

# ANTI-RACISM IN SPORT ORGANIZATIONS

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# Chapter 3

## The Time is Now:

### Restructuring Intercollegiate Athletic Governance through an Anti-Racist and Equitable lens

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#### **Abstract**

This chapter discusses race, athletic capitalism, and governance issues in college sports. We begin with an overview of the historical evolution of intercollegiate athletics and the creation of structures rooted in racism and anti-Blackness. Then, using these critical lenses, we also discuss current manifestations of racism and anti-Blackness and the negative impact on the college athlete experience. Finally, we conclude the chapter by offering recommendations for reforming and restructuring governance and control of college sports rooted in humanizing values.

**Keywords:** athletic governance, intercollegiate athletics, anti-racism, equity, NCAA

Intercollegiate athletics is at a major turning point in the history of college sports in higher education. This turning point represents an opportunity to rethink various aspects of college sports, including governance and control structures that are racist and rooted in anti-Blackness (Comeaux & Grummert, 2020; Gayles et al., 2018; Hawkins, 1995). For the first time in almost two centuries of intercollegiate athletics in the United States (U.S.), college athletes are allowed to profit from their name, image, and likeness (NIL) without risk of losing their athletic eligibility. College sports have grown from student-organized competitions between schools to a multi-million-dollar commercial enterprise on some college campuses (Thelin, 1996). As college sports grew, became increasingly commercialized, and even dangerous, the need for control, oversight and regulation evolved (Thelin, 1996). As a result, the National Collegiate Athletic Association (NCAA) was created to govern and enforce rules and regulations for fair play. The NCAA has also become a major source of revenue for intercollegiate athletics programs across the country, revenue that has traditionally and disproportionately benefited those at the top of the system while the people who generate the revenue through their athletic labor (particularly football and men's basketball players at the Power 5 institutions) experience exploitative limits on their compensation.

This chapter examines anti-racism within the governance structure of intercollegiate athletics and offers recommendations for re-imagining an anti-racist governance structure for college sports. We begin with a historical overview of governance in intercollegiate athletics, including how neoliberal capitalist values conflict with anti-racist values. Over time this conflict in values has yielded uneven student outcomes, particularly for Black college athletes, who make up many revenue-generating sports participants (Harper, 2018a). To fully comprehend what is happening in college sports today and why it is problematic, a reckoning with historical legacies of exclusion rooted in colonialism is imperative. We do

so by using anti-Blackness and racism as critical perspectives to illuminate the dehumanizing aspects of governance and control in college sports. Anti-Blackness extends beyond racism to contextualize what it truly means to be Black in a world that refuses to honor the humanity of Black people (Dancy et al., 2018). This analysis forms the basis for the recommendations for structural and organizational change.

### **Governance in College Sports: Historical Background and Implications**

Division I college athletics has been heavily criticized for having anti-Black policies and exploiting Black athletes (Harrison et al., 2017; Nocera & Strauss, 2016; Shropshire & Williams, 2017). Additionally, when considering race, scholars have highlighted how Black college athletes experience less favorable academic outcomes (Eckard, 2010; Harper, 2018b), social experiences (Cooper, 2012; Cooper et al., 2017a; Cooper et al., 2017b), and career outcomes (Navarro, 2015; Tyrance et al., 2013) compared to their non-Black peers. Differential outcomes by race date back to the formalization of college athletics, specifically establishing the NCAA (Hextrum, 2021; Byers & Hammer, 1995; Thelin, 1996). The NCAA was created during the early 20th century when Black people had limited access to college and few rights as citizens.

Unsurprisingly, the first form of anti-Blackness began by excluding Historically Black Colleges and Universities (HBCUs) from joining the NCAA (Cavil, 2015). Leaving Black colleges out of the NCAA ultimately meant Black institutions did not have the same financial and economic support historically White colleges and universities (HWCUs) received (Cooper et al., 2014). As a result, Black institutions created conferences for Black athletes to compete, often beating White institutions in sports competitions (Edwards, 2017; Hawkins, 2010). HWCUs realized the talent in the Black leagues, eventually leading to more anti-Blackness through exploitative policies and practices. HWCUs that once excluded access to Black people began to recruit Black athletes to participate in athletics while not providing adequate attention towards redressing the institutional racism they would face post enrollment (Hawkins, 2010). As Black athletes began competing for HWCUs, anti-Blackness turned into athlete exploitation (e.g., using Black athletes to promote revenue generating sports while also blocking Black athletes from earning money through name, image, likeness, or not providing true educational degrees to Black athletes), which has had severe consequences to the wellbeing and fair treatment of Black athletes over time.

