

Equal Pay or Equal Opportunity? Examining Gender-Based Inequality in Professional Indonesian Sport through a Sports Justice Framework

Mega Anindya Mustika* 

Universitas Negeri Yogyakarta, Sleman Yogyakarta, Indonesia
mega_aninmustika@gmail.com

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*Corresponding Author

Abstract

Gender-based inequality in professional sport extends beyond differences in remuneration and may involve unequal opportunities for competition, sponsorship, media exposure, career advancement, and institutional support. Debates surrounding equal pay therefore require consideration of the broader structural conditions under which male and female athletes compete. This article examines gender inequality in Indonesian professional sport through a sports justice framework. Using normative legal research, the study evaluates equality principles, employment protections, contractual arrangements, sports governance, and the economic structures of professional sport. The research argues that formal equal treatment is insufficient where institutional practices systematically provide different opportunities to athletes based on gender. At the same time, differences in commercial revenue cannot automatically justify discriminatory treatment where athletes perform comparable professional functions. The article proposes a multidimensional equality framework incorporating remuneration, access to competitions, sponsorship, facilities, medical support, career development, and representation in sports governance. It further recommends transparent criteria for determining compensation and commercial benefits while ensuring that market-based considerations do not become a mechanism for perpetuating structural discrimination. Applying a sports justice perspective would shift the discussion from simple comparison of salaries toward broader questions of distributive, procedural, and substantive equality within Indonesia's professional sports industry.

[Ketidaksetaraan berbasis gender dalam olahraga profesional meluas melampaui perbedaan remunerasi dan dapat melibatkan kesempatan yang tidak setara untuk berkompetisi, mendapatkan sponsor, paparan media, kemajuan karier, dan dukungan kelembagaan. Oleh karena itu, perdebatan seputar kesetaraan upah memerlukan pertimbangan kondisi struktural yang lebih luas di mana atlet pria dan wanita berkompetisi. Artikel ini mengkaji ketidaksetaraan gender dalam olahraga profesional Indonesia melalui

kerangka kerja keadilan olahraga. Dengan menggunakan penelitian hukum normatif, studi ini mengevaluasi prinsip-prinsip kesetaraan, perlindungan kerja, pengaturan kontrak, tata kelola olahraga, dan struktur ekonomi olahraga profesional. Penelitian ini berpendapat bahwa perlakuan setara secara formal tidak cukup jika praktik kelembagaan secara sistematis memberikan kesempatan yang berbeda kepada atlet berdasarkan gender. Pada saat yang sama, perbedaan pendapatan komersial tidak dapat secara otomatis membenarkan perlakuan diskriminatif di mana atlet melakukan fungsi profesional yang sebanding. Artikel ini mengusulkan kerangka kerja kesetaraan multidimensi yang menggabungkan remunerasi, akses ke kompetisi, sponsor, fasilitas, dukungan medis, pengembangan karier, dan representasi dalam tata kelola olahraga. Lebih lanjut, artikel ini merekomendasikan kriteria transparan untuk menentukan kompensasi dan manfaat komersial sambil memastikan bahwa pertimbangan berbasis pasar tidak menjadi mekanisme untuk melanggengkan diskriminasi struktural. Menerapkan perspektif keadilan olahraga akan menggeser diskusi dari sekadar perbandingan gaji menuju pertanyaan yang lebih luas tentang kesetaraan distributif, prosedural, dan substantif dalam industri olahraga profesional Indonesia.]

Keywords: Gender equality, equal pay, professional sport, sports justice, women athletes

Introduction

Professional sport is frequently evaluated through measurable outcomes: victories, rankings, championships, commercial revenue, audience size, and individual performance. These measurements can create the impression that the allocation of professional rewards is naturally determined by merit. Yet athletic merit does not develop in an institutional vacuum. Training facilities, coaching, medical support, competition frequency, travel arrangements, sponsorship, media visibility, and contractual opportunities influence the capacity of athletes to perform and accumulate commercial value. The legal question is therefore more complex than whether women and men receive identical salaries. Sports justice requires examination of the conditions through which athletes acquire opportunities and generate value. Mahony, Hums, Andrew, and Dittmore describe organizational justice in sport as encompassing distributive, procedural, and interactional dimensions, demonstrating that perceptions of fairness depend not only on outcomes but also on how decisions are made and communicated (Mahony et al. 2010). This broader conception provides a useful starting point for analyzing gender inequality in Indonesian professional sport.

