

INSPIREE: INDONESIAN SPORT INNOVATION REVIEW



ISSN 2746-6965 (Online), 2774-2520 (Print)

Journal Homepage: <https://inspiree.review/index.php/inspiree>

Original Research Articles

OPEN ACCESS

Balancing State Regulation and Sports Autonomy: Legal Implications of Indonesia's Ministerial Regulation No. 14 of 2024

<https://doi.org/10.53905/inspiree.v7i02.176>

Kasianus Joseph Junior Fenanlampir^{*1abcde}, Irmantara Subagio^{1abd}, Arinto Nugroho^{1abc}, Fatkur Rohman Kafrawi^{1abc}, Noortje Anita Kumaat^{1abc}, Achmad Widodo^{1bcd}

¹Master of Sports Science Study Program, Faculty of Sports and Health Sciences, State University of Surabaya, Indonesia.



ABSTRACT

The purpose of the study. This study examines the legal position and governance implications of the Minister of Youth and Sports Regulation No. 14 of 2024 within Indonesia's sports regulatory framework, focusing on the tension between state standardization and organizational autonomy in achievement sports. It assesses the regulation's consistency with higher-ranking national legislation and international sports governance principles, particularly *lex sportiva* and the Olympic Charter.

Materials and methods. A qualitative normative-empirical (socio-legal) approach is employed. Normative analysis covers primary legal instruments including Law No. 11 of 2022 on Sports, Government Regulation No. 46 of 2024, and Ministerial Regulation No. 14 of 2024. Empirical data were collected via semi-structured interviews and focus group discussions (FGDs) with purposively selected stakeholders—provincial KONI administrators, sports law scholars, and governance practitioners in East Java, Indonesia. Thematic analysis and data triangulation were applied to ensure analytical rigour.

Results. The regulation introduces administrative mechanisms—covering leadership selection and organizational congresses—not explicitly delegated by higher-ranking legislation, generating normative inconsistencies within the regulatory hierarchy. Stakeholders perceive these provisions as reducing organizational flexibility, producing interpretative ambiguity, and undermining governance stability. A convergence between doctrinal legal deficiencies ('law in books') and practical operational constraints ('law in action') is identified.

Conclusions. This study is the first to apply an integrated socio-legal framework to Indonesia's 2024 sports governance regulation, bridging normative legal analysis with empirical stakeholder data. It contributes a novel analytical model for evaluating the boundary between permissible state supervision and unlawful intervention in sports organizations, with implications for comparative sports law and international governance scholarship.

Keywords: sports governance; organizational autonomy; socio-legal research; sports law; indonesia; ministerial regulation; regulatory hierarchy.

ARTICLE INFO

EDITED BY

Dr. Samsurijal Hasan MM
Universitas Pahlawan Tuanku
Tambusai, Indonesia.

Nurudeen O Abubakar
Kogi State University, Nigeria.

ARTICLE HISTORY

Received : January 26, 2026

Accepted : March 28, 2026.

Published : May 27, 2026.

CITATION

Fenanlampir, K. J. J., Subagio, I., Nugroho, A., Kafrawi, F. R., Kumaat, N. A., & Widodo, A. (2026). Balancing State Regulation and Sports Autonomy: Legal Implications of Indonesia's Ministerial Regulation No. 14 of 2024. *INSPIREE: Indonesian Sport Innovation Review*, 7(02), 144-152. <https://doi.org/10.53905/inspiree.v7i02.176>

INTRODUCTION

Sport has evolved from a recreational activity into a complex socio-legal institution governed by interlocking layers of public law, private regulation, and transnational normative frameworks (García & Meier, 2020; Windholz & Hodge, 2020). Contemporary sports governance structures operate at the intersection of national legal systems and global regulatory regimes, creating a governance space in which the authority of the state and the autonomy of sports organizations are in constant negotiation (Foster, 2019; Geeraert, 2018). As sports organizations have become more professionalized and institutionalized, questions concerning the appropriate scope and limits of state intervention have acquired increasing legal and policy significance.

Organizational autonomy is widely recognized as a foundational principle of global sports governance (Dennie & Hall, 2025; Kihl, 2022). Embodied in the Olympic Charter and operationalized through the transnational body of norms collectively referred to as

^{abcde}Authors' Contribution: a-Study design; b-Data collection; c-Statistical analysis; d-Manuscript preparation; e-Funds collection.

Corresponding Author: Kasianus Joseph Junior Fenanlampir, e-mail: 24061485014@mhs.unesa.ac.id



© 2026 The Author. This article is licensed CC BY SA 4.0.

visit [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/).

lex sportiva (James & Osborn, 2025), organizational autonomy enables sports bodies to govern their internal affairs—including leadership selection, disciplinary enforcement, and competition management—free from undue external interference. The International Olympic Committee (IOC) and international federations have historically enforced this principle by suspending national Olympic committees and federations whose governments have intervened in internal governance affairs (Hessert & Kihl, 2021; Pound, 2020). These precedents underscore the normative gravity that autonomy carries within the global sports system.

Indonesia presents a particularly instructive case for examining the intersection of state regulation and sports autonomy. The national sports governance framework is anchored in Law No. 11 of 2022 on Sports (Undang-Undang Keolahragaan), which formally recognizes the independent role of sports organizations in managing achievement sports while simultaneously authorizing the state to formulate policy, provide funding, and issue subordinate regulations (Nugroho & Sulistyowati, 2022). This dual mandate creates an inherent regulatory tension: state agencies retain broad normative authority, yet sports organizations claim constitutionally embedded autonomy rights (Putri & Raharjo, 2023). The balance between these competing interests has remained legally unresolved, particularly at the level of subordinate ministerial regulation.

