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Gender equality within the sports legal framework: A comprehensive analysis and future perspectives

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Abstract

Gender equality within the realm of sport has become an increasingly prominent issue in discussions surrounding social and economic disparities. Despite notable advancements in international, European, and national legislation, gender-based discrimination persists across various domains, including representation, opportunities, and financial resources. This article delves into the legal infrastructure that underpins gender equality within the sports legal system, analyzing relevant international frameworks, as well as initiatives from European and national bodies. The article further explores the ongoing challenges faced by female athletes, such as wage gaps, media visibility, and career progression. A key focus is placed on efforts to foster inclusivity and equality, particularly through awareness-raising campaigns and policies aimed at supporting women in sport. The article concludes by offering a critical reflection on the gradual pace of change and underscores the necessity for collective action in dismantling the cultural barriers that continue to hinder the full participation and representation of women in sport.

Keywords: Gender equality; Sports legal framework; Gender discrimination; Wage disparity; Sports inclusivity; Women's opportunities in sport

1. Introduction

Gender equality has become an increasingly important topic within international and national institutions, gaining recognition as a key factor in promoting and protecting human rights. When we look at the world of sports, this issue takes on particular significance. Sport, while universally celebrated, has traditionally been one of the most resistant sectors when it comes to fully integrating women and minorities. The gender gap in sports is not just about who gets opportunities or attention; it also involves complex legal, economic, and cultural challenges. As such, the legal systems governing sports must ensure fair treatment at every level, from the drafting of regulations to their everyday application. While major global organizations like FIFA and the IOC have made some progress toward gender equality, the gaps are still significant, requiring closer scrutiny and ongoing dialogue.

2. State of the Art

A number of studies have explored how gender equality is addressed in sports and whether the existing laws are working effectively. Researchers like Fink (2016) and Messner (2002) have examined how changes in society influence the way sports organizations evolve and how gender roles are negotiated within these structures. Much of the legal discussion revolves around international agreements like the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which emphasizes the need for equal rights across all areas, including sports. The policies of global organizations such as the IOC and FIFA have also received significant academic attention. However, even with formal regulations aimed at promoting gender equality, there remains a gap between the theory

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and the practice. In many cases, these laws are not fully implemented or are undermined by persistent, ingrained practices that continue to disadvantage women. The challenges of access, funding, and visibility for female athletes remain at the forefront, illustrating that legal equality often falls short of achieving true parity.

3. Methodology

This study takes a critical approach by analyzing both primary and secondary sources on gender equality in the sports legal framework. Key documents from international bodies such as FIFA, the IOC, and the European Commission were closely reviewed, alongside academic publications and policy reports. The focus is on understanding how well the legal structures in place have been implemented and how they affect female athletes in real-world scenarios, especially when it comes to career progression and competition. Additionally, the study integrates sociological perspectives on gender inequality, particularly looking at the challenges women face in achieving visibility, fair economic treatment, and greater representation in decision-making positions. This approach combines insights from law, sociology, and gender studies to offer a well-rounded view of the issue.

4. The International Legal Framework on Gender Equality

The international legal framework provides a foundational understanding of the significance of gender equality in sport. Various international conventions, dating back to the late 19th century, have underscored the need for equal opportunities for all individuals, regardless of sex, ethnicity, or religion. Among these, the CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) stands out as a pivotal instrument, affirming the universal right of women to participate in all spheres of social, political, and economic life, including sport. The ratification of this convention by United Nations member states has laid the groundwork for substantial legal reforms, pushing for increased inclusion in various sectors, including sports.

Despite the formal commitment to gender equality articulated by international treaties, the practical realization of these rights often faces resistance due to deeply ingrained cultural practices and patriarchal attitudes that continue to view women as secondary participants in the sports domain, traditionally dominated by men. Moreover, the International Olympic Committee (IOC) has been actively involved in promoting gender parity in the Olympic Games, ensuring the inclusion of women in competitions and encouraging gender balance across various sports disciplines. However, the journey toward genuine equality remains far from complete, as the adoption of inclusive policies does not always align with equal treatment in practice, highlighting the disparity between legal provisions and real-world implementation.

5. The European Union and Initiatives for Gender Equality in Sports

While the international landscape has laid the groundwork for gender equality, the European Union has distinguished itself through its ongoing commitment to addressing this issue in a systematic and detailed manner. The Treaty on European Union (TEU) establishes non-discrimination as one of the Union's fundamental principles, and the Charter of Fundamental Rights of the European Union further strengthens this commitment by explicitly including gender equality as a fundamental right. With the publication of the Gender Equality Strategy 2020-2025, the EU has outlined an ambitious agenda to overcome gender inequalities in various sectors, with a particular focus on sports. These policies have found tangible support in EU funding programs such as Erasmus+, which has financed numerous projects aimed at promoting the inclusion of women in sports, especially in underdeveloped areas. Despite being significant, such initiatives are often hindered by cultural resistance, which views sports as a "privileged" domain for men. This presents one of the toughest challenges: transforming legal equality into substantive equality through policies that are not only theoretical but also concrete and accessible in all its dimensions.

