

## ABSTRACT

### THE NECESSITY OF HUMAN RIGHTS IN SPORTS LAW

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Sports Law finds itself situated in a landscape that is pervaded by the canons of law of contracts. It has traditionally been the singular object of law to contain boundless affluence and deploy its hawk-eyed agents to such arenas. In a field as lavish as the sporting culture, corruption stealthily seeps in. In consonance with the letter and spirit of contractual law, it is an accepted dictum that the presence of an unlawful objective renders the contract void. Accordingly, indulgence in substance abuse ruptures the lawful spirit of a sports contract. Instances of misdemeanour by sportspersons invoke fiery resentment of the masses owing to the fact that athletes and sports celebrities are revered as people of unparalleled integrity. While checking the occurrence of unethical practices by sportspersons, the patrons of sports law must resist the temptation of converting the vigilant legal forceps into an instrument of policing the conduct of sporting personalities. The moral conduct of a sportsperson must be looked askance only when the contractual boundaries are overstepped and not when the emotional expectations of masses are hurt. Moreover, contractual terms in sports law are pre-eminently based on 'agreement' and hence the literature of sport law must distance itself from tilting towards the forceps of criminal law. Henceforth, the principle of strict liability institutionalised in criminal and tortious law must not enter the realm of sporting law. The doctrine of strict liability is being silently imported to scrutinise the conduct of sportspersons. Compulsive necessities of sportspersons must be taken into consideration to pave the way for a more humane outlook. Rising above its grammatical setup, contractual sports law must adopt devices of fastidious and pragmatic extrapolation to check sporting behaviour.

**Keywords:** Law of Contracts, Unethical Practices, Instrument of Policing, Agreement, Strict Liability, Compulsive Necessities, Humane Outlook