Exploiting athletes (across race and gender) has been a common theme throughout the NCAA's history and embedded in the collegiate model espoused by this organization. In 1950, then NCAA Executive Director Walter Byers coined the "student-athlete" as a means of separating "amateur" sports from professional sports (Byers & Hammer, 1995). The term "student-athlete" was intended to keep education at the core of college sports (Smith, 2021). However, Byers later admitted to creating the student-athlete model of amateurism in college sports to control and suppress college athletes' economic rights, namely worker's compensation and related benefits (Byers & Hammer, 1995). This was especially true for college athletes participating in the high revenue-generating sports such as football and basketball because these sports were responsible for funding worker salaries (a majority of which were and remain White) and other operational expenses (Byers & Hammer, 1995). The NCAA pillaged Black athletes from HBCUs, primarily in football and basketball, which led to more exploitation disproportionately affecting Black athletes and their academic, social, and career outcomes (Rhoden, 2006).

Although the NCAA promotes a balance between athletics and education, there are many empirical and anecdotal examples of how this does not happen (Milford & Smith, 2020; Singer, 2016). In reality, college athletes at Division I Power 5 institutions are primarily athletes first and students second. This dynamic is especially true for college football and men's basketball players, as evidenced by the amount of time spent in athletic facilities training and what is emphasized during recruitment (Rubin, 2016; Rubin & Moses, 2017). This imbalance creates academic inequities, such as lower grade point averages (GPAs) and graduation rates for Black athletes compared to White athletes (Harper, 2018a), academic cheating, and enrollment in fraudulent courses (Smith & Willingham, 2015). Not only are there massive educational inequities, but social inequities exist for Black athletes at HWCUs. Black athletes at HWCUs

are celebrated during victories but face harsh and racist comments when not entertaining White crowds (Cooper et al., 2017a). For example, after deciding to opt out of the 2020-2021 men's basketball season, Jalen Johnson, a forward for Duke, received questions about his character and commitment to basketball from media pundits and fans (Dator, 2021). The character criticism that Johnson faced highlights what can happen to Black college players once they refuse to "shut up and dribble" and no longer accept the role as sole entertainers for fans (Castleman et al., 2020; Galily, 2019). When a person's sense of worth and belonging is contingent upon athletic performance, it creates a level of mistrust between Black college athletes and their peers, faculty, and staff at these HWCUs because support is not genuine and consistent; rather, it is disingenuous and transactional. Therefore, it should be no surprise that Black athletes have lower academic and career outcomes than White college athletes, given the anti-Black racism they experience at these institutions (Eckard, 2010; Harper, 2018b; Navarro, 2015; Tyrance et al., 2013).

College athletic reformists have called for more equity and fair treatment for college athletes. Economic reforms, such as those designed to give college athletes NIL rights, have been led by National College Players Association (NCPA) and The Drake Group. The NCAA's most visible athletes compete in Division I athletics; some have called this the front porch of these institutions. Even though athletics has been shown to marginalize enrollment, fans and die-hard college athletic supporters believe that college athletics bring people to campus (Bass et al., 2015; Goff, 2000). Unfortunately, from 1906 to 2021, NCAA schools used athletes' NIL to promote institutional brands, while it was a major NCAA infraction for players to do the same. By refusing to let college athletes leverage NIL, the NCAA denied college athletes a basic civil right granted to nearly all U.S. citizens for over 100 years, and Black athletes were most negatively affected by this, given their disproportionate representation in the two highest revenue-generating sports and broader socioeconomic disparities that position Black people among most impoverished.

In addition, policy groups, such as the Knight Commission on Intercollegiate Athletics, and National Association for Social Workers in Sport (NASWS), have called for more support for college athletes' wellbeing, which connects back to how the NCAA was formed. The NCAA was originally founded as the Intercollegiate Athletic Association of the United States (IAAUS) in the 19th century, but this only happened after a public outcry from President Teddy Roosevelt following a series of injuries and deaths to football players (Byers & Hammer, 1995). Unfortunately, player safety and wellbeing continue to be important issues in college sports. For over 20 years, the NCPA and other scholars have called for changes that would improve player safety, for example, providing college athletes with better health insurance policies and more mental health support (Beauchemin, 2014; Griffin, 2017; Ryan et al., 2018). Others attempted to end practices that increase potential injuries to players, such as demanding an end to playing extra games for more money (Faure & Cranor, 2010; Jones & Black, 2022). Calls for change frequently emerge outside college athletics, and since the NCAA is meticulously bureaucratic, change can be difficult and slow.

