



## ***Lex Sportiva and Lex Ludica: The Existence and Reconstruction of Sports Law Principles in the Postmodern Era***

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Article	Abstract
<p><b>Keywords:</b> Legal Principles; <i>Lex Ludica</i>; Postmodernism; Sports Law; <i>Lex Sportiva</i>.</p>	<p><i>Sports law is a relatively new field that examines the legal aspects of sports, which is experiencing increasingly rapid development, particularly in the postmodern era. The principles of <i>lex sportiva</i> and <i>lex ludica</i> are fundamental in the field of sports law, but in practice, they often clash. This research aims to analyze and reflect on these principles as important foundations in Indonesian sports law in the postmodern era, viewed from the perspective of legal philosophy. This research is normative legal research that examines aspects of legal philosophy, so its orientation is not merely normative-doctrinal, but also reflective. The research findings confirm that the development of sports law in the postmodern era shows a significant increase, characterized by the emergence of the idea of legal pluralism, where non-state law plays an important role as a complement and counterbalance to state law. The fundamental essence of these principles reflects the plural and complex dynamics of law, where both principles possess their own autonomy and independence, complementing each other within the sports legal system. This research recommends strengthening the understanding of legal pluralism and clarifying the <i>lex sportiva</i>, which is related to its general characteristics, while the <i>lex ludica</i> emphasizes the independence and autonomy of game law in each sport.</i></p>

### **INTRODUCTION**

The development of legal science has experienced massive growth alongside the development of society. Societal development, particularly in the era of technology and information, which has seen significant advancements, has led to the field of law experiencing development both in the substance of its study and in the types of disciplines within legal science. One of the disciplines within legal science that has developed as a result of the massive societal development, particularly the advancement of technology and information, is the field of sports law. Sports law is one of the relatively "new" areas of study within legal science compared to other areas of study in legal science.

Sports law as a field of study has experienced significant development as one of the types of study areas in legal science that complements various other areas of study in legal science, such as: constitutional law, criminal law, civil law, business law, agrarian law, and other areas of study in legal science. Even though sports law can be said to have only developed in the 20th century and has made significant progress since the 21st century, it plays an important role in ensuring fair sports practices and providing benefits to society. One of the reasons for the significant development of sports law, especially since the 21st century, is fundamentally due to the development of sports, which is not merely physical activity for health purposes, and to increase community happiness. Sports, especially since the 21st century, have experienced significant development as a business activity, an activity to foster national pride, a moral activity to ensure fair play, a competitive activity to demonstrate ability, quality, and achievement, and other activities that have holistic benefits in human life.

The development of the field of sports law studies was also highlighted by Matthew J. Mitten, et al., who emphasized that the study of sports law is comprehensive, even encompassing private and public law. The comprehensiveness of this development in sports law studies is essentially due to sports activities touching upon various aspects such as business, sportsmanship, and even the independence of bodies within sports federations. Sports law, as a field that is developing massively, especially in the 21st century, must definitely be based on legal principles. In the study of legal science, the role of legal principles is important to ensure that law is not merely a "textual reading" of written legal norms and their enforcement. Legal science plays an important role in uncovering values that then crystallize into legal principles, which serve as guidelines and the basis for justifying positive legal norms that are subsequently applied by law enforcement officials.

. Sports law, like other areas of law, is also subject to various legal principles, including the principle of *lex sportiva* and *lex ludica*. These principles essentially share a similarity: they both relate to the existence of special regulations in the field of sports, which then have the characteristics of independence, autonomy, and harmonization. In various literature, the principle of *lex ludica* is sometimes considered part of the principles of *lex sportiva* in a broad sense. However, in this study, a precise distinction is made between *lex sportiva* and the principle of *lex ludica*, even though they share similarities in essence. The distinction between these principles is due to the differences in the substance and application of these two principles in sports law. If the principle of *lex sportiva* emphasizes the independence and autonomy of regulations within sports federations or sports branch organizations, then *lex ludica* emphasizes the independence, freedom, and even impartiality of game law in each sports branch and its enforcement efforts.

