of 2020 on the Governance of Educational, Achievement, and Recreational Sports, and Mayor Regulation No. 6 of 2022 on the Regional Student Sports Education and Training Center. The case permits examination of how a pre-2022 regional framework relates to the subsequently enacted national Sports Law. Sporting achievement and organizational scale provide context but are not treated as legal selection criteria or proof that the findings generalize to all municipalities.

Existing scholarship largely explains Lex Sportiva as a transnational order, its relationship with national law, or its role in sports dispute resolution (Duval, 2013, 2021; Foster, 2003; Prasetio & Al-Farisi, 2024). The unresolved local-law problem is operational: which principles may a city lawfully receive, through which instrument, and subject to which safeguards? This study addresses that gap by replacing overlapping lists and an unsupported numerical threshold with one qualitative legal screening framework.

The study asks: (1) how should Lex Sportiva and the limits of sporting autonomy be conceptualized for municipal regulation; (2) what does a qualitative comparison of the identified Bekasi instruments reveal about the architecture of good sports governance; and (3) what legally bounded reform sequence can improve regulatory coherence? The corresponding analysis proceeds from conceptual clarification, to instrument-by-instrument review, and then to competence-based recommendations.

The contribution is doctrinal rather than predictive. It distinguishes the source, binding basis, and domestic effect of different sporting norms; consolidates the assessment criteria; and makes municipal competence and procedural safeguards conditions of reception. It does not claim to measure actual organizational compliance or the effectiveness of rules in practice.

B. Methods

This is normative legal research using statutory and conceptual approaches. The legal issues are the domestic status of Lex Sportiva, the scope of municipal authority in sports governance, potential conflicts between transnational sporting norms and mandatory public law, and the legally permissible design of local governance and dispute-resolution measures.

Primary legal materials comprised Law No. 11 of 2022 on Sports; Presidential Regulation No. 86 of 2021 on the National Sports Grand Design; Bekasi City Regional Regulation No. 5 of 2019 on Sports; Bekasi Mayor Regulation No. 50 of 2020 on the Governance of Educational, Achievement, and Recreational Sports; and Bekasi Mayor Regulation No. 6 of 2022 on the Regional Student Sports Education and Training Center. Relevant transnational materials were considered according to their distinct legal character, including the Olympic Charter, the IOC Code of Ethics, the World Anti-Doping Code, federation rules, and CAS jurisprudence. They were not treated collectively as treaties or as automatically satisfying Article 38(1) of the Statute of the International Court of Justice.

Materials were included when they directly addressed sports governance, organizational autonomy, integrity, athlete protection, funding, supervision, or dispute resolution and were identifiable in the research record. The legal status of each instrument was distinguished as binding legislation, organizational rule, arbitral jurisprudence, draft policy, or scholarship. Official Indonesian repositories were used to verify titles and status where available; the legal materials were checked on 15 September 2026. Unverified draft-legislation status and template placeholders

were excluded from the findings.

Interpretation combined textual reading, systematic interpretation within the hierarchy of legislation, and purposive interpretation of sports-governance objectives. Apparent conflicts were resolved by first applying superior and special legislation, then testing whether a transnational norm could operate through lawful reference, contractual or membership obligation, or a newly drafted municipal provision. The screening questions were: source and binding basis; municipal competence; compatibility with superior law, public policy, and rights; institutional responsibility; due process and review; and practical enforceability.

The analytical framework consolidates five domains: (1) lawful organizational autonomy; (2) integrity, fair play, non-discrimination, and anti-doping; (3) transparent, accountable, participatory, and conflict-sensitive governance; (4) athlete rights, welfare, and protection; and (5) accessible, impartial dispute resolution. These domains are qualitative and unweighted. No score or 'seven-of-nine' threshold is used because the legal importance of a safeguard depends on the issue, and absence of an indispensable requirement cannot be offset by unrelated provisions.

