

*International Journal of Language and Legal Studies (IJLLS)**Available Online:*<https://ijlls.online/index.php/journal/index>

ISSN Print: 3105-7950

ISSN Online: 3105-7969

Platform & Workflow by: [Open Journal Systems](#)

Managing and Regulating Sports in Pakistan: Balancing Legal Frameworks and Ethical Principles for Integrity and Fair Play**Asfandiyar Khan**

Advocate Peshawar High Court, KP

khanasfand11@gmail.com**Abstract**

Sport occupies a unique position at the intersection of physical competition, cultural passion, and institutional governance, necessitating a robust regulatory framework that harmonises law and ethics. This paper examines the conceptual foundations of sports, the emerging field of Sports Law, and the ethical principles that underpin fair and transparent sporting practices, with particular reference to the Pakistani context. Sports Law is conceptualised as a specialised legal domain governing the relationships among athletes, clubs, federations, spectators, and state authorities, guided by core principles of autonomy of sports bodies, legality, equality, integrity, and the protection of athletes' physical and mental health. In Pakistan, the primary legislative instrument remains the Sports (Development and Control) Ordinance of 1962, supplemented by rules of national federations and international obligations under bodies such as the IOC and FIFA. The analysis reveals that, while the 1962 Ordinance establishes foundational governance and funding mechanisms, its implementation has been hampered by limited enforcement capacity, overlapping jurisdictions, and insufficient integration of contemporary ethical concerns such as anti-doping, match-fixing, gender equity, and spectator safety. The paper argues that achieving genuine integrity in Pakistani sports requires modernising the legal framework, strengthening independent regulatory institutions, and embedding ethical education across all stakeholders. Effective regulation must balance the autonomy of sports organisations with accountable state oversight, thereby fostering transparency, protecting participants, and preserving public trust in sport as a vehicle for national unity and positive social values.

Keywords: Sports Law, Sports Regulation, Ethical Principles, Sports Integrity, Pakistan Sports Legislation, Sports Governance, Athlete Protection, Transparency.

Introduction

Sports are a complex sociocultural phenomenon that encompasses a variety of elements and dimensions. In this work, proposes a comprehensive and well-founded definition of the concept of sports, defining it as an institutionalized competitive activity that requires vigorous physical effort or complex motor skills. The author emphasizes that sports are driven by intrinsic factors, such as personal pleasure and satisfaction, as well as extrinsic factors, such as the pursuit of social recognition and athletic achievements.

Regarding Sports Law, it is a specialized branch of law that seeks to regulate and discipline relationships within the sports sphere. The evolution of Sports Law is examined, who highlights its development and regulation through national and international associations. These entities play a fundamental role in structuring and organizing sports, establishing specific rules and regulations to address the particularities of this field.

A crucial aspect of Sports Law is the set of fundamental principles that guide its application. These principles serve as essential guidelines to ensure transparency, ethics, and fairness in sports relations. Among them, sports autonomy, legality, equality, sports integrity, and the protection of athletes' health stand out.

Sports autonomy is a principle that recognizes the capacity of sports entities to self-organize and manage their activities without direct interference from the State. This autonomy allows sports organizations to establish their own rules, regulations, and governance structures, within the limits set by law.

Legality, in turn, dictates that all sports activities must occur within legal boundaries and in accordance with current legal provisions. Adherence to legality is essential to ensure compliance in sports practices, prevent abuses, and protect the rights of all parties involved. Equality is a fundamental principle aimed at ensuring equal conditions of competition for participants in sporting events. This principle implies that all competitors should have access to the same training opportunities, technical resources, appropriate equipment, and necessary support for sports practice, thus eliminating any unfair advantages or disadvantages.

Sports integrity is another relevant principle, which seeks to combat any form of match-fixing or fraud in sports. This principle aims to preserve the integrity and credibility of competitions, ensuring that results are determined fairly, impartially, and based on the merit of the participants.