The principles of *lex sportiva* and *lex ludica*, often considered "two sides of the same coin," are a key focus of this analysis, emphasizing a legal philosophical perspective, particularly in the postmodern era. Sports law, particularly the existence of these principles, holds an important position in relation to developments in the postmodern era. One of the main characteristics of the postmodern era is the shift from something that is self-centered (ego-centric) to something more complex (eco-centric), emphasizing plurality as part of the development of human life, particularly law. In this context, the postmodern era rejects the adage that "law is singular," formed solely by the official institution called the state. The postmodern era views law as a plural and dynamic dimension that evolves with societal needs, often intertwining with and even overlapping with non-legal fields.

The focus of this research is to analyze and reflect on the principles of *lex sportiva* and *lex ludica* as important foundations in sports law in Indonesia in the postmodern era, viewed from the perspective of legal philosophy. Three legal issues are attempted to be answered analytically and reflectively: the development of sports law in the postmodern era, the nature of these principles in sports law viewed from a legal philosophical perspective, and reconstruction through the arrangement and regulation of these principles to facilitate the development of sports in the postmodern era.

Research on sports law, particularly focusing on the principles of *lex sportiva* and *lex ludica*, has already been conducted by several previous authors and researchers. Research on sports law, particularly focusing on these principles has been conducted by James (2024), who generally examined the growth and development of sports law from both theoretical and practical perspectives. In James's (2024) research, it was emphasized that one important aspect of sports law is related to the principle of *lex sportiva*, which generally affirms the operation of the sports legal system, including judicial bodies existing within the scope of sports. Prasetyo, et al. (2024), in their research, although not focusing on these principles also briefly linked the principle of *lex sportiva* to taxation and the tax system in specific sports, particularly Golf. The research by Prasetyo, et al. (2024) confirms that these principles are not relevant to taxation and the tax system in sports because, fundamentally, this field is a study of tax law whose object is specific sports, in this case, Golf.

Another study, conducted by James and Osbom (2025), comprehensively analyzed one of the "applications" of the *lex sportiva* principle, which is the *lex olympica* principle, which is essentially related to the independence and specific regulations in the organization of the Olympics, subject to the "special legal system for organizing the Olympics." This study by James and Osbom (2025) also confirms that, in its broad sense, the *lex sportiva* principle encompasses various other principles in sports law, such as the *lex olympica*, *lex ludica*, and *lex mercatoria* principles, among others. In its narrow sense, however, the *lex sportiva* principle only relates to regulations formulated by transnational sports federations, which have independence

and immunity in their application. Further research is needed on the independence of the field of sports law, referring to the principle of *lex sportiva* as proposed by Duval (2025), who analyzed the application of the *lex sportiva* principle in specific cases. In his research, Duval (2025) emphasized that in practice, the application of the *lex* principle is not always accurate and smooth, but faces various dynamics and upheavals, especially when its independence and autonomy must be confronted with the European Court of Human Rights or the Swiss Federal Supreme Court. Research conducted by Gravina (2025) clarifies the "tug-of-war" between EU Law and Sports Arbitration, which is based on the *lex sportiva* principle, where, in certain cases, the Court of Justice of the European Union (CJEU) formulates decisions that actually interfere with the autonomous and independent domain of the principle.

From the five previous studies mentioned above, it can be said that the majority of research in the field of sports law discusses the principle of *lex sportiva*, both in its autonomous and independent characteristics and in the application of the principle in specific cases. As the focus of this research emphasizes the analysis of the principles of *lex sportiva* and *lex ludica* from a legal philosophy perspective, this has not been analyzed by the previous five studies. Specifically regarding the principle of *lex ludica* itself, the previous five studies only briefly discussed the principle of *lex ludica* as the rules of the game, which is a specific part of the principle of *lex sportiva*. The novelty and originality of this research lie in the perspective of legal philosophy used as an analytical tool, as well as in the discussion of the principles of *lex sportiva* and *lex ludica*, and how the regulation of sports law principles should ideally be in a country's laws to ensure their independent and autonomous characteristics and their necessary harmonization with other types of law such as national and international law.