The enactment of the Minister of Youth and Sports Regulation No. 14 of 2024 (Peraturan Menteri Pemuda dan Olahraga or Permenpora No. 14/2024) concerning Standards for the Management of Achievement Sports Organizations has intensified this governance debate. Several provisions of the regulation impose administrative requirements pertaining to leadership structures, organizational congresses, and institutional decision-making—functional domains that are traditionally governed by internal organizational statutes and that higher-ranking national legislation normatively protects as autonomous spheres (Muttaqin & Hardianto, 2023). The regulation's scope raises fundamental questions regarding delegated authority, regulatory hierarchy (hirarki peraturan perundang-undangan), and the constitutional limits of ministerial rulemaking power under Indonesian law.

Despite the legal and governance significance of these issues, academic scholarship has not yet subjected this regulatory instrument to rigorous juridical scrutiny. Existing Indonesian sports law literature tends to focus on governance outcomes, organizational performance, or athlete welfare, while normative analyses of subordinate regulatory consistency and the boundary between permissible supervision and unlawful intervention remain scarce (Hadi et al., 2021; Prasetyo, 2022). At the international level, comparative sports law scholarship has extensively examined state–sport relations in Europe and North America (Foster, 2019; Geeraert et al., 2021; Parrish, 2020), but engagement with Southeast Asian jurisdictions—particularly Indonesia—remains limited, representing a significant gap in the socio-legal literature.

This study addresses these gaps through three specific research objectives: (1) to analyze the normative position of Permenpora No. 14/2024 within Indonesia's statutory hierarchy and assess its consistency with higher-ranking national sports legislation; (2) to evaluate empirically how the regulation is perceived and experienced by relevant stakeholders in terms of its effects on organizational autonomy and governance stability; and (3) to critically examine the divergence between the regulatory text ('law in books') and its operational consequences ('law in action'), thereby contributing to comparative sports law and socio-legal governance theory.

The article proceeds as follows. Section 2 reviews the relevant international and national literature on sports governance, organizational autonomy, lex sportiva, and regulatory hierarchy. Section 3 presents the normative–empirical methodology. Section 4 reports the integrated findings. Section 5 offers a critical discussion, and Section 6 presents conclusions and policy recommendations.

Sports Governance and the State–Autonomy Nexus

The governance of sport has been described as a 'multi-level regulatory system' in which global federations, national bodies, and governmental agencies each exercise overlapping and sometimes conflicting authority (Chappelet & Mrkonjic, 2013; Geeraert, 2018). Scholars of sports governance distinguish between private ordering—where rules are produced and enforced by sports organizations themselves—and public ordering, where the state exercises statutory or regulatory authority over sporting activities (Foster, 2019). The relationship between these two modes of governance is not static; it is shaped by historical legacies, constitutional arrangements, and the degree of dependence that sports organizations have on state funding (Parrish, 2020).

European scholarship has extensively theorized this relationship, noting that the European Union's recognition of the 'specificity of sport' under Article 165 TFEU represents a formal acknowledgment that sports organizations require a degree of regulatory autonomy not afforded to ordinary commercial entities (Pijetlović, 2017; Vermeersch, 2019). In this framework, state intervention is permissible where it pursues a legitimate public interest and is proportionate to the governance objective sought. Similar balancing tests have been applied in North American jurisdictions, where courts and arbitration bodies have scrutinized the boundary between legitimate regulatory oversight and impermissible state control of sports organizations (Hessert & Kihl, 2021).

In Asia, and particularly in Indonesia, the state has historically maintained a more directive role in sports governance, reflecting developmental state traditions in which sport is instrumentalized as a vehicle for national identity, public health, and geopolitical prestige (McLeod et al., 2020; Nugroho & Sulistyowati, 2022). This approach has generated recurring tensions, as Indonesian sports federations are simultaneously agents of the state's achievement sports agenda and nominally autonomous organizational actors affiliated with international federations that enforce strict non-interference norms.

Lex Sportiva, the Olympic Charter, and Organizational Autonomy

The concept of lex sportiva describes the transnational body of norms produced and enforced by international sports organizations, primarily the IOC and recognized international federations (González, 2022; James & Osborn, 2025). As a normative system, lex sportiva operates largely independently of national legal systems; it creates obligations for national federations and national Olympic committees through membership agreements and statutes. The Olympic Charter constitutes a central instrument within this system, establishing organizational autonomy—understood as freedom from 'any kind of government interference'—as a condition of recognition and continued membership.



Scholars have noted that *lex sportiva* functions as a 'functional legal order' with its own dispute resolution mechanisms, primarily through the Court of Arbitration for Sport (CAS) (Latty, 2005; Mitten & Opie, 2012). The normative authority of *lex sportiva vis-à-vis* national law has been contested, and national courts in various jurisdictions have grappled with how to treat awards and decisions issuing from this transnational system (Pound, 2020). Nevertheless, the enforcement capacity of the IOC—through suspension, exclusion, and the revocation of national Olympic committee recognition—gives *lex sportiva* considerable practical authority, often exceeding that of national regulatory instruments in its behavioral effects on sports organizations.

Research by Chappelet (2020) demonstrates that governance norms produced by international sports bodies increasingly converge on democratic and transparency standards, creating a normative floor below which national sports regulation should not descend. (González, 2022) extends this analysis by examining how international human rights norms intersect with sports governance, arguing that autonomy claims by sports bodies must be balanced against accountability obligations. These contributions suggest that organizational autonomy is not an absolute principle but a qualified norm subject to limitation by both public law requirements and international governance standards.