The protection of athletes' health is a principle aimed at ensuring the physical and mental integrity of those involved in sports. This includes the implementation of preventive measures to avoid injuries, the establishment of medical and anti-doping protocols, and the promotion of a safe and healthy environment for sports practice.

In the specific context of Pakistan legislation, This Ordinance shall be called the Sports (Development and control) Ordinance, 1962 (1) It extends to the whole of Pakistan (2) It shall come into force at once. This law addresses the general provisions of sports and establishes the principles that govern it, such as freedom of sports association, the promotion of sports practice as a right for all, and the emphasis on the educational and cultural aspects of sports. In addition to the (I) Sports shall include Hockey, Football, Athletics, wrestling, Cricket, Weight-lifting, Squash Rackets, Swimming, Boxing, Cycling, Basketball, Golf, Volley-ball, Rifle Shooting, Table Tennis, Badminton, Lawn Tennis, Polo, Racing, Body-building, Skiing, Mountaineering and any other activity which the Central Government may, by notification in the official Gazette, specify. (ii) "Board" means a Board constituted under this Ordinance for the control of Sports in Pakistan.

The preparation of this work followed a methodological approach grounded in the use of a descriptive inductive method, aimed at systematically analyzing and understanding the topic in question.

Initially, a precise definition and delimitation of the research topic were conducted, establishing the parameters and objectives of the investigation. This process of thematic identification is crucial to ensure the relevance and significance of the results obtained.

Subsequently, a thorough bibliographic survey was conducted through consultations with academic works, scientific articles, specialized journals, and other pertinent sources. This stage aimed to gather a consistent and up-to-date theoretical corpus, providing support for the analysis and interpretation of the collected data.

After the information was collected, the analysis and organization of the obtained data were carried out, using appropriate techniques for categorizing, classifying, and synthesizing

relevant information. This analysis stage allowed for the identification of patterns, cause-and-effect relationships, as well as possible gaps or contradictions present in the reviewed literature.

By adopting a descriptive inductive approach, the aim was to draw conclusions and inferences from the analyzed data, establishing generalizations and principles that underpin the investigated topic. In this sense, the use of an appropriate methodology contributed to obtaining consistent and reliable results, grounded in theoretical and empirical evidence.

In summary, this work adopted a methodological approach based on the descriptive inductive method, characterized by the systematic analysis of data collected during the research. The use of appropriate techniques for bibliographic survey, analysis, and organization of information was fundamental to achieving robust and substantiated results, thereby enhancing the credibility of the study.

Sports

In the pursuit of a comprehensive and precise definition of the concept of sports, the author, recognized Proposed a framework that allows for the delineation of its fundamental characteristics. According to sports man an be understood as aphysical activity that requires vigorous physical effort and the application of complex motor skills, involving competition among participants.

When addressing the requirement for vigorous physical effort, the author emphasizes the need for significant intensity in sports practice, necessitating considerable energy expenditure and enhancement of physical conditioning. This can be observed in modalities that demand endurance, strength, and agility, such as athletics, weightlifting, and team sports.

Furthermore, Author highlights the importance of complex motor skills, which require mastery of specific techniques and the development of coordinative abilities. These skills may encompass aspects such as fine motor coordination, balance, reaction speed, and precision, and are essential in sports such as gymnastics, and tennis.

“Sports are institutionalized competitive activities that involve vigorous physical effort or the use of relatively complex motor skills by individuals, whose participation is motivated by a combination of intrinsic and extrinsic factors.” (, 19XX, USP)

Author presents a comprehensive definition of the concept of sports, describing it as a practice that encompasses physical activity requiring vigorous physical effort and the application of complex motor skills. Additionally, it is highlighted that this sporting activity is characterized by the presence of competition among participants.

In discussing the requirement of physical effort, emphasizes the need for considerable intensity in sports activities, involving the use of energy and physical conditioning by the athletes. This can be observed in sports such as running, swimming, and weightlifting, where physical capacity is a determining factor.