## METHOD

This research, whose main focus is to analyze and reflect on the principles of *lex sportiva* and *lex ludica* as important principles in sports law in Indonesia in the postmodern era, viewed from the perspective of legal philosophy, is normative legal research. As normative legal research, this study, referring to the views of Jan Gijssels and Mark van Hoecke, is legal research that examines aspects of legal philosophy, so its orientation is not merely normative-doctrinal, but also reflective. This type of research, based on Terry Hutchinson's perspective, is theoretical legal research grounded in legal principles and emphasizes reform-oriented studies where the results of philosophical reflection on law are used to formulate how these principles should ideally be regulated.

The legal materials used are books, journal articles, and research findings that discuss sports law and the principles of *lex sportiva* and *lex ludica*, including examples of regulations in several countries that have already implemented the principles of *lex sportiva* and *lex ludica*. The non-legal material used is a legal dictionary, in this case

Black's Law Dictionary, to provide explanations or "clarify the meaning" of a legal term that tends to be difficult to understand. The analysis of legal materials is conducted by clarifying the legal issues, then dissecting legal principles, theories, and doctrines to formulate an effort to build and regulate the principles of *lex sportiva* and *lex ludica* as fundamental principles in sports law, serving as legal prescriptions in this research.

## RESULTS AND DISCUSSION

### A. The Development of Sports Law in the Postmodern Era

The postmodern era is a period in the history of thought and culture that emerged as a reaction and critique of modernism that dominated the 19th and early 20th centuries. Postmodernism is characterized by a rejection of grand narratives, single ideologies, and the belief in absolute progress and rationality that are characteristic of modern thought. In this era, there is a tendency to celebrate plurality, ambiguity, and the relativity of truth, so postmodern works of art, literature, architecture, and philosophy tend to emphasize a mix of styles, fragmentation, irony, and the deconstruction of meaning. Highly influential figures in the development of postmodernist thought include Jean-François Lyotard, who, in his book "The Postmodern Condition," emphasized the end of the "grand narratives" that had long dominated how humans understood history and knowledge.

Jacques Derrida, famous for his deconstruction theory, which critiques the unity of meaning in texts and opens up unlimited space for interpretation, and Michel Foucault, who analyzed the relationship between power, knowledge, and discourse in modern and postmodern social structures. Additionally, figures like Fredric Jameson and Jean Baudrillard have also made significant contributions to the analysis of postmodern culture, particularly in the context of consumer capitalism and the simulation of reality. The postmodern era challenged old concepts by questioning the existence of universal truth, thus opening up space for diverse voices and interpretations in various fields of life, including art, literature, architecture, philosophy, and social sciences. Postmodernism is not merely a school of thought, but also a cultural phenomenon that reflects the complexity and uncertainty of the rapidly changing and heterogeneous contemporary world.

Essentially, the postmodern era has several distinctive features and parameters that differentiate it from the previous modern era. Some key characteristics of the postmodern era include high uncertainty and the emergence of various possibilities; the postmodern world is filled with ambiguity and rapid change, resulting in a reality that is not singular or absolute. It also features a global mindset that still values local wisdom, leading to diversity and pluralism in culture and identity. This emphasizes that the postmodern era rejects the uniformity and absolutism of modernism, replacing it

with plurality, relativity, cultural diversity, and philosophies that are far more fluid and open to change and multiple multi-interpretations.

The development of legal science in the postmodern era marks a significant paradigm shift compared to the previous modern era. In the postmodern era, legal science is no longer viewed as a rational, objective, and universal system with absolute legal foundations and fixed principles. Conversely, this era brought sharp criticism against legal positivism, realism, and legalism, which were the foundations of modern legal thought. Values and legal principles in the modern era are based on the principles of rationality, certainty, and objectivity as an effort to achieve justice and order in society. Modern law functions as a logical and systematic normative system, with clear and structured rules, and internally consistent principles. The main characteristic of modern law is based on the coercive power of the state, meaning the state holds absolute sovereignty through a judicial system that enforces sanctions against lawbreakers to achieve social order. This confirms that in the modern era, the state is the sole "lawmaker," making modern law synonymous with the concept of legal positivism.