The distinction between equal pay and equal opportunity is particularly significant because professional sport operates through differentiated competitive

structures. Male and female competitions may have different audiences, revenues, sponsorship arrangements, broadcast contracts, and historical investment patterns. These differences can complicate direct salary comparisons. A club may argue that compensation reflects revenue generated by a particular competition rather than the athlete's gender. Such an argument cannot automatically be rejected, because legitimate economic differences can exist within professional sport. Nevertheless, commercial revenue is itself partly produced by institutional decisions concerning scheduling, broadcasting, marketing, facilities, and promotion. Treating existing revenue as an entirely neutral justification may therefore reproduce historical inequalities. Carrick demonstrates in the context of women's football that equality of treatment can be pursued through the combined application of sports-governing rules and general equal-treatment law, rather than through sports regulation alone (Carrick 2024).

The Indonesian context presents an important legal problem because professional athletes occupy a hybrid position between workers, contractual parties, sporting performers, and participants in privately governed competitions. Law No. 11 of 2022 concerning Sports establishes the contemporary statutory framework for Indonesian sport, while Government Regulation No. 16 of 2007 concerning the Organization of Sports and Government Regulation No. 18 of 2007 concerning Sports Funding provide additional institutional and financial dimensions. Presidential Regulation No. 86 of 2021 concerning the Grand Design of National Sports establishes broader policy objectives for national sports development. These instruments demonstrate that sport is not merely a private commercial activity but forms part of a national institutional system. Consequently, the allocation of professional sporting opportunities should be compatible with principles of equality, welfare, accountability, and good governance. The legal status of women athletes must therefore be assessed through the interaction between sports regulation, employment law, contractual principles, and human-rights norms.

Existing Indonesian scholarship has increasingly recognized that sports justice encompasses issues beyond competition results. Aditya et al. demonstrate that major sporting events may reproduce social inequalities through sponsorship, media attention, and state involvement, suggesting that the distribution of visibility and resources forms part of the justice dimension of sport (Adiyatma, Baiquni, and Putri 2024). Subroto similarly identifies commercialization as a potential source of unequal pay, athlete exploitation, and excessive performance pressure within Indonesian elite sport (Subroto 2024). These studies are valuable because they establish the relationship between commercialization and justice, but they do not fully resolve the doctrinal question of how gender equality should be measured when remuneration differences coexist with unequal institutional opportunities. The present article addresses this problem by constructing a legal framework that connects compensation with the broader distribution of sporting capabilities and opportunities.

The theoretical foundation of this study draws from several conceptions of justice. Rawls distinguishes principles governing the distribution of social and economic advantages from the institutional arrangements that determine fair opportunity (Rawls 1971). Sen subsequently argues that justice should be concerned not only with the distribution of resources but with what individuals are substantively capable of doing and being (Sen 1999). Fraser adds a multidimensional perspective in which justice requires redistribution, recognition, and representation, thereby making it possible to analyze economic inequality together with cultural status and political participation (Fraser 2009). Young similarly emphasizes the structural character of injustice, arguing that inequality may result from institutional processes even without an identifiable discriminatory decision-maker (Young 1990). Applied to sport, these theories indicate that equal salaries cannot by themselves establish justice if women do not have comparable access to the opportunities and institutional resources necessary to develop and exercise athletic capabilities.

The study employs normative juridical research using statutory, conceptual, and comparative approaches. The statutory approach examines Indonesian sports legislation, employment regulation, contractual principles, and relevant government policies. The conceptual approach applies theories of distributive justice, procedural justice, substantive equality, recognition, and capability to the organization of professional sport. The comparative approach considers international sports-law scholarship and gender-equality standards concerning women's professional sport. The research does not attempt to quantify the Indonesian gender pay gap among professional athletes because reliable sport-specific remuneration data remain fragmented. Instead, it examines the legal principles that should govern the assessment of remuneration and opportunity disparities. The methodology is consequently doctrinal and analytical: it evaluates whether existing legal concepts can provide an adequate basis for determining when gender-based differences constitute legitimate differentiation and when they amount to structural injustice.