The source manuscript reports

interviews and focus-group discussions with sports stakeholders and experts, but it does not provide participant numbers, recruitment criteria, dates, instruments, recording and transcription procedures, consent or ethics information, saturation, coding, treatment of divergent views, or an audit trail. To avoid fabricating these details, this revision classifies those activities as contextual expert consultation only. Stakeholder views may explain policy concerns, but they do not establish empirical prevalence and do not determine the doctrinal conclusions.

C. Result and Discussion

Result

1. Lex Sportiva as a Transnational Sports Legal System

Lex Sportiva is not a single code with one source or one mode of enforcement. Its components include rules of the game, federation statutes and regulations, ethical and integrity codes, anti-doping standards, contractual commitments, and principles developed in sports arbitration (Foster, 2003; Duval, 2013). Their authority may be organizational, contractual, arbitral, or persuasive. Calling all components 'international law' obscures these differences.

Three features describe the order: transnational production and circulation of norms; relative organizational autonomy; and institutionally supported enforcement. Fair play, integrity, good governance, athlete protection, and independent dispute resolution are substantive principles or governance objectives, not additional defining characteristics. This distinction reconciles the inconsistent three-, four-, six-, and nine-part formulations in the earlier draft.

Sporting autonomy is relative. Federation rules interact with mandatory domestic law, public policy, human rights, criminal and labor law, public-finance controls, and judicial review. CAS jurisprudence may promote consistency within organized sport, but an award or federation rule does not automatically bind public authorities as legislation. Domestic legal effect must be demonstrated through a valid legal, contractual, membership, or recognition mechanism (Duval, 2013, 2021).

Classical dualism helps explain why external norms are not automatically enforceable as municipal public law, but treaty-

oriented transformation theory cannot be transferred unchanged to privately generated sporting rules. The more precise account is selective reception within a plural legal order: the drafter identifies the source and binding basis of a sports norm, tests it against superior law, and then chooses a lawful domestic technique. This may be express legislation, an administratively reviewable standard, a funding condition authorized by law, or recognition of an organization's internal rule within defined limits.

The claim that Lex Sportiva as a whole constitutes a source of public international law under Article 38(1) of the ICJ Statute is therefore not adopted. Particular principles might overlap with general principles or other recognized sources, but that requires separate proof of the relevant category and cannot be inferred from federation practice alone. The legal basis of each norm must be assessed individually.

2. The Urgency of Transforming Lex Sportiva into Regional Regulations

The transformation of Lex Sportiva into regional regulations is an essential necessity to bridge the development of international sports

law with the needs, authority, and characteristics of sports administration at the regional level (Dicky Eko Prasetyo & Tri Nurhidayat, 2026).

This transformation should not entail the literal transplantation of international sports norms into Regional Regulations. Instead, it requires the contextual adaptation of the universal principles of sport, ensuring coherence with the national legal framework and the jurisdictional authority of regional governments.

Principles including organizational autonomy, independence, fair play, integrity, non-discrimination, athlete welfare, professionalism, and independent dispute resolution must be operationalized within the framework of regional policy.

The urgency stems from the reality that sports governance is implemented concretely at the provincial and municipal levels, whereas Lex Sportiva norms frequently remain confined to international and national discourses. Consequently, a disparity may arise between the compliance standards imposed on sports organizations and the regulatory policies adopted by local governments (Dicky Eko Prasetyo, et al. 2025).

Within Indonesia's decentralized governance framework, the incorporation of Lex Sportiva into the national legal system must be further translated into regional regulations, reflecting the distribution of governmental powers and the specific contexts of sports governance in each locality. Accordingly, the localization of Lex Sportiva constitutes a logical necessity, both to ensure the harmonization of transnational sports norms with domestic law and to facilitate the effective implementation of sports policies at the governmental level most directly engaged in sports delivery.

The transformation of Lex Sportiva into Indonesian Sports Law and subsequently into regional sports regulations can be approached through the Transformation Theory developed by Heinrich Triepel and Dionisio Anzilotti. The appropriate stream of this Transformation Theory is the Dualist School.