It is this modern legal perspective that serves as the main critique of the postmodern era. Legal postmodernism emphasizes skepticism toward the possibility of a single, neutral legal truth. Postmodern legal science rejects the image of law as a rigid, absolute, and internally consistent system, and instead emphasizes the pluralistic, subjective, local, and contextual nature of law. One of the legal ideas that has developed and is related to the era of legal postmodernism is the idea of legal pluralism. The idea of legal pluralism as one form of legal postmodernism reflects a fundamental challenge to the monolithic and homogeneous legal approach that characterizes modern law. In the legal pluralism paradigm, law is no longer viewed as a single system universally applicable to all of society, but rather as a multiform and layered reality where various legal systems, norms, and rules can coexist simultaneously. Legal postmodernism, with its idea of pluralism, recognizes the existence of different customary laws, religious laws, international laws, local laws, and social norms as legitimate and relevant legal entities within specific contexts. One type of law that developed in the postmodern era, characterized by pluralism, is sports law.

Sports law is undeniably one of the relatively new areas of study in the field of law, particularly since sports have experienced significant development related to the industry. As stated by Fajin and Enlun, the views on sports law essentially consist of three main perspectives: conservative, centralist, and liberal. The conservative view, as expressed by Woodhouse, essentially asserts that sports law does not exist. The view that sports law does not exist essentially assumes that the field of sports is related to the organization of sports and is therefore not subject to legal norms. This view also implies that what might exist in sports law is a specific kind of order in the organization of sports. The centralist view of sports law, as put forward by John Weistart, states

that sports law essentially exists but is not an independent field. John Weistart's view emphasizes that sports law is essentially every legal aspect applicable in the field of sports. Therefore, there is no "special law" in sports because what exists is "private law in the field of sports," "licensing law in the organization of sports," and the like. The liberal or progressive view regarding sports law is as stated by Gardiner, who emphasized that not only does sports law exist within the study of legal science, but it also deserves to have an independent and separate field of study. This view by Gardiner is also shared by other experts, such as Matthew J. Mitten and Timothy Davis, who emphasize that sports law is independent, with its broad characteristics encompassing both private and public law. Another perspective that strengthens the position of sports law as a special field of legal study, as stated by Ken Foster, emphasizes the key characteristics of sports law, namely the existence of specific principles and types of law, which, in principle, involve minimal intervention by the state in the organization of sports.

Based on the above development of views regarding sports law, the author is more inclined to emphasize that the liberal or progressive view of sports law is the view most relevant to the development of sports law, particularly in the 21st century. This is based on at least three main reasons: first, the development of sports law, especially as business and commercialization become important aspects of sports law, gives sports law a business dimension with its own regulatory independence and even its own dispute resolution. Second, despite the various views regarding the appropriate terminology between "Sports Law" and "Law and Sports," both Shropshire's and Deborah Healey's perspectives emphasize that sports law encompasses the study of legal science in the broad field of sports, including various aspects of sports that have legal dimensions. This underscores not only that sports law exists, but that it is indeed important to ensure the organization of sports that guarantees legal certainty and justice. Third, sports law as a distinct field of legal study is fundamentally aligned with the idea of legal pluralism as one of the concepts that developed in the postmodern era.

The era of legal postmodernism is characterized by the strengthening role of "non-state law," so law can no longer be understood solely as state law, but also as other laws outside of state law. Sports law can be said to be part of "non-state law" that exists due to autonomous and independent regulations, independent dispute resolution, and the organization of sports events by special instruments in the field of sports. From the three arguments above, it can be said that in the postmodern era, sports law has emerged as an independent field within the study of law, amidst the development of sports and the development of legal studies in the postmodern era, which emphasizes the role of non-state law alongside state law.