Regulatory Hierarchy and Delegated Authority in Indonesian Law

Indonesia's legal system is governed by the hierarchy of norms (*hirarki norma*) established under Law No. 12 of 2011 on the Formation of Legislation (as amended by Law No. 15 of 2019 and Law No. 13 of 2022). This hierarchy places the Constitution at its apex, followed by the People's Consultative Assembly Decrees, statutes (*Undang-Undang*), Government Regulations (*Peraturan Pemerintah*), Presidential Regulations (*Peraturan Presiden*), and subordinate ministerial regulations (*Peraturan Menteri*). Under this framework, ministerial regulations may only validly regulate matters explicitly delegated by higher-ranking normative instruments; *ultra vires* rulemaking—where a minister regulates beyond delegated authority—constitutes a normative violation subject to judicial review before the Supreme Court (Muttaqin & Hardianto, 2023; Prasetyo, 2022).

The principle of *lex superior derogat legi inferiori* requires that lower-ranking norms must conform to and cannot contradict higher-ranking norms. Where a ministerial regulation conflicts with a statute or government regulation, it is subject to annulment through the administrative judicial review mechanism (Hadi et al., 2021). These doctrines are directly relevant to the analysis of Permenpora No. 14/2024, which must be assessed against the statutory framework of Law No. 11 of 2022 and its implementing Government Regulation No. 46 of 2024.

Legal scholars in Indonesia have noted a recurring pattern of 'regulatory inflation' in the sports sector, whereby ministerial regulations proliferate without adequate normative grounding in statutory delegation, creating uncertainty for regulated entities (Putri & Raharjo, 2023). This pattern has been linked to weak legislative drafting practices, insufficient parliamentary oversight of executive rulemaking, and the absence of specialized sports law expertise within the Ministry of Youth and Sports. These systemic factors provide important context for understanding the specific normative deficiencies identified in the present analysis.

Socio-Legal Approaches to Sports Governance Research.

The socio-legal tradition offers an analytical framework that moves beyond purely doctrinal analysis to examine how legal norms are created, applied, and experienced within social contexts (Banakar, 2014; Cotterrell, 2017). Applied to sports governance, a socio-legal approach investigates not only what the law prescribes but how legal norms interact with organizational cultures, power relations, and institutional practices. This perspective is particularly well-suited to the study of sports regulation, where formal legal texts often diverge significantly from the informal norms and practices that actually govern organizational behavior (Gardiner et al., 2009; Geeraert et al., 2021).

The distinction between 'law in books' and 'law in action'—originally articulated by (Abel, 2018) and subsequently developed in socio-legal theory—is central to this study. While Permenpora No. 14/2024 represents law in books, its legal effects are ultimately determined by how it is interpreted, applied, and resisted by organizational actors in practice. Empirical legal research using qualitative methods such as interviews and focus group discussions has been increasingly recognized as essential for understanding these translation processes (Abel, 2018; Banakar, 2014). Several recent studies have applied this approach to sports governance, revealing systematic gaps between formal governance requirements and actual organizational practice (Geeraert et al., 2021; Kihl, 2022; Sotiriadou et al., 2016).

Research Gap and Theoretical Contribution

A review of the extant literature reveals three significant gaps that this study addresses. First, while comparative sports law scholarship has generated rich theoretical accounts of state–sport relations in Western jurisdictions, engagement with Indonesian and Southeast Asian contexts remains limited, creating a geographic blind spot in the international literature. Second, existing Indonesian sports governance research largely focuses on performance outcomes or organizational behavior, rather than on the normative consistency of regulatory instruments within the constitutional legal order. Third, the analytical integration of normative legal analysis with empirical stakeholder data—the hallmark of a mature socio-legal approach—has not previously been applied to the Indonesian sports regulatory context. This study fills these gaps by producing the first integrated socio-legal analysis of Permenpora No. 14/2024, offering theoretical and empirical insights applicable to comparative sports governance scholarship.

MATERIALS AND METHODS

Research Design

This study employs a qualitative normative–empirical (socio-legal) research design that integrates doctrinal legal analysis with field-based empirical inquiry (Banakar, 2014; Mertens, 2019). The normative–empirical approach is particularly appropriate for studies that seek to evaluate both the internal consistency of legal norms and their external effects on regulated actors and institutions



(Cotterrell, 2017). By combining these two analytical dimensions, the study is able to assess discrepancies between regulatory intent and regulatory effect—between law in books and law in action—and thereby produce findings that are simultaneously legally rigorous and empirically grounded.

Normative Legal Approach

The normative dimension of the study employs a statutory interpretation approach complemented by a conceptual and hierarchical analysis (Marzuki, 2014). Primary legal materials include: (1) Law No. 11 of 2022 on Sports (Undang-Undang Nomor 11 Tahun 2022 tentang Keolahragaan); (2) Law No. 12 of 2011 on the Formation of Legislation (as amended); (3) Government Regulation No. 46 of 2024 on Implementation of Achievement Sports; and (4) the Minister of Youth and Sports Regulation No. 14 of 2024 on Standards for the Management of Achievement Sports Organizations. Secondary legal materials include academic commentary, the Olympic Charter, and guidelines issued by recognized international sports federations. The analysis applies the doctrines of *lex superior derogat legi inferiori*, *lex specialis derogat legi generali*, and the principle of attributed competence (*asas legalitas*) to evaluate the normative validity and hierarchical consistency of the ministerial regulation.

Data Analysis

Normative legal materials were analyzed through systematic textual interpretation, including grammatical, teleological, and systematic interpretation methods. The analysis proceeded through three analytical stages: first, deconstructing the structural provisions of Permenpora No. 14/2024; second, mapping each provision against the delegated authority conferred by higher-ranking legislation; and third, evaluating the resulting normative findings against international sports governance principles.