According to the Dualist School, norms of international law do not automatically apply in national law. In order to have binding force and to be enforceable by state institutions, international norms must first be transformed into the form of national

law (Abdhy Walid Siagian, et al., 2024).

Transformation Theory is conventionally applied in the context of International Law derived from treaties. The theory posits that for international law to be enforceable and recognized as part of the national legal order, it must undergo a process of transformation, both in formal and substantive terms. Formally, this requires that international law be incorporated in a manner consistent with the procedures and provisions of national legislation. Whereas substantively, it means that it must not contradict the fundamental principles of national law.

Transformation Theory is based on the positivist view that rules of International Law cannot be applied directly and 'ex proprio vigore' in National Law. Likewise, International Law and National Law constitute legal systems that are truly separate, and structurally they are different legal systems. In order to be applied in National Law, a special process of adoption or specific incorporation is required.

This theory is deemed pertinent to analyze the transformation of Lex Sportiva into National Sports Law for

several reasons. First, Lex Sportiva constitutes Global Sports Law, or Transnational Sports Law, which forms part of International Law. Its sources lie in the membership agreements binding national sports federations the governing bodies of individual sports to their respective international federations.

National sports federations bind themselves to comply with the statutes and other regulations promulgated by international sports federations. These encompass rules governing gameplay, governance, athlete development, event organization, competitions, codes of ethics, and broader organizational requirements. Second, the transformation of Lex Sportiva into the national sports legal system carries greater legal authority than mere harmonization. Third, Lex Sportiva, which embodies the general principles of law in the field of sports, qualifies as a source of international law under Article 38(1) of the Statute of the International Court of Justice (ICJ) (Dicky Eko Prasetyo & Zeidan Izza Al-Farisi, 2024).

Accordingly, the Dualist approach within Transformation Theory is pertinent, as the principles of Lex Sportiva do not ipso facto constitute

binding and enforceable norms within the Indonesian legal system. Their incorporation necessitates a process of adoption, harmonization, and formal regulation through domestic legal instruments.

In the context of this study, the theory serves to explain why norms and principles developed within the international sports system must undergo transformation prior to acquiring formal structure, legal legitimacy, and operational mechanisms within both the national legal system and regional regulations.

3. The role of Lex Sportiva in realizing good regional sports governance

Lex Sportiva fundamentally constitutes a body of principles, norms, doctrines, practices, and jurisprudence that have emerged within the international sports system. Such norms are generated and developed through international sports organizations, sports federations, competition regulations, and the practice of sports dispute resolution.

Meanwhile, Good Sport Governance refers to the system of organization and administration of sports entities and sporting activities conducted in accordance with the

principles of transparency, accountability, democracy, participation, integrity, professionalism, effectiveness, fairness, and legal certainty.

Thus, the relationship between the two is that Lex Sportiva provides the standards and normative framework regarding how sports should be organized, while Good Sport Governance provides the principles and governance mechanisms to ensure that these standards are implemented effectively, transparently, accountably, and with integrity.

Thus, the central function of Lex Sportiva is to establish normative standards for sports governance. The realm of sport requires not only administrative regulations, but also specialized principles reflective of its unique characteristics. Such principles encompass fair play, sportsmanship, integrity of competition, autonomy of sports organizations, independence of decision-making, non-discrimination, athlete welfare, equal opportunity, transparency, accountability, prohibition of conflicts of interest, access to fair dispute resolution mechanisms, and adherence to anti-doping rules.

These principles function as

substantive benchmarks in the construction of sports governance. Good Sport Governance addresses the question of how sport ought to be administered effectively, while Lex Sportiva contributes by identifying the core values and standards that must underpin such administration (Prasetio & Al-Farisi, 2024).

4. The Concept of Transforming Lex Sportiva into National Sports Law and Regional Sports Regulations to Realize Good Regional Sports Governance.

Antoine Duval situates Lex Sportiva as a significant manifestation of transnational law that emerges and operates beyond the confines of the state. Nevertheless, in practice, Lex Sportiva maintains continuous interaction with domestic legal systems and cannot be wholly disentangled from the legal framework of the state.