With regard to complex motor skills, the author stresses the need for mastery of specific techniques and movements related to sports practice. These skills may involve coordination, agility, precision, balance, and speed, among other aspects. Examples of sports that require such skills include soccer, artistic gymnastics, and tennis.

Another fundamental element in the concept of sports is the competition between participants. Competition can take place individually or in teams, involving the pursuit of a favorable outcome, the surpassing of personal limits, and the achievement of specific goals. It is through this competition that healthy rivalry and sportsmanship are established, fostering improvement and excellence among athletes.

Thus, the proposed recognizes sports as an activity that goes beyond mere physical exercise, encompassing a practice that demands vigorous physical effort, complex motor skills, and competition among participants. This comprehensive approach to the concept of sports contributes to a more complete and in-depth understanding of the activity, both in the academic field and in sports practice.

Sports in Pakistan

Sport is a woven thread that cuts across the geographical, language and social boundaries of the Pakistani society to bind a nation of more than 240 million individuals. Cricket is the undisputed national obsession, and can even stop the day to day lives whenever the national team is playing, while football has gone through a dramatic increase in following, especially by the younger generation, and it is currently the second most followed sport. Field hockey which is the national sport was once the sport that shaped sporting identity of the country and which offered decades of unmatched success, as well as squash which were the parents of two of the greatest individual athletes in history. Cultural heritage can be traced in traditional sports, especially in rural Punjab, Sindh and Gilgit-Baltistan, where such games as kabaddi, polo (particularly at the high-altitude Shandur festival), tent-pegging, and malakhra continue to be prominent and vivid displays of cultural heritage. The sporting performance of Pakistan is spectacular: the cricket team has been the only nation to win all four major ICC titles the 1992 World Cup, the 2009 World Twenty20, the 2017 Champions Trophy and the first mace of the Test Championship in addition to the 2017 Pakistan Super League being one of the best T20 leagues in the world. Pakistan was the highest winner in the field hockey with four world cups, three Olympic golds, eight Asian games and is the only Asian team that has managed to win the champions trophy three times. The record of 555 matches with no defeats in 1981-1986 and the success of Jansher Khan who followed Jahangir Khan made Pakistan the capital of squash in the world. Football, though administratively a difficulty, has its organisational history back to 1947, when Quaid-e-Azam Muhammad Ali Jinnah made the Pakistan Football Federation his first Patron-in-Chief and Sialkot region of the nation still produces balls of official FIFA world cups of commendable quality.

In spite of this tradition, the regulatory and legal framework of sport in Pakistan is dramatically archaic. The only substantive law is the Sports (Development and Control) Ordinance of 1962 which authorises the federal government to institute sports boards that are in tandem with international standards. Out of this ordinance came the Pakistan Sports Board (PSB) which deals with Olympic and non-cricket sporting events and an independent Pakistan Cricket Board (PCB) which has realised financial and organisational maturity. Nevertheless, the specialised field of sports law has yet to emerge. The vast majority of the conflicts are associated with the rights to broadcasting and media, the contract with players, the violation of intellectual property rights, the sponsor issue, the income tax, corruption, anti-doping, and the scandals of match-fixing or spot-fixing. Lack of extensive up to date laws leaves stakeholders to apply general civil, contract, and constitutional law which frequently causes long-term litigation in ordinary courts instead of expedited litigation in sports tribunals.

Universal ethical standards that can be legally enforced are fair play, sportsmanship, equality, and athlete welfare at the centre of an efficient system of sports governance. It requires fair play, prohibition in regard to the rules, the opponents, the officials and spectators and is supported with severe penalties by the international organisations like the World Anti-Doping Agency (WADA) and individual federations. Sportsmanship takes competition to a respectable activity in terms of courtesy and grace, which is offered by means of educational programmes

and awards. Non-discriminatory access is provided based on gender, ethnicity, or disability, or socioeconomic background as provided in the Olympic Charter and different international conventions through equality. The issue of athlete welfare has become a burning topic, and it includes physical and psychological health, healthy surroundings, and financial justice. Organisations such as FIFA, ICC and World athletics also have their own internal judicial systems and the Court of Arbitration of Sport (CAS) is an independent and specialist forum that offers dispute resolution.