The contribution of this article is to reposition the equal-pay debate within a broader sports-justice framework. Equal pay remains legally important, but it should not be treated as the sole or necessarily primary indicator of equality. A woman athlete may receive a nominally comparable salary while receiving fewer competitions, inferior medical support, limited sponsorship opportunities, reduced media exposure, or weaker career-development pathways. Conversely, an apparent salary difference may have legitimate explanations based on competition revenue, individual performance, contractual responsibilities, or commercial circumstances. The legal task is therefore to distinguish justified differentiation from structural disadvantage. The article proposes that Indonesian sports governance should evaluate gender equality through four interconnected dimensions: distributive justice concerning economic and material resources; procedural justice concerning decision-making; recognition concerning the social and institutional valuation of

women's athletic labor; and capability concerning meaningful access to professional development. This multidimensional approach provides a more sophisticated legal basis for evaluating gender inequality than salary comparison alone.

Equal Pay as a Principle of Distributive Justice

Equal remuneration is an important component of professional equality because income represents both economic security and institutional recognition of an athlete's labor. Yet the concept of equal pay becomes legally difficult when professional sporting competitions are separately organized by gender and generate different commercial revenues. The principle cannot therefore be reduced to an assumption that every male and female athlete performing in separate competitions must automatically receive identical salaries. A more defensible approach asks whether differences in remuneration are attributable to legitimate, transparent, and objectively measurable factors rather than gender itself. The concept of distributive justice is useful because it evaluates how benefits and burdens are allocated among members of an institution. Mahony and Pastore's analysis of resource distribution in collegiate athletics demonstrates that equality, need, and outcome are competing principles through which sports organizations understand fairness (Mahony and Pastore 1998). The same tension exists in professional Indonesian sport.

Rawls's theory is useful in identifying the limits of market-based allocation. Under a Rawlsian perspective, inequalities in the distribution of economic advantages may be permissible where institutions satisfy principles of fair equality of opportunity and where social and economic inequalities are arranged to benefit those who are less advantaged (Rawls 1971). Professional sport cannot simply invoke market demand as an absolute justification for inequality because market outcomes operate within institutional structures. If women's competitions have historically received less investment, less broadcasting, and less promotional support, current revenue disparities may reflect cumulative institutional decisions rather than pure consumer preference. The legal consequence is not necessarily that all salaries must be equal. Rather, sports organizations should demonstrate that remuneration structures are based on defensible criteria and that institutional arrangements do not systematically prevent women from accessing the conditions necessary to generate equivalent professional value.

Sen's capability approach provides an additional refinement. Resources matter because they expand an individual's real freedom to pursue valued activities, but the same resource may generate different capabilities for different people (Sen 1999). In professional sport, equal funding does not necessarily produce equal opportunity if athletes have different access to facilities, coaching, medical services, competition schedules, or institutional networks. Conversely, equal salaries may coexist with substantial capability inequality. A female athlete earning the same contractual remuneration as a male counterpart may nevertheless have fewer

opportunities to compete internationally, fewer sponsorship contacts, or less access to elite training. The capability perspective therefore shifts the legal inquiry from the amount paid to the actual professional possibilities available to athletes. Equality requires attention to whether women can meaningfully convert institutional resources into athletic development and career advancement.

Fraser's theory of redistribution, recognition, and representation further demonstrates why remuneration cannot be isolated from institutional status (Fraser 2009). Redistribution addresses the economic dimension of inequality; recognition addresses cultural and social status; and representation concerns participation in decision-making structures. Professional women athletes can experience all three forms of disadvantage simultaneously. They may receive fewer economic resources, be perceived as commercially less valuable, and have limited influence over decisions concerning competitions and athlete welfare. A salary increase without institutional recognition or representation may therefore alleviate one dimension of inequality while leaving others intact. In sports governance, the three dimensions should be treated as mutually reinforcing rather than separate policy questions.