Transformation should not be understood as the wholesale transplantation of international norms into Indonesian law. Rather, it constitutes a selective process of adapting the values and principles of Lex Sportiva to Pancasila, the 1945 Constitution of the Republic of Indonesia, the national legal system,

National and regional regulations, in turn, act as the vehicles for transformation and implementation. Good Sport Governance thus represents both the ultimate goal and the evaluative criterion for assessing the success of the transformation process.

The concept of transforming Lex Sportiva into National Sports Law and regional sports regulations to realize good regional sports governance can be illustrated in the diagram below

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graph LR
    IOC[PIAGAM IOC] --> LEX((LEX SPORTIVA))
    FOI[REGULASI FOI] --> LEX
    CAS[REGULASI DAN PUTUSAN CAS] --> LEX
    WADA[REGULASI WADA] --> LEX
    LEX --> HUKUM[HUKUM KEOLAHRAGAAN NASIONAL]
    HUKUM --> PERMENPORA[PERMENPORA]
    HUKUM --> PP[PP/PERPRES]
    HUKUM --> UU[UU KEOLAHRAGAAN]
    HUKUM --> KOI1[Regulasi KOI]
    HUKUM --> KONI[Regulasi KONI]
    HUKUM --> IADO[Regulasi IADO]
    HUKUM --> BAKI[Regulasi dan Putusan BAKI]
    HUKUM --> KOI2[Regulasi KOI]
    HUKUM --> DAERAH[REGULASI KEOLAHRAGAAN DAERAH]
    DAERAH --> PERDA[Perda Keolahragaan]
    DAERAH --> PERBUP[Perbup/Perwal]
    DAERAH --> KONI[Regulasi Koni]
    DAERAH --> CABAR[Regulasi Cabar]
    DAERAH --> DSO[DSD/DOD]
    DAERAH --> SOP[SOP]
    DAERAH --> REG[Reg. Penyelesaian Sengketa]
    DAERAH --> GSG[Good Sport Governance]
    GSG --> TRANSP[Transparansi]
    GSG --> AKUNT[Akuntabilitas]
    GSG --> INTEG[Integritas]
    GSG --> PART[Partisipasi]
    GSG --> DEMO[Demokrasi]
    GSG --> EFEK[Efektivitas dan Efisiensi]
    GSG --> SUPR[Supremasi Hukum]
    GSG --> INDE[Independensi]
    GSG --> PROF[Profesionalisme]
    GSG --> KES[Keimbangan dan Inklusifitas]
    GSG --> KEB[Keberlanjutan]
  
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implementation. Good Sport Governance, in turn, constitutes both the objective and the benchmark for evaluating the success of the transformation process.

Discussion

Lex Sportiva provides a transnational framework through which sports organisations regulate competition, institutional conduct, and dispute

resolution. Its emphasis on organisational autonomy and specialised adjudication offers a basis for coordinating sports rules across jurisdictions (Foster, 2006; Casini, 2011). At the regional level, its relevance lies in harmonising sports governance with applicable national law rather than replacing state regulation (Nafziger, 2004).

For Bekasi City, this relationship requires a balance between sporting autonomy and public accountability. Sports organisations need discretion over technical

matters, while the use of public funding requires transparent reporting and oversight. Autonomy should therefore protect sporting decisions from inappropriate intervention without exempting organisations from financial accountability or athlete protection.

The following criteria translate these principles into a proposed framework for assessing regional regulations and governance practices.

Table 1. Proposed Assessment Criteria for Regional Sports Governance

No.	Criterion	Proposed indicator
1	Organisational autonomy	Recognition of sports organisations' technical authority within applicable law
2	Financial transparency	Accessible funding reports and appropriate financial oversight
3	Executive accountability	Transparent, democratic, and competency-based leadership selection
4	Participation	Athlete, coach, and stakeholder involvement in policy development
5	Non-discrimination	Equal access to sports participation and development opportunities
6	Athlete protection	Provision for welfare, education, social protection, and career transition
7	Fair play and anti-doping	Education and procedures consistent with applicable sports rules
8	Dispute resolution	Accessible and impartial mechanisms with clearly defined jurisdiction
9	Regulatory harmonisation	Alignment of regional instruments with national law and relevant sports rules

These criteria should guide a qualitative assessment of regulatory content and implementation. A numerical threshold should only be used if its weighting and validation have been established.