### ***NCAA Governance Structure***

The NCAA governance structure is complex, with multiple layers. At the highest level, the NCAA Board of Governors and nine association-wide committees govern broad issues that may affect college athletics (National Collegiate Athletic Association [NCAA], 2021). For example, the Board of Governors holds power to change rules that all NCAA divisions must follow. At the same time, the association-wide committees work with each Division to make legislative recommendations. In addition, 21 voting members on the Board of Governors create the strategic vision for the NCAA while also overseeing the NCAA's budget, employing the NCAA president, and settling litigation as it appears. Although the Board of Governors has the ultimate power, the NCAA has three divisions that make regulations and monitor daily operations.

Given the exorbitant revenue generated through commercialism associated with Division I athletic programs, this section will discuss the Division I governance model. At the top of the Division I governance

model is the Division I Board of Directors, which is a 24-person committee made up of 10 college presidents from the Football Bowl Subdivision (FBS) conferences, ten presidents from the other 22 conferences that rotate, one athletic director, one faculty athletic representative, one senior woman administrator, and one college athlete. The Board of Directors set the strategic visions and oversee the Division's legislation. Additionally, there are nine Division I committees that review various topics that affect Division I athletics. In Division I athletics, there are five autonomy conferences, the Atlantic Coast Conferences (ACC), Big 10 Conference, Big 12 Conference, Southeastern Conference (SEC), and Pacific-12 Conference (PAC-12). Each conference possesses votes for proposed legislation. For any new legislation to pass, it must receive either a) a majority vote within three of the five conferences and 60% of the overall votes or b) a majority vote in four of five conferences and a majority of overall votes. These conferences have the freedom to make their own rules in certain areas, such as player health and resource allocations

For a rule to be implemented in Division I, it must be proposed through one of the ten division-wide committees or conference sponsorship. After the respective council debates the proposed legislation, the decision is made on whether the proposed rule will be implemented by the Division I Council. The Division I Council consists of 41 Division I practitioners, including one representative from each of the 32 conferences, two college athletes, two faculty athletic representatives, and four commissioners. This Council manages issues in Division I athletics. When a conference suggests a new idea for legislation, the committees review it, but regardless of the committees' views, the Division I Council votes on conference-sponsored legislation. After receiving support from the Division I Council, legislation is passed, but it may be subject to review by the Board of Directors to ensure alignment with the strategic vision.

### **Race, Athletic Capitalism, & Governance**

Governance issues in college sports are inextricably linked to race and capitalism. College sports, particularly at Power 5 institutions, are governed such that market-driven values inform decision-making about how revenue is generated and distributed and to whom (Van Rhee, 2013). As commercialism grows, revenues increase. For example, in 2013, the total revenue received by the NCAA was nearly \$8 billion (NCAA, 2013). According to the 2021 NCAA consolidated financial report, over \$9 billion of college sports revenue comes from television contracts and marketing rights. The big business enterprise of college sports on campuses mirrors what Giroux and Giroux (2004) called "corporate culture" in college sports, which can create a conflict in values. A primary issue with market-driven values in college sports is that revenue generation often takes precedence over institutional academic values that are supposed to be central to the student-athlete experience. Under the amateur model of college sports, college athletes are considered students first, which should translate to academic values such as knowledge generation, intellectual freedom, and equity and inclusion taking precedence over other competing monetary values. Instead, market-driven values have created a cartel marked by corporations and universities enriching themselves through exploiting college athletes, most of whom are Black (Branch, 2011). Lack of governance and oversight has led to abuses in college sports that are contrary to the mission and goals of higher education institutions. Harper and Donnor (2017) released an edited book on scandals in college sports that includes stories of unethical conduct in recruiting, abuse and harm to college athletes, sexual misconduct, and gender discrimination, to name a few. Moreover, such abuses in college sports compromise the overall wellbeing and fair treatment of college athletes, the majority of whom are Black.

Neoliberal capitalism is a useful framework for contextualizing governance problems that detract from college athletes' wellbeing and fair treatment. Harvey (2005) defined neoliberal capitalism as a set of economic practices that advance individual entrepreneurial freedoms characterized by rights to private property, free markets, and free trades. When applied to college sports, neoliberal capitalism unearths the lie that college sports operate under a model of amateurism characterized by unpaid participation. However, the policies and practices governing intercollegiate athletics' behavior are contrary to the spirit and values associated with amateur sports. Big-time college sports operate as commercial entertainment



enterprises with significant revenue and monetary payouts. Commercialism in college sports also creates a situation where college athletes function as employees (without pay) rather than students (Comeaux, 2015; McCormick & McCormick, 2006). In fact, the National Labor Relations Board (NLRB) recently issued a memo classifying college athletes as employees entitled to the same rights and protections, including the right to unionize (Carrasco, 2021b). Under a model of amateur sports, academic values would be prioritized over neoliberal values, and the commercialism and large payouts that benefit only people at the top of the hierarchy would be absent.