The principle of equal pay should nevertheless remain enforceable where athletes perform work of equal value. The Indonesian legal system has long incorporated international labor standards concerning equal remuneration through the ratification of ILO Convention No. 100. The relevance of that principle to professional sport depends partly on the legal characterization of the athlete relationship. Where an athlete works under the direction and control of a club, receives remuneration, and performs services under a continuing contractual arrangement, employment-law principles may become applicable. Where the relationship is more independent, contractual autonomy becomes more significant. This distinction should not, however, be used to eliminate equality obligations entirely. The legal basis may differ, but the underlying principle that gender should not arbitrarily determine the economic value assigned to professional labor remains relevant.

A further difficulty arises when clubs justify salary differences through individual performance. Performance is a legitimate criterion in professional sport because competitive achievement constitutes the central economic function of an athlete. However, performance criteria must be applied consistently and transparently. If male athletes receive greater compensation for achievements that are valued less when performed by women, the apparent neutrality of the criterion becomes questionable. The legal assessment should therefore examine not only the written contract but also the institutional valuation of performance. This requires comparison of bonuses, appearance fees, prize structures, transfer arrangements, and other economic benefits. A gender-neutral contractual formula can still generate discriminatory consequences if its underlying valuation assumptions systematically favor male competition.

The distinction between revenue sharing and remuneration is also important. Where athletes receive a fixed salary from a club, the club may have greater discretion to structure remuneration according to employment value. Where compensation depends directly on competition revenue, sponsorship income, or broadcasting receipts, differences may be more closely connected to the economic performance of the competition. Nevertheless, revenue allocation itself is an institutional choice. A federation or club may determine how much promotional expenditure is directed toward men's and women's competitions, which matches receive prime scheduling, and which athletes receive commercial promotion. Consequently, revenue cannot always be treated as an external fact. It may be partly produced by the institution whose allocation decision is being challenged.

Sports justice therefore requires a distinction between commercial differentiation and gendered valuation. Commercial differentiation occurs when athletes receive different compensation because of objective differences in revenue generation, contractual responsibilities, performance, or market conditions. Gendered valuation occurs when the institution implicitly assigns lower economic worth to comparable athletic labor because the performer is a woman. The former may be legitimate; the latter raises serious equality concerns. The legal challenge is to create evidentiary mechanisms capable of distinguishing the two. Transparent compensation criteria, standardized bonus formulas, documented sponsorship allocation, and access to relevant institutional data would make such assessment possible.

Equal Opportunity as a Condition of Fair Competition

Equal pay cannot be meaningfully evaluated without considering the opportunities through which athletes develop professional value. Competition access is particularly important because athletes cannot generate performance statistics, public recognition, or commercial value without sufficient opportunities to compete. If women's competitions are less frequent, receive inferior scheduling, or provide fewer pathways to national and international exposure, salary differences may partly reflect institutional opportunity gaps. The study by Saputra on youth sports and social justice similarly emphasizes the significance of equitable access to athletic development programs (Saputra 2024). Although focused on youth development, the principle has relevance to professional sport because unequal developmental pathways can produce unequal professional outcomes many years later.

Opportunity equality should not be confused with identical institutional allocation. Different sports require different calendars, facilities, competition formats, and commercial strategies. The legal standard should therefore be substantive rather than mechanical. The question is whether women and men have comparable opportunities to develop and exercise professional athletic capabilities. A federation may legitimately allocate more resources to a competition with

unusually high international significance, but systematic patterns disadvantaging women require justification. This approach corresponds with Sen's capability theory because the relevant inquiry is whether individuals possess genuine opportunities to achieve professional objectives rather than whether institutions distribute identical inputs.

The significance of opportunity inequality is illustrated by the relationship between competition and sponsorship. Sponsors often seek visibility, audience engagement, and recognizable athletes. If women receive fewer high-profile competitions, their commercial exposure may decline, which can then make them less attractive to sponsors. Torres-Romay and García-Mirón's study of women's sports sponsorship demonstrates that sponsorship investment in women's sport has historically remained below investment in men's sport despite increasing achievements and visibility (Torres-Romay and García-Mirón 2020). The legal implication is that sponsorship disparities should not automatically be treated as independent market outcomes. Where sporting institutions control access to visibility, their decisions may influence the commercial conditions that subsequently determine sponsorship.