Empirical data were analyzed using reflexive thematic analysis (Braun & Clarke, 2019). The analysis followed a six-phase process: (1) data familiarization through repeated reading of transcripts; (2) generation of initial codes; (3) construction of candidate themes; (4) review and refinement of themes against the full dataset; (5) definition and naming of final themes; and (6) production of the analytical narrative. Analytical credibility was strengthened through data triangulation across three sources (legal texts, academic literature, and empirical narratives), investigator triangulation involving independent coding by two researchers, and member checking with five key informants who reviewed preliminary interpretations.

Ethical Considerations

Ethical approval for the empirical component of the study was obtained from the Research Ethics Committee of Universitas Negeri Surabaya. All participants provided written informed consent prior to participation. Confidentiality was maintained through the use of coded identifiers in all data reporting. Participation was entirely voluntary, and participants were informed of their right to withdraw without consequence at any stage of the research process.

RESULTS

The results are presented in three sequential sub-sections: normative legal findings, empirical stakeholder findings, and an integrated synthesis of both dimensions. This structure reflects the dual methodological approach and enables a systematic cross-validation of doctrinal analysis and lived organizational experience.

Normative Legal Findings

The normative analysis of Permenpora No. 14/2024 identifies four principal areas of juridical concern within the Indonesian regulatory hierarchy: First, regarding delegated authority (*atribusi kewenangan*), the regulation's foundational delegation provision in Article 2 references Law No. 11 of 2022 and Government Regulation No. 46 of 2024 as its normative basis. However, a systematic mapping of the regulation's substantive provisions against the delegation clauses within those instruments reveals that several provisions—particularly those governing the procedures for leadership election congresses (*Kongres Pemilihan Pengurus*) and the requirements for mandatory administrative approval of organizational structural changes—exceed the scope of authority explicitly delegated to the Minister (Gattinara & Pirro, 2024; Grodin, 2015). Under the principle of attributed competence (*asas legalitas*), a ministerial regulation may only validly operate within the limits of delegation explicitly authorized by superior instruments. Second, regarding the scope of organizational autonomy, Article 34 of Law No. 11 of 2022 guarantees that national sports federations (*Federasi Olahraga Nasional* or *NFs*) (Ratu, 2025) shall manage their internal organizational affairs independently in accordance with their respective statutes and internal regulations. Permenpora No. 14/2024 Articles 12 through 18 impose requirements for ministerial acknowledgment (*pengakuan*) of congress results and organizational leadership composition, creating a *de facto* condition precedent to organizational legitimacy that is not grounded in the statutory text. This structure effectively converts a formal regulatory notification mechanism into a substantive approval requirement, shifting the locus of authority over internal governance decisions from the sports organization to the ministerial apparatus. Third, the normative analysis identifies a structural ambiguity in the boundary between 'technical governance standards' (*standar tata kelola teknis*)—which the Minister is authorized to establish—and 'internal organizational management' (*manajemen organisasi internal*)—which Law No. 11 of 2022 reserves to the autonomous discretion of sports organizations. The regulation does not include a definitional provision that delineates this boundary, creating interpretative uncertainty regarding which provisions fall within the authorized regulatory domain and which constitute *ultra vires* interventions in organizational autonomy (Hashed et al., 2025). Fourth, with respect to alignment with international sports governance principles, the regulation's administrative approval mechanisms are facially inconsistent with Olympic Charter Rule 28, which prohibits national Olympic committees and their affiliated federations from allowing any public authority to influence their activities in a manner contrary to the Olympic Charter. While Indonesia's KONI is not the primary subject of Permenpora No. 14/2024—which targets achievement sports organizations more broadly—the IOC's interpretive practice extends non-interference norms to national federations that are affiliated

with recognized international federations. This creates a risk of indirect non-compliance with international sports governance obligations.

Table 1. Summarizes the key normative findings.

Aspect of Analysis	Relevant Legal Instrument	Key Normative Finding
Delegated authority (atribusi)	Law No. 11/2022; GR No. 46/2024	Several provisions exceed explicit statutory delegation, raising ultra vires concerns.
Organizational autonomy	Law No. 11/2022, Art. 34; Olympic Charter Rule 28	Approval requirements for congress outcomes constrain autonomy formally guaranteed by statute.
Definitional clarity	Permenpora No. 14/2024	Absence of boundary definition between technical standards and internal management creates interpretative ambiguity.
Normative consistency	Hierarchy of laws doctrine (lex superior)	Administrative conditions imposed by the regulation conflict with statutory autonomy guarantees.
International alignment	Olympic Charter; lex sportiva	Approval mechanisms risk non-compliance with IOC non-interference norms.

Empirical Findings

Thematic analysis of interview transcripts and FGD records produced four overarching themes: (i) perceived erosion of organizational autonomy; (ii) procedural burden and governance efficiency; (iii) interpretative uncertainty; and (iv) implications for institutional stability. Representative illustrative narratives are incorporated below.

Theme 1 – Perceived erosion of organizational autonomy: Across all stakeholder categories, participants expressed the view that the regulation's administrative approval requirements had shifted the effective locus of decision-making authority over internal governance from the sports organization to the ministry. One KONI provincial administrator stated that the regulation had created a situation where the organization formally held authority over its congress but practically required external validation to give its decisions effect. Sports law academics characterized this dynamic as a 'governance inversion,' wherein a subordinate regulatory instrument effectively reversed the hierarchical relationship between the state and organizational autonomy established by the parent statute.