The massive development of sports law in the postmodern era can essentially be described in two domains: the domain of sports industrialization and the domain of

sports complexification. In the field of sports industrialization, legal aspects play an important role in bridging the business and economic dimensions of sports, ensuring justice and fairness, and minimizing losses for all parties. In this context, the law serves more to protect various aspects of business transactions in the field of sports. In further development, sports have become a complex field encompassing not only the business realm but also all aspects that contribute to the development of sports. Developments such as digitalization and the use of technology in sports, such as the Video Assistant Referee (VAR) developed in football and Hawk-Eye technology in tennis and badminton, are part of this. These technological and other developments in the field of sports are essentially part of the complex study of sports law, so it can be said that sports law evolves alongside the development of sports itself. From the above explanation, the development of sports law in the postmodern era is significant, especially as non-state law plays an important role alongside state law in the postmodern era. Sports law, as non-state law, plays an important role in ensuring the smooth organization of sports, guaranteeing legal certainty, and ensuring just sports legal relations.

### **B. The Nature and Existence of the Lex Sportiva and Lex Ludica Principles in Sports Law Viewed from a Legal Philosophy Perspective**

Employment As previously explained, sports law can essentially be considered a distinct field of study within legal science that has developed alongside the evolution of sports practices. As a distinct field of study, sports law must also refer to and be subject to legal principles, particularly given the specific characteristics of sports law. The basis of law, as stated by Paul Scholten, is a tendency required by our moral views of law. In other words, legal principles are the fundamental ideas that exist within and form the background of a legal system. These fundamental ideas are reflected in the laws and judicial decisions within a legal system. Legal principles are not concrete legal rules, but rather general characteristics and fundamental principles that must be present in the law. The basic function of law is to provide ethical direction and measure for lawmaking, and to serve as the underlying values for positive legal rules and decisions. Legal principles bring moral and ethical values that guide the formation and implementation of law.

Legal principles are fundamentally divided into two categories: general and specific legal principles. This characteristic of sports law as "special law" means that there are special legal principles within sports law. Essentially, in sports law, there is a fundamental principle, namely the principle of *lex sportiva*, which has been further developed into several main principles, including *lex mercatoria*, *lex olympica*, and *lex ludica*. The term "lex," according to Black's Law Dictionary, when used in the context of "*lex sportiva*," broadly encompasses the rules, norms, and principles that specifically govern the world of sports.

The principle of *lex sportiva*, as a fundamental principle in sports law, means that in sports practice, it is essentially subject to the specific legal principles applicable in the field of sports, where excessive intervention by other types of law, particularly state law, is prohibited. The basic provisions of *lex sportiva* can generally be seen in the existence of the Court of Arbitration for Sport (CAS) as an independent institution with the authority to resolve legal disputes in the field of sports through arbitration and mediation mechanisms. The presence of CAS is intended to resolve sports disputes independently without the intervention of national law.

The principle of *lex sportiva* in sports law can also be seen in the existence of autonomous regulations formed by sports federations. In the postmodern era, every sport forms its own global and national sports federations, where each sports federation creates its own autonomous rules. In relation to the organization of sports, the principle in sports law is also specifically found in the implementation of the Olympics, where a special legal principle known as *lex olympica* is recognized. The principle in sports law also guarantees the application of "unwritten law," which includes conventions and customs prevailing in the field of sports and is binding because it has a dimension of goodness and propriety, commonly known as *lex mercatoria*.

The principle of *lex sportiva* in sports law is also related to *lex ludica*, which is a principle of sports law that specifically regulates the "law of games" played by each sport. The relationship between *lex sportiva* and *lex ludica* is described by Dimitrios Panagiotopoulos, who states that *lex ludica* is an even more specific principle than *lex sportiva*. Prasetyo, as emphasized by Pandjaitan, further clarifies that *lex ludica* is also often known as sporting law, which relates to the organization of sports, particularly the implementation of each sport. This reinforces that the principle of *lex sportiva* in sports law is general, especially concerning rules made autonomously by sports federations and the existence of independent bodies that independently resolve sports disputes, while *lex ludica* is more specific, relating to the rules of the game for organizing a particular sport.

Although the differences between the principles of *lex sportiva* and *lex ludica* are generally clear, in practice, this can lead to overlap and inconsistency. Generally, inconsistency between these principles can occur because the results of a completed sports competition, suspected of "cheating," can be canceled by the sports competition organizers based on the principle of *lex sportiva*. This argument seems to emphasize the dominance of the principle of *lex sportiva* over the principle of *lex ludica*. For example, in the context of football, in some cases, a controversial and detrimental decision by the referee can later be overturned by the league operator or the football federation because the referee's decision was incorrect. In the case of football, this happened in 2025 in the Indonesian League 2 match between Persibo Bojonegoro and Deltras FC, where a goal was scored and then disallowed by the Disciplinary

Commission of the Indonesian Football Association (PSSI) and PT Liga Indonesia Baru (LIB), the competition organizer.