Media exposure is similarly connected to opportunity. Fink documents persistent disparities in media treatment between women's and men's sport and argues that unequal coverage affects perceptions of women athletes and the commercial development of women's sport (Fink 2015). Tandfonline The media is not fully subject to sports-law regulation because editorial independence must be preserved. Nevertheless, federations, clubs, and leagues can influence institutional media opportunities through broadcasting agreements, official digital channels, press access, promotional campaigns, and event scheduling. An equality framework should therefore distinguish between independent editorial choices and institutional allocation decisions. Where a sports organization systematically directs promotional resources toward men, the resulting visibility disparity may become a sports-governance issue rather than merely a media-market phenomenon.

The Indonesian literature reinforces the connection between visibility and sporting justice. Achmad and Zulfikar find that unequal athlete representation in Indonesian media can affect sponsorship and career advancement, illustrating how symbolic recognition has tangible economic consequences (Achmad and Zulfikar 2025). This supports Fraser's recognition framework because cultural visibility is not merely symbolic. Recognition can influence commercial opportunity, institutional reputation, and professional advancement. A sports justice approach should therefore recognize media exposure as part of the ecosystem through which athletic value is produced, while avoiding the legally problematic assumption that every media outlet must provide identical coverage.

Opportunity also concerns access to medical and performance services. Professional sport imposes substantial physical demands, and athletes require physiotherapy, rehabilitation, sports medicine, nutrition, psychological support, and injury prevention. If women athletes receive inferior access to such services,

their capacity to compete may be compromised, which can then affect performance-based remuneration and career longevity. The resulting inequality would not necessarily appear in salary statistics. It would exist upstream, at the level of institutional capacity. This demonstrates why an exclusive focus on equal pay can be misleading: compensation may reflect inequalities that originated in access to professional resources.

Career development represents another important dimension. Athletes require opportunities to compete at higher levels, participate in international tournaments, obtain coaching qualifications, develop leadership experience, and build professional networks. If women receive fewer opportunities to become captains, coaches, ambassadors, or administrators, their post-playing careers may also be constrained. Sotiriadou and de Haan demonstrate that women's participation in sport leadership is influenced by governance structures and organizational processes rather than simply individual qualifications (Sotiriadou and de Haan 2019). Equal opportunity should therefore encompass the entire professional lifecycle rather than focusing solely on the athlete's playing contract.

Procedural Justice and the Institutional Production of Inequality

Procedural justice provides the second major dimension of the proposed framework. Even where the outcome of an allocation decision appears economically reasonable, athletes are more likely to regard it as legitimate when the process is transparent, consistent, impartial, and open to challenge. Mahony et al. demonstrate that organizational justice in sport includes procedural and interactional dimensions in addition to distributive outcomes (Mahony et al. 2010). This principle is particularly relevant to gender equality because discrimination frequently occurs through discretionary decision-making rather than explicit rules. Selection committees, club executives, sponsors, and federation officials may make decisions based on informal assessments of marketability or institutional culture. Procedural safeguards can reduce the risk that gender stereotypes become embedded in such decisions.

The legal importance of procedure becomes clear when compensation criteria are not disclosed. Suppose a club pays its male athletes substantially more than its female athletes while explaining the difference only through "market value." Without access to the underlying criteria, the athlete cannot meaningfully challenge the decision. A gender-neutral phrase may conceal subjective judgments concerning popularity, audience appeal, commercial attractiveness, or perceived professionalism. Procedural justice therefore requires decision-makers to identify relevant criteria before making decisions and to provide reasons afterward. This does not mean that every commercial negotiation must become fully transparent, but institutions exercising significant power over athletes should be able to explain material differences in treatment.