Further, as commercialism in college sports grows, so does the insertion of market-driven values that undergird capitalism and create oppressive systems and structures, in all aspects of society, particularly in revenue-producing sports where the majority of college athletes are Black (Harper, 2018a; Slaughter & Rhoads, 2009). Gayles et al. (2018) used critical perspectives to question and illuminate how neoliberal values and practices in college sports damage student-athletes' wellbeing and overall college experience. Conflict arises when neoliberal values and practices create situations in college sports such that intercollegiate athletic enterprises place greater value on college athletes' skills and abilities compared to bringing out their academic talents and abilities to engage in independent thought and enhance their critical learning skills (Gayles et al., 2018; Jayakumar & Comeaux, 2016). Further, this conflict in values is dehumanizing and mirrors present-day manifestations of anti-Blackness, where Black bodies are commodified and disposed of at will (Comeaux, 2018; Comeaux & Grummert, 2020). Gayles et al. (2018) name the conflict in values between the corporatization and commercialism of college sports, the espoused academic values and mission of higher education institutions, and the practices and behaviors resulting from athletic capitalism.

One of the biggest debates in college sports has been revenue and the compensation of college athletes. The reality is college athletes are the labor force on the fields and courts, generating millions of dollars in revenue from their athletic abilities, names, images, and likeness; yet, they do not receive market-based compensation and lose out on thousands of dollars due to the NCAA's restrictions (Huma & Staurowsky, 2012; Koblenz, 2017; Thacker, 2017). Furthermore, Huma and Staurowsky (2012) Supporters of paying college athletes, otherwise known as "pay for play," have continuously pressured the NCAA to consider what a culture of equitable college athlete compensation could exist. This debate has spanned for decades, with very little interest in change from the NCAA until recently (Colvin & Jansa, 2019; Hobson & Strauss, 2019; Sanderson & Siegfried, 2015). The foundation of the decision not to compensate college athletes beyond tuition, room and board, and modest stipends is rooted within the amateurism model. For example, the NCAA's rule that prohibits college athletes from receiving compensation for their NIL prior to 2021 reflects the extent of economic control the association wields on this vulnerable group of students (Comeaux, 2020; Edelman, 2001; Koblenz, 2017; Zema, 2019). This prohibition has prevented students from receiving money from school affiliated (e.g., the institution itself, conferences, etc.) and non-school-affiliated sources (e.g., endorsements, income generated from apparel sales, advertising, and autographs). As a result, the only true source of compensation for college athletes is the total cost of attendance at their respective institutions, which is not enough money to cover all basic expenses (Koblenz, 2017).

The amateurism model of college sports continues to be critiqued heavily. Many scholars and supporters of college athletes continue to speak out against the economic exploitation of college athletes because they do not receive an equitable allocation of the revenue they generate for these universities and the NCAA (Comeaux, 2017, 2020; Gayles et al., 2018, Melendez, 2008). Furthermore, supporters of pay-for-play argue institutions should equitably compensate college athletes due to the psychological and physical demands of being a college athlete and the risks of playing on their health and overall wellbeing, as well as the fact that the revenues are directly generated by their labor (Thacker, 2017). However, opponents of pay for play argue that college athletes receive scholarships to earn a college degree, which should be deemed equitable compensation for their athletic services (Graham et al., 2013; Klobenz, 2017). The reality, however, is that athletic scholarships are only a small percentage of the money college athletes

could make if they were paid based on fair market value (Garthwaite et al., 2020; Schwarz, 2016).