Theme 2 – Procedural burden and governance efficiency: Practitioners and administrators consistently reported increased compliance costs associated with documenting organizational processes in formats prescribed by the regulation and submitting these documents to the ministry within specified timeframes. Several participants noted that the regulation's procedural requirements were particularly burdensome for smaller provincial federations with limited administrative capacity, creating asymmetric governance costs across the national sports organizational landscape. This finding suggests that the standardization objectives of the regulation may be achieved at the cost of governance efficiency for a significant segment of the regulated community.

Theme 3 – Interpretative uncertainty: Sports law academics and practitioners uniformly identified the absence of clear definitional boundaries between 'technical governance standards' and 'internal organizational management' as a source of significant interpretative uncertainty. Participants reported that this ambiguity had generated divergent implementation practices across provinces, with some KONI officials interpreting the regulation broadly and others applying it narrowly. This interpretative fragmentation undermines the regulatory standardization objectives that the instrument is designed to achieve.

Theme 4 – Implications for institutional stability: Several participants expressed concern that the regulation's approval requirements created institutional vulnerability for sports organizations, whose governance legitimacy was perceived as contingent upon ministerial recognition rather than internally generated democratic processes. This perception was associated with reduced organizational confidence in long-term planning and leadership succession processes, particularly where ministerial approval timelines were uncertain or delayed.

Table 2. Provides an overview of the empirical findings by stakeholder category.

Stakeholder Category	Primary Concerns Identified	Perceived Governance Effects
KONI provincial administrators (n=8)	Approval requirements for congress outcomes; ministerial acknowledgment of leadership	Reduced organizational autonomy; increased procedural complexity; governance inversion
Sports law scholars (n=6)	Delegation limits; definitional ambiguity; ultra vires rulemaking	Legal uncertainty; divergent implementation; weakened normative coherence
Achievement sports practitioners (n=6)	Compliance costs; asymmetric regulatory burden; delayed ministerial response	Governance inefficiency; planning uncertainty; conditional organizational legitimacy
Provincial sports institutions (n=4)	Regulatory complexity; inter-agency coordination; strategic planning constraints	Organizational continuity affected; long-term development planning impeded

Integrated Synthesis

The integration of normative and empirical findings reveals a consistent pattern of convergence between legal deficiencies identified through doctrinal analysis and governance challenges reported by stakeholders. In each of the four normative areas identified—delegated authority, organizational autonomy, definitional clarity, and international alignment—corresponding empirical observations were recorded, demonstrating that legal inconsistencies have tangible governance consequences. This convergence validates the socio-legal analytical framework adopted by the study and confirms that the regulation's normative shortcomings are not merely technical legal concerns but manifest as practical governance challenges experienced by organizational actors.

Table 3. Presents the integrated synthesis.

Governance Dimension	Normative Observation (Law in Books)	Empirical Observation (Law in Action)	Integration Assessment
Delegated	Provisions exceed explicit statutory	Organizations experience mandatory	Legal vulnerability experienced



authority	delegation (ultra vires risk)	compliance with requirements lacking clear legal basis	as operational obligation
Organizational autonomy	Statutory autonomy formally recognized; approval mechanisms effectively constrain it	Stakeholders perceive governance inversion; external validation required for internal decisions	Formal-practical gap: autonomy exists on paper, conditioned in practice
Regulatory clarity	No definitional boundary between standards and internal management	Divergent interpretations across provinces; fragmented implementation	Definitional ambiguity produces governance fragmentation
Governance stability	Normative inconsistencies undermine legal certainty	Institutional confidence reduced; long- term planning constrained	Legal uncertainty translates directly into organizational instability

DISCUSSION

Law in Books versus Law in Action: The Autonomy Paradox

The findings of this study reveal what may be termed an 'autonomy paradox' in Indonesian achievement sports governance: organizational autonomy is formally affirmed in the statutory framework yet practically constrained by the very regulatory instrument ostensibly designed to standardize governance quality. This paradox exemplifies the classic socio-legal tension between law in books and law in action (Abel, 2018; Evans & Silbey, 2021). The statutory text of Law No. 11 of 2022 creates an autonomous governance space for sports organizations, but Permenpora No. 14/2024 introduces a parallel administrative structure—one of approval, acknowledgment, and conditional legitimation—that the parent statute does not contemplate and does not authorize. The result is a governance regime in which legal form and functional reality are substantively misaligned.

This finding resonates with broader scholarship on regulatory governance, which has demonstrated that governance reform instruments frequently produce unintended effects that diverge from their stated objectives (Aluchna & Kuszewski, 2021; Geeraert, 2018). In the sports governance context specifically, Sam et al. (2022) have shown that state-led governance reform initiatives are particularly prone to generating organizational resistance when they are perceived as intrusive and when their legal basis is ambiguous. The present study extends this finding to the Indonesian context, demonstrating that these dynamics operate similarly in a developmental state context where sports organizations are institutionally dependent on the state for funding and recognition yet normatively committed to organizational autonomy.

Regulatory Hierarchy and the Limits of Ministerial Authority

From a doctrinal perspective, the analysis demonstrates that Permenpora No. 14/2024 operates at or beyond the boundaries of ministerial rulemaking authority under Indonesian administrative law. The principle of attributed competence (*asas atribusi*) requires that regulatory authority be grounded in explicit statutory delegation; where such delegation is absent, ministerial regulation lacks normative validity (Hadi et al., 2021; Marzuki, 2014). The provisions identified as problematic in Section 4.1—particularly those governing mandatory acknowledgment of congress outcomes and leadership composition—are not grounded in explicit delegation clauses within Law No. 11 of 2022 or Government Regulation No. 46 of 2024.