Organizational theory further suggests that gender inequality can become embedded in apparently neutral structures. Acker's concept of gendered organizations explains how institutional arrangements, job expectations, symbols, interactions, and organizational identities can reproduce gender hierarchy even without explicit discriminatory rules (Acker 1990). Professional sport provides an especially strong example because its organizational culture has historically been associated with masculinity, physical strength, competitiveness, and male leadership. The persistence of such organizational norms may influence which athletes are perceived as commercially valuable, which competitions receive attention, and who is considered suitable for leadership. A sports justice framework should therefore investigate organizational structures rather than focusing exclusively on individual acts of discrimination.

Kanter's analysis of organizational power and tokenism similarly demonstrates that numerical representation can influence institutional behavior (Kanter 1977). Where women are significantly underrepresented in decision-making bodies, they may have limited capacity to challenge established institutional assumptions. The problem is therefore not merely the absence of women but the concentration of decision-making authority within networks that may reproduce themselves. This supports the argument that equal opportunity requires representation within sports governance. Women athletes should not merely receive benefits from decisions made by overwhelmingly male institutions; they should have meaningful opportunities to participate in determining policies concerning competitions, welfare, remuneration, and commercial development.

Procedural fairness also requires independent complaint mechanisms. If an athlete challenges a discriminatory compensation decision to the same organization that established the compensation structure, the review process may lack institutional independence. A fair framework should permit review by an independent body, particularly where the dispute concerns systematic gender inequality rather than an isolated contractual disagreement. The availability of independent review is consistent with the broader development of sports justice mechanisms, which increasingly recognize that sports organizations must balance regulatory autonomy with fundamental legal principles. The objective is not to transfer every sporting disagreement to ordinary courts but to ensure that institutional autonomy does not eliminate meaningful accountability.

The evidentiary problem is equally important. Gender inequality is often difficult to establish because the relevant information is controlled by clubs, federations, sponsors, or broadcasters. Athletes may know that they receive less favorable treatment but lack access to comparative salary data, sponsorship contracts, internal selection criteria, or promotional budgets. A procedural justice framework should therefore impose reasonable record-keeping obligations on professional sports organizations. Clubs and federations should maintain records concerning compensation, bonuses, competition opportunities, sponsorship allocation, medical support, and selection decisions. Such documentation would

not require public disclosure of commercially confidential information but would allow independent review when discrimination is credibly alleged.

A rebuttable presumption may also be considered in appropriate cases. Where an athlete demonstrates a substantial and unexplained gender-based disparity, the institution should be required to identify objective reasons for the difference. This does not reverse the entire burden of proof or create automatic liability. Rather, it recognizes the informational asymmetry between athletes and institutions. Such a mechanism would be particularly appropriate where the institution exclusively controls the relevant data. The legal principle is consistent with substantive equality because a formally neutral evidentiary rule can itself produce unequal access to justice if one party possesses all relevant information.

Recognition, Commercialization, and the Limits of Market Equality

Recognition is a crucial but frequently overlooked dimension of sports justice. Women athletes may perform at comparable levels yet receive less institutional recognition, fewer promotional opportunities, and less public visibility. Recognition matters because it contributes to the social and commercial valuation of athletic labor. Fraser's theory indicates that misrecognition can operate independently of economic redistribution and may require institutional transformation rather than simply increased financial payments (Fraser 2009). In professional sport, the undervaluation of women's achievements can become economically consequential because sponsors, broadcasters, fans, and clubs respond to perceived visibility and value. Legal equality therefore cannot be restricted to salary contracts if institutional recognition influences the conditions under which those contracts are negotiated.

Commercialization can both challenge and reproduce gender inequality. Increased commercial investment in women's sport can create new opportunities, professional salaries, and media visibility. At the same time, commercial strategies may rely upon gender stereotypes that emphasize femininity, appearance, lifestyle, or social roles rather than athletic achievement. Research on women's sport sponsorship demonstrates that commercial communication can simultaneously promote women's sport and reproduce gendered narratives (Cunningham et al. 2024). The legal challenge is not to eliminate commercialization but to ensure that commercialization does not become a mechanism through which discriminatory assumptions determine professional value.