The potential in the sporting activities in Pakistan can only be realised with immediate legal and institutional reform. The Ordinance of 1962 is outdated to the twenty first century realities including gender equity, protection of children in academies, safety of spectators, and rights to digital broadcasting, and corruption prevention. The first step in the right direction is the establishment of an independent Pakistan Sports Tribunal, the creation of a thorough Sports Act, the organisation of anti-doping and anti-corruption controls and the mandatory ethical education on all levels. With the re-modelling of its legal system and the introduction of the principles of transparency, accountability and inclusion, Pakistan will not only be able to sustain its rich sporting tradition, raise the future generations of sportsmen and regain the lost place of being a prime in world sport and keeping the values of fair play and unity that have long characterised its sport.

Application of the Principle of Sports Autonomy

The application of the principle of sports autonomy involves the acknowledgment of the right of sports entities to self-organize and manage their activities without direct state interference. This principle emphasizes the importance of self-regulation within the sports context, enabling sports entities to establish their own norms, regulations, and governance structures.

By recognizing sports autonomy, the state acknowledges the unique body of knowledge and expertise possessed by sports entities regarding the functioning of sports, empowering them to make informed decisions for the development and advancement of the sector. Thus, the state avoids excessive intervention, granting sports entities the autonomy to define their policies, planning, and organizational structures.

However, it is important to note that sports autonomy does not imply a complete absence of regulation. The state still plays a supervisory and control role, ensuring that sports activities are conducted within legal, ethical, and public interest boundaries. Moreover, the state may intervene in exceptional situations or in cases of serious violations of the principles and values that govern the sports domain.

Applications of the Principle of Legality in Sports Law

Theory of sports law

Regulatory Frame work:

Ensuring fair competition, anti-doping regulations, and compliance with national and international sporting standards.

Athlete welfare & Right:

Protecting the physical, mental, & financial well-being of athlete

Commercialization & Intellectual Property:

Managing aspects of sponsorship, broadcasting right, and merchandising.

Dispute resolution:

Providing effective mechanisms to resolve conflicts within the sports sector, including arbitration and mediation.

Purpose & Importance:

The Primary purpose of sports law is to create an environment where fairness, transparency, and accountability are prioritized. The sports industry is characterized by high competition, and legal norms help maintain order and protect the right of stakeholders. By enforcing laws and regulations, sports Law:

1. Promotes Fair Play:

Law & codes of conduct ensure that all competitors abide by the same rules.

2. Protects Stakeholders:

It safeguards the interests of players, coaches, sponsors, and fans.

3. Upholds Integrity:

Ensures that the outcome of sporting events remains credible and free from manipulation, such as doping or match-fixing.

Key Components of Sports Law:

The theory of sports law draws on multiple legal disciplines that are adopted for the Sports context:

1. Contractual Law:

Contractual from the foundation of professional relationships in sports, covering athlete agreements, endorsement deals, and broadcasting rights. These contracts define the rights and obligations of all parties, ensuring transparency and enforceability. For example, contracts with athletes may include clauses on Performance, exclusivity, and moral standards.

2. Tort Law:

Sports inherently carry the risk of injury, and tort law addresses the liabilities arising from negligence or misconduct. It holds parties accountable for harm caused, whether due to unsafe facilities, faulty equipment, or intentional harm by players. Tort law thus balance the right legal claims with the inherent risks of sport.

3. Intellectual Property law"

Intellectual Property (IP) rights are crucial in commercializing sports. Copyright, trademarks, and licensing rights protect the branding, logos, team names, and images associated with sports events. Broadcasting rights, in particular, generate significant revenue for sports organizations, ensuring that media rights and sponsors benefits from exclusive usage.