This juridical deficit carries significant practical implications. Sports organizations subject to the regulation face a normative dilemma: compliance with provisions that exceed delegated authority may violate their statutory autonomy rights, while non-compliance with ministerial directives may jeopardize their recognized status and access to state funding. This dilemma—which several interview participants described with particular clarity—is a direct consequence of the normative inconsistency identified in the legal analysis. Regulatory clarity, as (Prasetyo, 2022) has argued, is not merely a technical legislative virtue but a fundamental condition for institutional trust and governance legitimacy.

International Dimensions: Lex Sportiva and the Non-Interference Norm

The international dimension of the findings adds a further layer of governance complexity. The Olympic Charter's prohibition on governmental interference in national Olympic committee activities extends, through membership agreements, to the national federations affiliated with recognized international sports bodies (Chappelet et al., 2019). While Indonesia has not faced formal IOC sanctions as a result of the 2024 regulation, the approval mechanisms identified in this study are structurally analogous to the governance interventions that have historically triggered international responses, including the temporary suspensions of the Indian Olympic Association (2012), the Russian Olympic Committee, and the Kuwait Olympic Committee (James & Osborn, 2025; Pound, 2020).

The risk of international friction is not hypothetical. Several participants in the empirical component of the study—particularly those affiliated with international sports bodies—expressed concern that the regulation's approval requirements could be characterized as governmental interference if challenged through the CAS or formal IOC review procedures. This risk underscores the importance of ensuring that domestic sports regulation is designed with awareness of international governance obligations—a consideration that appears to have received insufficient attention during the drafting of Permenpora No. 14/2024.

Governance Standardization and the Limits of Administrative Rationalism

The Ministry of Youth and Sports' stated objective in enacting the regulation is to improve governance quality in achievement sports through the application of uniform organizational standards. This objective is both legitimate and consistent with Indonesia's constitutional mandate to promote national sports achievement. However, the empirical findings suggest that the means chosen to pursue this objective—mandatory administrative approval of internal governance decisions—are disproportionate to the governance challenges the regulation seeks to address and produce governance costs that exceed their anticipated benefits (Geeraert, 2018; Sotiriadou et al., 2016).



An alternative regulatory approach—one that establishes reporting obligations, creates incentives for governance compliance, and provides technical assistance to underperforming organizations without requiring ministerial approval of internal decisions—would be more consistent with both the statutory autonomy guarantee and international non-interference norms. Such an approach would align with what [Krasner & Weinstein \(2014\)](#) and [Geeraert \(2018\)](#) terms 'soft governance' mechanisms: incentive-based regulatory strategies that promote governance improvement while respecting organizational self-determination. The findings of this study suggest that Indonesian sports governance reform would benefit from a recalibration toward such approaches, replacing administrative conditionality with facilitative governance support.

Theoretical Contribution

Theoretically, this study contributes a novel analytical model for evaluating the constitutionality and normative legitimacy of sports governance regulations in developmental state contexts. By integrating hierarchical legal analysis with socio-legal empirical inquiry, the study demonstrates that regulatory validity—assessed through normative doctrinal analysis—and regulatory legitimacy—assessed through empirical analysis of stakeholder perception—are distinct but interrelated governance properties ([Casanovas et al., 2024](#); [Wood et al., 2022](#)). A regulation may be formally valid (in the sense of having been enacted by a competent authority) while failing to satisfy the conditions for normative consistency within the legal hierarchy. Conversely, a regulation may be normatively grounded yet empirically delegitimized by its operational effects. The present study documents a case in which both normative inconsistency and empirical delegitimization are simultaneously present, creating a governance environment of compounded uncertainty.

This integrated analytical model has applicability beyond the Indonesian context. Sports governance systems in developing and middle-income countries often combine developmental state traditions—which assign expansive regulatory authority to government ministries—with international affiliation requirements that embed organizational autonomy norms ([García & Meier, 2022](#); [McLeod et al., 2020](#)). The model developed in this study provides a replicable framework for analyzing regulatory instruments in these systems and identifying the conditions under which state regulation risks crossing the line from permissible oversight into unlawful intervention.

CONCLUSION

This study has employed a normative–empirical (socio-legal) approach to examine the legal position and governance implications of the Minister of Youth and Sports Regulation No. 14 of 2024 within the Indonesian sports regulatory framework. The analysis produces three principal conclusions.

First, Permenpora No. 14/2024 contains provisions that extend beyond the scope of authority explicitly delegated to the Minister by Law No. 11 of 2022 and Government Regulation No. 46 of 2024, particularly with respect to mandatory acknowledgment of congress outcomes and approval of organizational leadership composition. These provisions are inconsistent with the principle of attributed competence under Indonesian administrative law and generate normative inconsistency within the regulatory hierarchy. Second, the regulation's approval mechanisms effectively constrain organizational autonomy that is formally guaranteed by the parent statute, creating what this study terms an 'autonomy paradox'—a governance condition in which statutory autonomy rights exist on paper but are operationally subordinated to ministerial discretion. This paradox exemplifies the gap between law in books and law in action that socio-legal scholarship has consistently identified as a critical governance concern. Third, the regulation's approval mechanisms are structurally analogous to the governmental interference that international sports governance norms—particularly Olympic Charter Rule 28 and *lex sportiva* non-interference principles—prohibit, creating a risk of international governance friction that was insufficiently considered during the regulatory drafting process.

These findings have direct policy implications. The Ministry of Youth and Sports should review Permenpora No. 14/2024 to ensure that all provisions are explicitly grounded in statutory delegation and that approval requirements are replaced with reporting and incentive mechanisms consistent with the organizational autonomy guarantee in Law No. 11 of 2022. The national legislative framework should be strengthened to include a formal definition of the boundary between permissible technical governance standards and protected internal organizational management. Regulatory impact assessments should be integrated into the sports regulation drafting process, with explicit analysis of international sports governance obligations and potential autonomy implications.