Market arguments deserve careful treatment. In economic terms, compensation may respond to demand, audience size, sponsorship, broadcasting value, and revenue. A sports-justice approach should not deny these realities. Instead, it should distinguish between a market difference and an institutionally produced market difference. If women's sport attracts less revenue despite receiving equivalent institutional investment, the difference may be commercially legitimate. If women's sport receives systematically lower investment and promotional exposure and subsequently generates less revenue, the market outcome is partly

endogenous to institutional decisions. The latter situation cannot be evaluated solely by comparing revenues because the revenue gap may itself be an outcome of unequal opportunity.

This distinction is especially relevant to professional leagues. A league may argue that men's matches command larger broadcasting contracts and therefore justify larger salaries. That argument may be valid to a degree, but it should be accompanied by analysis of whether women's competitions receive comparable opportunities to develop audience demand. Carrick's analysis of women's football demonstrates the value of combining sports-governing statutes with general equal-treatment principles rather than relying exclusively on existing commercial arrangements (Carrick 2024). The same reasoning can be applied in Indonesia: commercial differentiation should remain possible, but institutions should not use existing commercial disparities as an automatic defense against scrutiny of their own resource-allocation decisions.

Recognition also concerns the symbolic language used by sports institutions. When official communications consistently celebrate male athletes as serious professionals while presenting women primarily through personality, appearance, or emotional narratives, the institution may contribute to differential valuation. Salido Fernández's review of Olympic media representation identifies persistent underrepresentation and trivialization of women athletes' sporting achievements (Salido Fernández 2020). Such representation can influence sponsorship and public perceptions of athletic competence. Although not every media portrayal is legally actionable, institutional communications should nevertheless adopt standards emphasizing athletic achievement and professional status.

The Indonesian sports industry should consequently treat commercial value as a dynamic rather than fixed category. Market value is not simply discovered; it can be cultivated through investment, exposure, infrastructure, and institutional promotion. This insight has important consequences for equal-opportunity policy. If a federation invests substantially in women's competitions, improves broadcasting access, develops youth pathways, and creates stronger sponsorship packages, women's commercial value may increase over time. Equal opportunity can therefore be understood not merely as a constraint on discrimination but as a strategy for producing a more competitive and sustainable sports market.

Reconstructing a Sports Justice Framework for Indonesia

A multidimensional sports justice framework should begin with the recognition that equal pay and equal opportunity are complementary rather than competing objectives. Equal pay protects the economic value of professional labor, while equal opportunity protects the conditions through which that labor becomes possible and valuable. A legal system focused only on remuneration may intervene too late, after inequalities in development, exposure, and institutional support have already accumulated. Conversely, a system focused only on opportunity without

remuneration may permit institutions to benefit from women's athletic labor without providing equitable economic recognition. Justice therefore requires simultaneous attention to distribution, opportunity, procedure, recognition, and representation.

The Indonesian regulatory framework is capable of supporting such an approach even without creating an entirely separate gender-equality statute for professional sport. Law No. 11 of 2022 can be interpreted alongside employment legislation, contractual law, human-rights principles, Government Regulation No. 16 of 2007, Government Regulation No. 18 of 2007, and Presidential Regulation No. 86 of 2021. The objective should be harmonization rather than regulatory duplication. Sports federations should establish gender-equality provisions within statutes, athlete regulations, licensing requirements, and competition rules. Clubs participating in professional competitions should be required to maintain transparent standards for remuneration, facilities, medical services, selection, and sponsorship. This would transform general equality principles into operational sports-governance requirements.

Compensation transparency should become a central institutional mechanism. Professional leagues could require clubs to disclose salary structures in aggregate form, including minimum compensation, performance bonuses, prize-sharing mechanisms, and non-cash benefits. Individual contracts need not become public. The objective would be to identify systemic disparities while preserving legitimate commercial confidentiality. Where substantial differences occur between male and female athletes, clubs should maintain documentation demonstrating the objective factors responsible. Such a system would make the equal-pay principle practically enforceable without imposing rigid salary uniformity.