Application of the Principle of Equality in Sports

The application of the principle of equality in sports competitions involves ensuring equal opportunities and conditions for all participants. This principle aims to create an impartial and equitable environment where individual skills and merits are the primary determinants of outcomes. By adopting the principle of equality, sports organizations seek to eliminate any form of unfair advantage or discrimination, striving to establish a competitive atmosphere founded on equality.

This entails providing all competitors with access to the same training conditions, appropriate equipment, technical support, infrastructure, and necessary resources for athletic practice. Implementing this principle requires the establishment of preventive measures and actions to combat practices that may undermine equality, such as doping, match-fixing, and discrimination based on race, gender, or any other form of inequality. Additionally, it is essential to set clear and objective criteria for participation in competitions to ensure that all participants are subject to the same rules and conditions.

It is important to emphasize that the pursuit of equality does not imply lowering standards, but rather creating an environment where all competitors have equal opportunities to showcase their abilities and compete under fair conditions. This principle contributes to the

development and enhancement of sports while promoting integrity and respect among participants.

Therefore, the application of the principle of equality is crucial for ensuring impartiality and fairness in sports competitions, guaranteeing that outcomes are determined by individual performance and capability rather than by external factors or unjustifiable inequalities.

Applications of the Principle of Sporting Truth

The application of the principle of sporting veracity involves the fight against any form of result manipulation or fraud within the sports realm. This principle aims to safeguard the integrity and credibility of sporting competitions, ensuring that outcomes are determined in a fair and impartial manner.

By adopting the principle of sporting veracity, sports entities strive to prevent and combat practices such as the use of performance-enhancing substances, match-fixing, referee corruption, and any other forms of fraud that could undermine the authenticity and legitimacy of competitions.

The implementation of this principle requires preventive measures, such as educating and raising awareness among athletes, coaches, referees, and others involved in sports about the consequences and risks associated with result manipulation. Furthermore, it is essential to establish effective detection and punishment mechanisms through anti-doping controls, investigations of irregularities, and cooperation with security and law enforcement authorities.

The pursuit of sporting veracity goes beyond mere preservation of honesty in competitions. It also promotes equity, equality of opportunity, and respect among participants by ensuring that outcomes are determined by individual skills, merits, and efforts rather than fraudulent actions.

Thus, the application of the principle of sporting veracity is fundamental to ensuring the integrity and legitimacy of sports, instilling confidence in competitors and the public. By combating result manipulation and fraud, this principle upholds the ethical values of sports and ensures that outcomes are authentic and merit-based.

Applications of the Principle of Health Protection for Sports Participants

The Principle of Health Protection for Sports Participants is a guideline aimed at ensuring the safety and well-being of athletes in all sports practices. This principle acknowledges the importance of taking preventive measures to minimize the risk of injuries and illnesses arising from participation in athletic activities.

The application of the Principle of Health Protection for Sports Participants involves the implementation of various measures and policies to ensure athlete safety at different levels.

Below are some of the primary applications of this principle:

1. **Pre-Participation Medical Assessment:** Before engaging in sports activities, athletes undergo medical examinations to evaluate their physical fitness and identify any pre-existing medical conditions that may pose risks during athletic participation.
2. **Proper Training:** Athletes receive specialized training to develop the physical, technical, and tactical skills necessary for their respective sports. Coaches must ensure that training is appropriate for each athlete's individual capabilities and does not expose them to unnecessary risks.
3. **Protective Equipment:** It is essential to provide athletes with appropriate protective gear, such as helmets, mouthguards, knee pads, and elbow pads, according to the specific needs of each sport. Such equipment can significantly reduce the risk of severe injuries.

4. **Rules and Regulations:** Sports organizations establish rules and regulations to ensure safety during athletic activities. These standards encompass everything from fair play measures and ethical conduct to the prohibition of dangerous or unethical practices that may jeopardize the health of athletes.
5. **Medical Attention during Competitions:** During athletic competitions, it is crucial to provide adequate and immediate medical care in the event of injuries or medical emergencies. This may include the presence of doctors and medical support staff at sporting events.
6. **Injury Prevention Programs:** Athletes should have access to injury prevention programs that include warm-up and stretching exercises, appropriate training techniques, and guidance on adequate rest and recovery.