6. Gender Equality in National Legal Systems

At the national level, Italian legislation has adopted many international and European provisions on gender equality. However, the everyday reality in sports often contradicts the ideals enshrined in the law. Italian law has long recognized equality between men and women, but wage disparity remains a dominant issue, with male professional athletes continuing to receive far higher pay than their female counterparts, despite similar commitment and performance. Female representation in decision-making roles within Italian sports federations is another area where much work remains to be done. Women are underrepresented in leadership positions in major national and international sports organizations, reflecting not only a gap in regulations but also the inadequacy of concrete policies in addressing the culture of inequality. Furthermore, although many laws have been designed to facilitate women's participation, their

actual implementation is often obstructed by a traditional mindset that still sees sports as an exclusive domain for men—a mindset that is frequently reinforced by the media, where female athletes continue to receive minimal visibility.

7. Persistent Disparities in the Sports Sector

Despite progress, gender equality in sports has not yet been fully achieved. Wage disparity between men and women is perhaps the most discussed and representative issue of the remaining challenges. Female athletes earn, on average, much less than their male counterparts, with disparities that cannot be justified by performance-related factors. The market logic, which fuels sponsorships and television rights, often does not favor female athletes, who are relegated to a media shadow that prevents them from being valued as much as their male counterparts. The media visibility of women's sports is significantly lower, which has a ripple effect in multiple areas: less interest from sponsors, less media coverage, and therefore fewer career opportunities. Inequality, however, does not end there and extends to career management: women must face unique challenges, including returning to their careers after maternity, an issue rarely addressed for men. The lack of effective policies that support female athletes in managing such challenges constitutes another barrier to achieving full gender equality in the sports world.

8. Initiatives to Combat Gender Discrimination in Sports

In recent years, numerous initiatives have emerged to combat gender discrimination in sports, carrying out concrete actions to promote inclusivity and female representation. Awareness campaigns, which aim to raise consciousness on issues such as wage disparity and the limited visibility of women, have become more frequent and impactful, involving both institutions and the media. International sporting events, such as the Olympics, have seen a notable increase in female participation, both as athletes and as coaches and administrators. Additionally, the sponsorship of top-level female athletes and the growing interest of public organizations in promoting inclusivity projects are slowly changing the structure of professional sports. However, these actions, although essential, must still confront the significant issue of a sector that, despite legislative interventions, remains strongly influenced by a patriarchal mentality that does not always facilitate the implementation of gender equality.

9. Conclusion

In conclusion, the journey toward gender equality in sports remains long and challenging. Legal policies at the international and national levels have laid a solid foundation for promoting equality, but their concrete implementation requires continuous effort. The sports system is still dominated by market logic, gender stereotypes, and cultural resistance, which hinder the full recognition of female athletes and their abilities. Therefore, it is crucial that regulations go beyond mere legal text and are accompanied by everyday actions and a true cultural change within sports institutions, the media, and public opinion. Only through collective effort and widespread awareness can we hope for a future where gender equality is no longer just a theoretical goal but a shared reality.

References

- [1] United Nations. (1979). Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
- [2] International Olympic Committee (IOC). (2020). Gender Equality and Women in Sport.
- [3] European Commission. (2020). EU Gender Equality Strategy 2020-2025.
- [4] European Parliament. (2021). Gender Equality in Sports: Achievements and Challenges.
- [5] Fink, J. S. (2016). *Gender and Sport: A Critical Reader*. Routledge.
- [6] Hartmann-Tews, I. (2009). *Gender and Sport: A Social Scientific Approach*.
- [7] Messner, M. A. (2002). *Taking the Field: Women, Men, and Sports*. University of Minnesota Press.
- [8] King, S. (2019). Discrimination in Sport: The Role of Gender, Race, and the Law. *Journal of Sports Law and Ethics*, Vol. 5, 75-92.
- [9] DePauw, K. P., & Gavron, S. J. (2005). Disability and Gender in Sport. *Journal of Sport and Social Issues*, Vol. 29, No. 2, 139-157.
- [10] UNESCO. (2014). *Gender and Sport: Promoting Equality in Sport through Education*.

- [11] Wensing, E., & Bruce, T. (2020). Women's Sport, Media, and Globalisation. *Sport in Society*, Vol. 23, No. 3, 469-482.
- [12] Claringbould, I., & Knoppers, A. (2012). Gender Inequality in Sport: How (and Why) the Gendered Division of Sport Continues. *International Review of the Sociology of Sport*, Vol. 47, No. 2, 201-217.
- [13] Shaw, S., & Kilmartin, C. (2003). Women in Sport: Gender Relations and Future Directions. *International Review of Sport Sociology*, Vol. 38, 289-304.
- [14] Harvey, W. (2018). Gender Equality and Sport: Challenges and Opportunities. *Sport and Society*, Vol. 21, No. 4, 521-538.
- [15] Bourdieu, P. (1998). *Distinction: Social Critique of Judgment*. Les Éditions de Minuit.