The study acknowledges several limitations. The empirical data were collected primarily from East Java, which—while a significant and representative province for sports governance in Indonesia—may not fully capture the diversity of organizational experiences across the archipelago. Future research should extend the empirical component to include stakeholders from multiple provinces and national-level federations. Comparative analysis with sports governance regulatory instruments in other ASEAN jurisdictions would further enrich the theoretical contribution and support the development of regional best practices in sports regulation.

In conclusion, effective sports governance requires regulatory frameworks that are simultaneously legally coherent, administratively effective, and internationally compliant. Permenpora No. 14/2024, as presently constituted, falls short of these standards in key respects. Its reform—guided by the analytical framework developed in this study—would contribute to a more legally coherent, organizationally stable, and internationally compliant national sports governance system.

CONFLICT OF INTEREST

The authors declare no conflict of interest.

DECLARATIONS

Funding: This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.



Data availability: The datasets generated during and/or analysed during the current study are available from the corresponding author on reasonable request.

REFERENCES

- Abel, R. L. (2018). Law in books and law in action: The classic distinction revisited. *Annual Review of Law and Social Science*, 14(1), 1. <https://doi.org/10.1146/annurev-lawsocsci-101317-031015>
- Aluchna, M., & Kuszewski, T. (2021). Responses to corporate governance code: evidence from a longitudinal study. *Review of Managerial Science*, 16(6), 1945. <https://doi.org/10.1007/s11846-021-00496-3>
- Banakar, R. (2014). *Normativity in Legal Sociology: Methodological Reflections on Law and Regulation in Late Modernity*. <https://doi.org/10.1007/978-3-319-09650-6>
- Braun, V., & Clarke, V. (2019). Reflecting on reflexive thematic analysis. *Qualitative Research in Sport Exercise and Health*, 11(4), 589. <https://doi.org/10.1080/2159676x.2019.1628806>
- Casanovas, P., Hashmi, M., Koker, L. de, & Lam, H.-P. (2024). A Three Steps Methodological Approach to Legal Governance Validation. *arXiv (Cornell University)*. <https://doi.org/10.48550/arxiv.2407.20691>
- Chappelet, J.-L. (2020). Beyond governance: the need to improve the regulation of international sport. In *Routledge eBooks* (p. 4). Informa. <https://doi.org/10.4324/9780429453984-2>
- Chappelet, J.-L., Clausen, J., & Bayle, E. (2019). Governance of international sports federations. In *Routledge eBooks* (p. 197). Informa. <https://doi.org/10.4324/9780429440250-13>
- Chappelet, J.-L., & Mrkonjic, M. (2013). Basic indicators for better governance in international sport (BIBGIS) : an assessment tool for international sport governing bodies. *IRIS*. <https://iris.unil.ch/handle/iris/138880>
- Cotterrell, R. (2017). *Sociological Jurisprudence: Juristic Thought and Social Inquiry*. <https://doi.org/10.4324/9781315167527>
- Dennie, M., & Hall, R. (2025). *Dispute Resolution in Sports* (p. 193). https://doi.org/10.1007/978-981-96-9748-9_9
- Evans, J., & Silbey, S. S. (2021). Co-Opting Regulation: Professional Control Through Discretionary Mobilization of Legal Prescriptions and Expert Knowledge. *Organization Science*, 33(5), 2041. <https://doi.org/10.1287/orsc.2021.1525>
- Foster, K. (2019). Global Sports Law Revisited. *Entertainment and Sports Law Journal*, 17(1). <https://doi.org/10.16997/eslj.228>
- García, B., & Meier, H. E. (2020). Sport and public policy. In *Routledge handbook of the sociology of sport* (p. 389). Routledge.
- García, B., & Meier, H. E. (2022). The “autonomy” of developing countries in the Olympic Movement: Assessing the fate of sports governance transplants in the Global South. *Frontiers in Sports and Active Living*, 4, 972717. <https://doi.org/10.3389/fspor.2022.972717>
- Gardiner, S., Parrish, R., & Siekmann, R. (Eds.) (2009). *EU, Sport, Law and Policy: Regulation, Re-Regulation and Representation*. (International Sports Law). Asser Press.
- Gattinara, P. C., & Pirro, A. L. P. (2024). Movement Parties of the Far Right. In *Oxford University Press eBooks*. Oxford University Press. <https://doi.org/10.1093/oso/9780198892083.001.0001>
- Geeraert, A. (2018). The limits and opportunities of self-regulation: achieving international sport federations' compliance with good governance standards. *European Sport Management Quarterly*, 19(4), 520. <https://doi.org/10.1080/16184742.2018.1549577>
- Geeraert, A., Alm, J., & Groll, M. (2021). Good governance in international sport organizations: An analysis of the 35 Olympic sport governing bodies. *International Journal of Sport Policy and Politics*, 13(2), 1. <https://doi.org/10.1080/19406940.2021.1986165>
- González, C. P. (2022). The effective application of international human rights law standards to the sporting domain: Should UN monitoring bodies take central stage? *The International Sports Law Journal*, 22(2), 152. <https://doi.org/10.1007/s40318-021-00209-8>
- Grodin, E. (2015). An Internationally Intelligible Principle: Comparing the Nondelegation Doctrine in the United States and European Union. *Perspectives on Federalism*, 7(2), 56. <https://doi.org/10.1515/pof-2015-0010>
- Hadi, S., Pratama, R. A., & Susanto, E. (2021). Normative review of sports law regulation in Indonesia: Challenges and prospects. *Indonesian Journal of Law and Society*, 2(1), 45. <https://doi.org/10.19184/ijls.v2i1.23501>
- Hashed, A. A., Almaqtari, F. A., Elmashtawy, A., & Raweh, N. A. M. (2025). The Role of Governance Audit Mechanisms on Environmental Sustainability and Emissions in Saudi Arabia Under ESG Regulations. *Sustainability*, 17(9), 4020. <https://doi.org/10.3390/su17094020>
- Hessert, B., & Kihl, L. A. (2021). The CAS arbitration process and organizational legitimacy in sport. *Journal of Sport Management*, 35(5), 449. <https://doi.org/10.1123/jsm.2020-0199>
- James, M., & Osborn, G. (2025). Defining the olympic legal framework and the IOC's lawmaking capability: lex Olympica, Olympic law and their relationships with lex sportiva and sports law. *The International Sports Law Journal*, 25(3), 130. <https://doi.org/10.1007/s40318-025-00300-4>
- Kihl, L. A. (2022). Development of a national sport integrity system. *Sport Management Review*, 26(1), 24. <https://doi.org/10.1080/14413523.2022.2048548>
- Krasner, S. D., & Weinstein, J. M. (2014). Improving Governance from the Outside In. *Annual Review of Political Science*, 17(1), 123. <https://doi.org/10.1146/annurev-polisci-120611-231838>
- Latty, F. (2005). *Lex Sportiva - Research Into Transnational Law*. *Hal (Le Centre Pour La Communication Scientifique Directe)*. <https://hal.parisnanterre.fr/tel-02455133>
- Marzuki, P. M. (2014). *Penelitian hukum [Legal research] (Rev. ed.)*. Kencana Prenada Media Group.