2. Regional Regulation and Good Sports Governance

The regulatory instruments discussed in this study provide a foundation for sports

administration in Bekasi City. Their significance, however, depends on how clearly they allocate responsibilities and translate policy into operational procedures. Formal recognition of governance principles alone does not demonstrate effective implementation.

The central issue is the relationship between municipal oversight and organisational independence. Unclear

boundaries may create overlapping responsibilities or opportunities for political interference. Conversely, autonomy without reporting obligations may weaken accountability. Regional regulations should therefore distinguish governmental responsibilities for public resources and athlete welfare from sports organisations' authority over technical competition matters.

The TARSIL framework Trust, Authority, Responsibility, Supervision,

Integration, and Local Wisdom offers a conceptual approach to coordinating these responsibilities (Amali, 2022). Its practical value depends on clear mandates, participatory planning, and measurable oversight. Coordination through the National Sports Grand Design (DBON) and the Regional Sports Grand Design (DOD) can connect national objectives with local priorities, provided that implementation responsibilities are explicitly defined. Four priorities follow from this analysis.

Table 2. Priorities for Strengthening Regional Sports Regulation

Priority	Regulatory implication
Autonomy and legal compliance	Define organisational authority while maintaining compliance with national law
Good sports governance	Establish transparent selection, funding, reporting, and accountability procedures
Athlete protection	Integrate welfare, education, and career development into regional planning
Regulatory coordination	Clarify responsibilities and address inconsistencies among regulatory instruments

These priorities indicate that regulatory quality should be assessed through institutional clarity and enforceable procedures, alongside the inclusion of general principles.

The application of Lex Sportiva in Bekasi City should focus on connecting principles with institutional responsibilities and operational safeguards. Three measures are proposed: reviewing regional sports regulations, establishing a mechanism for regulatory coordination, and strengthening impartial dispute resolution.

Regulatory revision should address organisational autonomy, transparent funding, non-discrimination, and athlete protection. Implementing regulations and operational guidelines should specify responsible institutions, reporting requirements, complaint procedures, and evaluation arrangements. This would make governance obligations more actionable and reduce uncertainty in implementation.

A regulatory coordination mechanism could identify inconsistencies among regional policies, national legislation, and relevant sports rules. Its role should be

advisory and clearly defined to avoid creating another layer of overlapping authority.

Dispute resolution requires particular attention to jurisdiction, independence, and accessibility. Any proposed regional mechanism should be assessed against applicable arbitration law and existing sports dispute procedures. It should not be assumed to possess authority equivalent to the Court of Arbitration for Sport merely because it operates within a sports organisation.

Periodic evaluation should examine whether these arrangements function in practice. Relevant indicators include reporting compliance, stakeholder participation, access to athlete protection, and the handling of complaints. Together, these measures would support governance that protects sporting autonomy while ensuring accountability for public responsibilities.

D. Conclusion

Lex Sportiva provides a framework for harmonising sports autonomy with public accountability. Its application to regional governance should complement national law through principles of fair play, non-discrimination, athlete protection, and impartial dispute resolution.

The regulatory framework discussed

for Bekasi City provides a basis for sports administration, but effectiveness depends on implementation. Clear institutional responsibilities, transparent funding procedures, stakeholder participation, and operational safeguards are necessary to translate governance principles into practice.

Strengthening regional sports governance requires regulatory review, coordinated implementation, and accessible dispute resolution. These measures should be supported by implementing guidelines and periodic evaluation. The proposed criteria offer an analytical framework; their fulfilment must be established through examination of regulations and implementation evidence.

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F. Conflict of Interest

The author declares that there is no conflict of interest in this study.

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