The case raises legal issues such as whether the existence and validity of lex ludica in the form of referee decisions can be annulled by sports federations or competition organizers based on the principle of lex sportiva. This issue arises because there is still ambiguity regarding the nature and existence of the principle of lex ludica, which is only considered the independence of sports branches in formulating game rules. In this study, the author believes that the principle of lex ludica, like the principle of lex sportiva, also has two important aspects: autonomy and independence. Autonomy in the principle of lex ludica, as generally understood, is the freedom and independence of each sport in formulating its own rules of play. The aspect of independence in the principle of lex ludica means the independence and impartiality of referees or game law enforcement agencies, whose decisions are binding and cannot be overturned by sports federations or competition organizers. The independence and impartiality of referees or game enforcement bodies in each sport can be equated with the principle of res judicata pro veritate habetur, where, in the context of the principle of lex ludica, the decisions of referees or game enforcement bodies in each sport must be considered correct and cannot be unilaterally overturned by the sport's federation or competition organizers. The independence and impartiality of referees or game enforcement bodies in each sport, as the ideal meaning of this principle of lex ludica in relation to the principle of lex sportiva, is not absolute and only applies to decisions of referees or game enforcement bodies in each sport that relate to the organization of the sport and not to the ethics and behavior of players or club staff. This is because matters related to the ethics and behavior of players or club staff are essentially within the scope of the principle of lex sportiva, where decisions of referees or game enforcement bodies in each sport that relate to the ethics and behavior of players or club staff, such as the issuance of yellow or red cards or certain sanctions, can be overturned by the sport's federation or competition organizers based on the principle.

The essence and existence of the lex sportiva principle in sports law must be understood as the autonomy of sports federations in formulating rules for each sport and the independence of sports dispute resolution bodies. Nevertheless, the application of the principle is often not in sync and not harmonious with the implementation of the lex ludica principle, especially regarding the decisions of referees or game law enforcement agencies in each sport. Therefore, it is necessary to clarify the ideal meaning of the lex ludica principle in relation to the lex sportiva principle, where the lex ludica principle means the autonomy of each sport to formulate its own game laws and the independence of referees or game law enforcement agencies, whose decisions are binding and cannot be overturned by the sport's federation or competition organizers as long as they relate to the conduct of the sport and not to the ethics and behavior of players or club staff, because the ethics and behavior of

players or club staff are essentially within the scope of the *lex sportiva* principle, where decisions by referees or game law enforcement agencies in each sport related to the ethics and behavior of players or club staff, such as the issuance of yellow or red cards or certain sanctions, can be overturned by the sport's federation or competition organizers based on the principle.

Regarding the nature and existence of the *lex sportiva* and *lex ludica* principles mentioned above, from a legal philosophy perspective, this is part of the development of law in the postmodern era, which is characterized by complexity and pluralism. This pluralistic law is even more complex, for example, in sports law, which is a development of the legal field born from legal pluralism in practice, and even "within pluralistic law, there is still pluralism within it." In this context of sports law, the *lex sportiva* principle, which is considered the autonomy and independence of law in the field of sports, must "share" autonomy and independence with the *lex ludica* principle, which emphasizes autonomy and independence in implementing the rules of the game in each sport.

### **C. The Arrangement and Regulation of the Lex Sportiva and Lex Ludica Principles to Facilitate Sports Development in the Postmodern Era**

The existence of a point of contact, even "conflict," between the principles of *lex sportiva* and *lex ludica* in sports law, as previously explained, is a characteristic of law in the postmodern era. In the postmodern era, law, which is characterized by pluralism, also has pluralism or specificity within its types. In this context, law in the postmodern era essentially has two characteristics related to legal pluralism: external legal pluralism and internal legal pluralism. External legal pluralism occurs when one type of law relates to and intersects with another type of law, for. For example, when there is unrest in the organization of sports, there needs to be harmonization between state law and the special law applicable in the field of sports, or *lex sportiva*, which is generally regulated by each sports branch federation. Internal legal pluralism occurs when independent and autonomous types of law also contain legal pluralism within them, as an implication of the existence of "*lex specialis*" in legal pluralism.

