

College Sports Reform: Could Come Sooner Rather Than Later

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a CLIPS GUEST COMMENTARY

Our guest author conjectures about college athletics reform under the pall the gloomy headlines about America's financial crisis and potential action from the Senate Finance Committee.

By Frank G. Splitt, The Drake Group, 9-27-08

Ed.-We would like to remind our readers that we constantly strive to make College Athletics Clips a bi-partisan e-publication (that is, one that articulates **both** sides of an issue). Bi-partisan is quite different from **non**-partisan, in which **neither** side of an issue is articulated. In the commentary below, Frank Splitt of The Drake Group clearly states his viewpoint on college athletics reform. There are surely many readers out there who have a viewpoint quite different from that of Mr. Splitt. We'd love to hear from you. As always, we welcome those with opposing viewpoint to any of our guest commentaries to state their case as well. Please submit your commentaries to: nick@collegeathleticsclips.com

"College football today is one of the last great strongholds of genuine old-fashioned American hypocrisy. There are occasionally abortive attempts to turn football into an Honest woman, but to date, the fine old game that interests and entertains literally millions of people has managed to withstand these insidious attacks."

—Paul Gallico, *Farewell to Sport*, 1938

BACKGROUND—Recent communications with the Senate Finance Committee by the author and Kadence Otto, Executive Director of The Drake Group, triggered an **AFTERWORD** to a previous essay.¹ The subtext of that essay was the apparent triumph of America's sports culture over the academic mission of its colleges and universities as well as to the undermining of the educational mission of our nation's high schools, and, that unless and until Congress gets involved, America's system of higher education will continue to be held hostage to the collegiate sports entertainment industry.

There has been a growing sense of frustration and disappointment stemming from the lack of responsiveness from the U.S. Congress re: a bipartisan follow up on the effort of Bill Thomas (R-CA), the 2006 House Ways and Means Committee Chairman, to have the NCAA provide justification for its tax-exempt status, and especially to the effort of Senator Chuck Grassley (R-IA), the former Chairman and now Ranking Minority Member of the Senate Finance Committee, to significantly improve the transparency, accountability, and oversight of the operations of the NCAA and the athletic programs at its member institutions.²

When read in the light of the gloomy headlines about America's financial crisis,³ my essay, "Sports in America 2007,s"⁴ should prove most illuminating in this regard. Professional sporting events sponsored by the NFL, the NBA, and America's colleges and

universities, will no doubt serve as convenient distractions from our nation's economic woes, channeling the attention of the public elsewhere.

A thoughtful reading of the referenced material¹⁻⁵ should leave little doubt as to the fraudulent, tax-avoiding nature of big-time collegiate athletics, especially in the NCAA's big-time football and men's basketball programs.

OBSERVATIONS—Given the above background, there follows some troubling observations for the reader's consideration:

1. *The sports-crazed American public values sports entertainment over STEMS* – The American public appears to value exciting sports entertainment over the (sometimes) boring, hard work entailed by science, technology, engineering and mathematics (STEMS). As important as calling attention to the latter may be, it will be difficult to change the way American's want to live. It's part of our national culture.
2. *America's colleges and universities are deteriorating* – After a little more than five years of following the machinations of the collegiate sports entertainment industry with its professionalized athletes, it has become abundantly clear that, with but few exceptions, America's colleges and universities are in the process of deteriorating while on their government subsidized quest for sports related revenues—abandoning their souls, compromising their integrity, and warping their academic missions. There are no visible means to reverse what appears to be a downward spiral into a pervasive 'beer and circus' modus operandi at many of America's colleges and universities—described in consummate detail by Murray Sperber.⁶ To the best of my knowledge, this scenario and its long-term, deleterious consequences are either invisible to, or ignored by, those in the highest circles of the U.S. Government—including the U.S. Department of Education.
3. *The NCAA and school presidents provide cover* – The NCAA's big-time football and men's basketball programs are fronted by a former university president who now heads the NCAA and sitting, see-no-evil school presidents, many of whom have been forced to be compliant—by their governing boards and/or wealthy boosters—shamelessly prostituting themselves and their schools for fame and fortune while working with highly compensated NCAA executives to fashion a facade of respectability for their collegiate sports entertainment business.
4. *The collegiate sports entertainment industry is intertwined with government bodies* – For all intents and purposes, the collegiate sports entertainment industry is intertwined with government bodies (both state and federal)—receiving government subsidies in the form of favorable tax policies as it works to harvest a vast, lucrative market fueled by an almost insatiable public appetite for the pleasures of 24/7 sports entertainment. Lies, corruption, and fraud abound—deceit and deception are ostensibly O.K. not only because everybody does it, but also because there is no effective oversight and enforcement by any government body whatsoever.

5. *Breaking through the veil of hypocrisy and lies cloaking collegiate athletics is difficult* – The idea that Congress will break through the veil of hypocrisy and lies cloaking collegiate athletics—by requiring significant measures of transparency, accountability, and independent oversight from the NCAA and its member schools—seems to be as elusive and difficult as ever. Past experience would tell us this idea is a dream that does not fit the American way of life. Alexander Solzhenitsyn (1919-2008), a Nobel Prize-winning author and one of the world's greatest renouncers of lies, found that struggling against falsehood is not fashionable, saying: "We have already taken refuge in the crevices. Let's be honest and say: 'I am in the herd, and a coward. It's all the same to me so long as I am fed and warm.'"