These are just a few of the applications of the Principle of Health Protection for Sports Participants. Overall, the goal is to ensure that athletes can enjoy sports safely, minimizing the risks of injuries and sports-related illnesses.

Final Considerations

Sports is a widely recognized and practiced activity across the globe. It represents an institutionalized competitive practice that involves vigorous physical effort or complex motor skills. Within the legal realm, Sports Law emerges as a specialized branch of law aimed at regulating and disciplining relationships in the sports universe.

The evolution of Sports Law is closely related to the organization and structuring of national and international sports associations. The establishment of these entities has facilitated the development of specific regulations to address the particularities of sports, such as competition rules, doping issues, athlete contracts, and other relevant aspects.

In the context of Sports Law, it is essential to comprehend and apply the fundamental principles that govern this field of knowledge. Among them, the principles of sports autonomy, legality, isonomy, sporting truth, and the protection of the health of practitioners are particularly noteworthy. These principles aim to ensure transparency, ethics, and justice in sports relationships.

The principle of sports autonomy refers to the acknowledgment of the capacity of sports entities to self-organize and manage their activities without direct state interference. This allows sports entities to establish their own rules, regulations, and governance structures.

The principle of legality stipulates that sports entities must adhere to the laws and regulations established by competent authorities. It is crucial that all sports activities occur within legal, ethical, and public interest boundaries, ensuring compliance with current legal provisions.

Isonomy is a principle that aims to ensure equal conditions of competition among participants in sports events. This means that all competitors must have access to the same training conditions, appropriate equipment, technical support, support structures, and other necessary resources for sports practice.

The principle of sporting truth is related to combating any form of result manipulation or fraud in sports. It is essential to preserve the integrity and credibility of competitions, ensuring that results are determined in a fair and impartial manner.

Finally, the protection of the health of practitioners is a principle aimed at ensuring the physical and mental integrity of those involved in sports. This involves implementing safety measures, combating doping, preventing injuries, and promoting a healthy environment for sports practice.

In summary, the norms and legislation governing Sports Law play a fundamental role in promoting transparency, integrity, and safety in sports practices. By establishing clear

principles and guidelines, Sports Law seeks to ensure a balanced and ethical environment for all those involved in the sports universe.

References

Valdir. What is Sport? Pakistan Journal of Physical Activity & Health, School of Physical Education and Sports at USP, [S.l.], vol. 7, no. 2, pp. 17-28, September 2012. Available at:file:///C:/Users/Ana/Downloads/833-Texto%20do%20Artigo-327-1334-10-20120912.pdf. Accessed on: February 26, 2023.

BRAZIL. Law No. 9,615, of March 24, 1998. Establishes general norms for sports and provides other provisions. Available at:https://www.planalto.gov.br/ccivil_03/leis/l9615consol.htm. Accessed on: February 26, 2023.

BRAZIL. Law No. 10,671, of May 15, 2003. Establishes safety standards and means to ensure the physical and moral integrity of those participating in sporting events. Available at:https://www.planalto.gov.br/ccivil_03/leis/2003/l10.671.htm. Accessed on: October 26, 2023.

HARTLEY, Hazel. Sports Law. Directory of Sports Science. Available at:https://www.unirios.edu.br/internas/biblioteca/servicos/arquivos/ebooks/diretorio_da_ciencia_desport iva.pdf. Accessed on: February 26, 2023.

Merriman, J., & Hill, J. (1992). Ethics, Law, and Sports. *J. Legal Aspects Sport*, 2, 56.

Margaritis, K. (Ed.). (2018). *Law, ethics, and integrity in the sports industry*. IGI Global.

Epstein, A. (2022). Sport, Law, and Ethics. *The Oxford Handbook of Sport and Society*, 135.