In the field of sports law, the principle of *lex ludica* is essentially a type of "*lex specialis*" of the principle of *lex sportiva*. This emphasizes that although on one hand, the principle of *lex ludica* is part of the broader principle of *lex sportiva*, in its application, the principle of *lex ludica* must also be guaranteed its autonomy and independence from the principle of *lex sportiva*. The need for the reconstruction and future regulation of the relationship between the principles of *lex sportiva* and *lex ludica* is an important aspect of sports law. This is to ensure that the organization of sports is effective and harmonious, especially in the postmodern era.

Forward-looking arrangements to ensure harmonious regulations in sports law between the principles of *lex sportiva* and *lex ludica* can refer to the views of external and internal legal pluralism as described above. Their basic principles in the field of

sports law, based on external legal pluralism, need to affirm the substance of these principles, each of which has autonomy and independence in sports laws in each country. In the aspect of internal legal pluralism, the harmonious regulation of these principles can be formulated in the regulations of each sports branch federation, which affirm that these principles each have their own autonomy and independence. At the same time, to strengthen the provisions of the *lex ludica* principle, it is necessary to formulate a statement that the decisions of referees or game law enforcement agencies are binding and cannot be overturned by sports branch federations or competition organizers as long as they relate to the organization of the sports branch and are not related to ethics and behavior.

## CONCLUSION

The development of sports law in the postmodern era shows a very significant increase, marked by the emergence of the idea of legal pluralism, where the important role of non-state law serves as a complement and balance to the role of state law. Non-state sports law is not merely an additional set of rules; it has evolved into a crucial foundation for ensuring the smooth organization of various sports activities and organizations. The role of non-state law is felt to be increasingly vital due to the complexity of relationships and dynamics within the sports world, which often transcend national jurisdictional boundaries and involve international actors and independent institutions. This certainly supports the creation of a healthy, integrated, and just sporting climate, while also strengthening the position of sports law as a vital instrument in maintaining harmony, professionalism, and accountability in the increasingly complex world of sports in the current postmodern era.

The essence and existence of the principles of *lex sportiva* and *lex ludica* reflect the dynamics of legal development in the postmodern era, characterized by the complexity and pluralism of law. Within the framework of legal philosophy, law in this era is no longer singular and monolithic, but rather has evolved into a plural and layered system. Even within a single area of law, such as sports law, it still contains complex internal pluralism. Sports law is a concrete result of this legal pluralism, where the principle of *lex sportiva*, which prioritizes autonomy and independence in the field of sports law in general, does not stand alone but shares space with the principle of *lex ludica*. The principle of *lex ludica* emphasizes specific autonomy and independence in the regulation and implementation of game law in each sport, which has its own characteristics and technical rules. Therefore, the relationship between *lex sportiva* and *lex ludica* is not one of dominance by either party, but rather a synergy that complements and completes each other, making the sports legal

system a pluralistic, dynamic, and adaptable legal entity to the diverse complexities of modern sports practices.

Reconstruction and future regulation in sports law to create harmony between the principles of *lex sportiva* and *lex ludica* should ideally be based on a framework of legal pluralism, encompassing both external and internal legal pluralism. The external and internal legal pluralism approach requires formal recognition and affirmation of the substance of both principles in sports laws in each country, as well as in the regulations within the sports federations, by placing these principles as legal entities with their own autonomy and independence.

This research recommends the importance of understanding internal and external legal pluralism in regulating the principles of *lex sportiva* and *lex ludica* in sports law, by clarifying the status of the *lex ludica* principle by formulating that the decisions of referees or game law enforcement agencies are binding and cannot be overturned by sports federations or competition organizers as long as they relate to the conduct of the sport and do not concern ethics and behavior.

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