6. *There is no effective leadership for meaningful reform in collegiate athletics* – For reasons discussed in my essays and commentaries over the past five years,⁷ meaningful reform in collegiate athletics will certainly not be led by the NCAA, or athletic conferences, or the Knight Commission, or college/university presidents and their governing boards, or the U.S. Department of Education, or state/regional accreditation boards. Faculty-based, reform-minded organizations such as the The Drake Group and the Coalition on Intercollegiate Athletics (COIA) can help lead the way, but simply do not have the wherewithal to confront the collegiate sports entertainment industry by themselves, more specifically without the help of the U.S. Congress.

SUMMARY AND CONCLUSION—The present state of college sports reform can be summed up as follows: The over 80-year history of college sports reform tells us that no matter how compelling the arguments for the institution of corrective measures, market and political realities dictate that nothing of consequence will be done for a variety of reasons, none the least of which are the facts that there is an abundance of corrupting, tax-free money and related benefits at stake; and, members of Congress—like sitting school presidents—want to keep their jobs, so look the other way as they will likely not be able to withstand constituent pressure to defend their state's right to winning teams no matter what it takes.

Consequently, a slow but sure decline in America's educational system would be inevitable unless and until the Congress can restrain the growth of the college sports entertainment industry by forcing the NCAA and its member schools to comply with their tax-exempt purpose of keeping sports as "an integral part of the educational program and the athlete as an integral part of the student body,"—demanding measures of transparency, accountability, and oversight that are adequate to this task.

Under normal circumstances, it is most likely that Senator Grassley's congressional colleagues would simply continue to ignore the issue—leaving him to stand alone in his effort to have the NCAA provide justification for its tax-exempt status. Then there would be little, if any, hope for meaningful reform, no matter how corrupt, fraudulent, and debilitating the operations of the collegiate sports industry continue to be. Under these circumstances, I would not see reform coming anytime soon, *if ever*.

In spite of this pessimistic view, all is not lost, for these are definitely not normal times. The epic, present-day financial crisis coupled with the rise of intense global competition

may serve as a loud and compelling wake-up call for Americans at all levels to rise above their obsession with sports entertainment—coming to understand that the continuation of this obsession would not bode well for the future of higher education in America as well as for America’s leadership role on the world stage. This understanding could pave the way for America’s colleges and universities to reprioritize their values—making capital and human resource investments that place academics above athletics.⁸

The persistent efforts of Senator Grassley and reform-minded faculty groups such as The Drake Group and the Coalition for Intercollegiate Athletics could help catalyze a process whereby college sports reform would come sooner rather than later. Only time will tell.

NOTES

1. Splitt, Frank G., "Unrestrained Growth in Facilities for Athletes: Where is the Outrage?," http://thedrakegroup.org/Splitt_Unrestrained_Growth.pdf , Sept. 17, 2008.
2. _____, "The U.S. Congress: New Hope for Constructive Engagement with the NCAA," <http://mtprof.msun.edu/Spr2007/splitt.html>, Spring 2007.
3. Hilsenrath, Jon, et al, "Worst Crisis Since 1930s, With No End in Sight," *The Wall Street Journal*, p. A1, Sept. 18, 2008.
4. Splitt,, Frank G., "Sports in America 2007: Facing Up to Global Realities," http://thedrakegroup.org/Splitt_Sports_in_America_2007.pdf. See also "Sports in America 2005: Facing Up to Global Realities," http://thedrakegroup.org/Splitt_Sports_in_America.pdf and "Are Big-time College Sports Good for America?," http://www.thedrakegroup.org/Splitt_Good_for_America.pdf
5. For more information, the reader is referred to the following books: Byers, Walter, *Unsportsmanlike Conduct: Exploiting College Athletes*, Univ. of Michigan Press, 1995; Duderstadt, James J., *Intercollegiate Athletics and the American University: A University President's Perspective*, First paperback edition, University of Michigan Press, 2003; Sack, Allen, *Counterfeit Amateurs: An Athletes Journey Through the Sixties to the Age of Academic Capitalism*, Penn State University Press, University Park, PA, 2008; Thelin, John R., *Games Colleges Play: Scandal and Reform in Intercollegiate Athletics*, Paperback Edition, John Hopkins University Press, 1996; and Zimbalist, Andrew, *Unpaid Professionals: Commercialism and Conflict in Big-Time College Sports*, Princeton University Press, Paperback Edition, 2001.
6. Sperber, Murray, *Beer and Circus: How Big-Time College Sports Is Crippling Undergraduate Education*, Henry Holt and Company, 2000.
7. Splitt, Frank G., "Essays and Commentaries," <http://thedrakegroup.org/splittessays.html>, 2003-2008.
8. _____, "Universities must address priorities," *Daily Herald*, November 26, 2007, <http://www.dailyherald.com/story/print/?id=83012>