Opportunity auditing should complement compensation auditing. Sports organizations should periodically assess access to competitions, training facilities, medical services, international exposure, coaching, travel, accommodation, media promotion, and sponsorship. The purpose would not be to force identical expenditure but to identify persistent and unexplained disparities. An audit could reveal, for example, that women's teams receive significantly fewer international competitions or inferior medical resources. Once identified, such disparities could be addressed through institutional planning. This would convert substantive equality from an abstract principle into a measurable governance practice.

The representation dimension should also be strengthened. Sports federations and professional leagues should consider minimum representation of women in decision-making committees dealing with athlete welfare, competition organization, development programs, and commercial strategy. Sotiriadou and de Haan demonstrate that gender equality in sports leadership depends on governance structures and organizational processes rather than simply increasing the number of qualified women candidates (Sotiriadou and de Haan 2019). Indonesian institutions should therefore address recruitment pathways, committee

composition, leadership development, and institutional culture. Representation is particularly important because women athletes possess experiential knowledge that may be absent from predominantly male decision-making structures.

The framework should also distinguish between equal treatment and positive measures. Where historical disadvantage has produced significant inequality, identical treatment may perpetuate the existing disparity. Targeted investment in women's sport can therefore be justified as a corrective measure designed to establish effective equality. Such policies might include dedicated development programs, improved broadcasting arrangements, athlete scholarships, leadership programs, or minimum standards for women's competitions. The objective is not to guarantee identical outcomes but to remove structural barriers that prevent comparable participation and advancement.

Dispute resolution is the final component. Athletes should have access to an independent mechanism capable of reviewing claims involving unequal pay, discriminatory selection, unequal facilities, sponsorship exclusion, or institutional retaliation. The mechanism should have authority to order appropriate remedies, including compensation, reconsideration of decisions, disclosure of relevant information, and institutional corrective measures. Internal federation procedures can remain the first level of review, but external independence should be available where internal mechanisms are inadequate. This is particularly important because professional athletes may fear retaliation or contract termination if they challenge powerful clubs or federations.

The proposed model ultimately treats sports justice as a process rather than a single outcome. Justice is distributive because athletes should receive fair economic and material resources; procedural because decisions must be transparent and contestable; recognition because women's athletic contributions must receive equal institutional respect; and capability-based because athletes must possess genuine opportunities to develop and exercise professional potential. This multidimensional model provides a more accurate legal framework for Indonesia than a simple comparison of male and female salaries. It acknowledges legitimate differences within professional sport while preventing market-based reasoning from becoming an automatic justification for structural inequality.

Conclusion

The debate between equal pay and equal opportunity should not be framed as a choice between two competing objectives. Equal remuneration is an essential dimension of professional justice, but it cannot independently establish equality where athletes experience unequal access to competitions, training, medical services, sponsorship, media exposure, career development, and governance. Conversely, equal opportunity without economic recognition may allow women athletes to participate in professional sport while remaining structurally undervalued. The appropriate legal approach is therefore multidimensional.

Distributive justice addresses the allocation of salaries and material resources; procedural justice addresses the transparency and fairness of institutional decision-making; recognition addresses the cultural and commercial valuation of women's athletic labor; and the capability approach addresses whether athletes possess genuine opportunities to develop and pursue professional careers. Indonesian sports law should interpret these principles together with the national sports regulatory framework, employment norms, contractual principles, and international equality standards.

A sports justice framework for Indonesia should consequently move beyond the narrow question of whether women and men receive identical salaries. Professional sports organizations should establish transparent compensation criteria, maintain records capable of identifying systemic disparities, provide equitable access to competitions and professional resources, ensure fair medical and developmental support, and create independent mechanisms for challenging discriminatory decisions. Market-based differences should remain legally permissible where they are objectively justified, transparent, proportionate, and unrelated to arbitrary gender valuation. However, existing commercial disparities should not automatically be treated as neutral market facts where institutional decisions have contributed to producing those disparities. Equal opportunity is therefore not an alternative to equal pay but a condition for evaluating whether differences in pay are genuinely legitimate. Reconstructing Indonesian professional sport through this framework would allow commercial sustainability and competitive autonomy to coexist with substantive equality, institutional accountability, and the broader conception of justice required by contemporary sports governance.

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