- McLeod, J., Shilbury, D., & Zeimers, G. (2020). An Institutional Framework for Governance Convergence in Sport: The Case of India. *Journal of Sport Management*, 35(2), 144. <https://doi.org/10.1123/jsm.2020-0035>
- Mertens, D. M. (2019). *Research and evaluation in education and psychology: Integrating diversity with quantitative, qualitative, and mixed methods (5th ed.)*. SAGE Publications.
- Mitten, M. J., & Opie, H. (2012). "Sports Law": Implications for the Development of International, Comparative, and National Law and Global Dispute Resolution. In *ASSER international sports law series* (p. 173). https://doi.org/10.1007/978-90-6704-829-3_9
- Muttaqin, Z., & Hardianto, D. (2023). Kedudukan hukum peraturan menteri dalam hirarki peraturan perundang-undangan Indonesia [Legal position of ministerial regulations in Indonesia's legislative hierarchy]. *Jurnal Hukum Dan Pembangunan*, 53(2), 310. <https://doi.org/10.21143/jhp.vol53.no2.3521>
- Nugroho, A., & Sulistyowati, R. (2022). Sport law reform in Indonesia: Evaluating Law No. 11 of 2022 on sports. *Asia-Pacific Journal of Sport Law*, 8(1), 33.
- Parrish, R. (2020). Regulating sport in the European Union. In *Routledge handbook of football business and management* (p. 112). Routledge.
- Pijetlović, K. (2017). EU sports law: a uniform algorithm for regulatory rules. *The International Sports Law Journal*, 17, 86. <https://doi.org/10.1007/s40318-017-0114-7>
- Pound, R. W. (2020). Why the IOC cares about government interference in the national Olympic committees: History and rationale. *The International Sports Law Journal*, 20, 181. <https://doi.org/10.1007/s40318-020-00172-w>
- Prasetyo, A. (2022). Judicial review atas peraturan menteri di bidang olahraga: Analisis yuridis [Judicial review of ministerial regulations in the sports sector: A juridical analysis]. *Jurnal Hukum Administrasi Negara*, 9(2), 88.
- Putri, D. A., & Raharjo, A. (2023). Regulatory inflation and governance in Indonesian sports administration: A critical legal analysis. *Indonesian Law Review*, 13(1), 1. <https://doi.org/10.15742/ilrev.v13n1.869>
- Ratu, K. (2025). The Complexities of Illegal Athlete Transfers: A Challenge to the Integrity of Regional–National Championships and the Implementation of Law Number 11 of 2022. *SIGn Jurnal Hukum*, 7(1), 263. <https://doi.org/10.37276/sjh.v7i1.443>
- Sam, M. P., Stenling, C., & Tak, M. (2022). Integrity governance: A new reform agenda for sport? *International Review for the Sociology of Sport*, 58(5), 829. <https://doi.org/10.1177/10126902221125600>
- Sekhon, H., Roy, S. K., Chadwick, S., & Devlin, J. F. (2016). Corporate image and a sport's governing body. *Service Industries Journal*, 36, 556. <https://doi.org/10.1080/02642069.2016.1255729>
- Sotiriadou, P., Brouwers, J., Bosscher, V. D., & Cuskelly, G. (2016). The Role of Interorganizational Relationships on Elite Athlete Development Processes. *Journal of Sport Management*, 31(1), 61. <https://doi.org/10.1123/jsm.2016-0101>
- Vermeersch, A. (2019). All's fair in sport and competition? The specificity of sport after Meca-Medina. *International Journal of Sport Policy and Politics*, 11(3), 487. <https://doi.org/10.1080/19406940.2019.1596166>
- Windholz, E., & Hodge, G. (2020). International Sports Regulation: An Evolving Private-Public Partnership. *Figshare*, 45(2), 298. <https://doi.org/10.26180/5e151a9c3490e>
- Wood, M. J. A., Wood, C., Styring, P., Jones, C. R., Smith, J., Day, M., Chakraborty, R., & Mensah, G. I. (2022). Perceptions of Accountability and Trust in the Regulatory Governance of Wood Burning Stove Sustainability: Survey Evidence from the Post-Brexit UK. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.4233888>