In their 2020 National Bureau of Economic Research (NBER) article, Garthwaite and colleagues propose an estimation of what Power 5 men's basketball and football players could make if the NCAA replicated the collective bargaining agreements of the National Basketball Association (NBA) and National Football League (NFL). Under these leagues' collective bargaining agreements, professional athletes receive approximately 50% of their revenue. NCAA were to enact a similar process in college and consider that 58% of the NCAA's annual \$8.5 billion revenue comes from men's basketball and football programs, NBER suggests college football players would receive approximately \$360,000 a year. Men's basketball players would receive approximately \$500,000 a year. Conversely, the average cost of enrollment at U.S. colleges and universities, including tuition, books, and living expenses, is approximately \$35,331 per student per year (Hanson, 2022). Following the parameters of NBER's study, approximately 10% of what a college football player could receive and approximately seven percent of what a college basketball player could receive if the NCAA replicated the current NBA and NFL collective bargaining agreements. Of course, these numbers would vary when you consider a variation in revenues generated across conferences and the degree to which players individually impact the success of their respective teams (i.e., similar to the difference in professional athlete salaries on the same team) (Garthwaite et al., 2020). However, these numbers suggest individual players could receive significantly higher compensation for their athletic payment compared to their current benefits within the amateurism model. Tatos and Singer (2021) also make a similar suggestion about the amount of money Black college athletes have had unjustly denied to them at the expense of the NCAA's amateurism restriction. Using multiple data sets and institutional financial reports, such as the College Athletics Financial Information (CAFI) database, Tatos and Singer (2021) concluded that the NCAA's amateurism policy has led to the loss of approximately \$17 billion to \$21 billion in compensation for Black football and men's and women's basketball athletes at the Division I Power 5 Conference level from 2005 to 2019. More specifically, Black football and men's and women's basketball athletes lose an estimated \$1.2-1.4 billion annually (Tatos & Singer, 2021).

Another common critique of amateurism and the reluctance to equitably compensate college athletes is that intercollegiate sports have evolved into what some call "modern-day slavery" (Dancy et al., 2018; Hawkins, 2010). This critique rises from existing practices of heavily recruiting Black college athletes primarily for physical labor to entertain fans and for the financial gain of athletic programs at Division I HWCUs. Under amateurism, Black college athletes' labor within this oppressive structure does not allow for equitable compensation based on fair market value for their skills and talent (Dancy et al., 2018; Gayles et al., 2018, Harper, 2018b; Hawkins, 2010; Tatos & Singer, 2021). Tatos and Singer (2021) expanded on this problem by drawing attention to the connection between race and revenue and highlighting the large percentage of Black college athletes in the highest revenue-generating sports (Black athletes make up 49% of D1 football and basketball players) compared to the lack of representation (13%) in overwhelmingly White sports such as golf, lacrosse, and tennis, at Power 5, public institutions. Here, the authors compare basketball and football revenue to the revenue of other team sports from 2004-2019. During this period, basketball and football combined for net revenue of \$20.6 billion, while other team sports combined for only \$9.4 billion. As a result, the money generated from football and basketball programs is enough to cover not only their respective expenses but also the expenses and contracts of White athletic directors, coaches, and team staff, in addition to other collegiate sports that are heavily populated by White athletes (Tatos & Singer, 2021). In other words, the labor of Black athletes funds the pockets of mostly White athletics staff and creates opportunities for many White athletes at NCAA D-I institutions.

The conversation on race and funding within collegiate sports also illuminates the disparities that exist when comparing the finances and funding of HBCUs and PWIs. First and foremost, research shows that HBCU athletic departments are earning significantly less revenue than their counterparts at PWIs (Cheeks & Carter-Francique, 2015; Elliott & Kellison, 2019). Cheeks and Carter-Francique (2015) highlight



these disparities between HBCU and PWI athletic programs by expanding on the idea of institutional distancing, which refers to institutional distancing as the process of constructing barriers to prevent less-resourced groups from access to full, societal participation (Lott, 2002). As it relates to college athletics specifically, Cheeks and Carter-Francique (2015) use this concept to illuminate the differences in athletic revenue and departmental development between HBCUs and PWIs. They specifically draw attention to the abundance of White leadership that make up the NCAA governing boards and have used their power to uphold barriers to equitable growth and development of HBCUs. Additionally, the lack of media portrayal of HBCUs directly impacts how HBCU athletic programs are seen and diminishes their perceived value, limits their visibility, and ultimately results in barriers to recruitment and revenue-generating opportunities.

## **NIL and the Current State of the NCAA**

Over the last few years, progress has been made in increasing revenue-generating potential for athletes to profit off their NIL while also retaining athletic eligibility in college. Specifically, supporters have pushed the NCAA to seriously consider ideas of how to create a system of equitable college athlete compensation (Colvin & Jansa, 2019; Hobson & Strauss, 2019; Sanderson & Siegfried, 2015). As a result, in June of 2021, all three divisions of the NCAA adopted an interim NIL policy until an official policy was established. While this compensation does not come from the revenue college athletes bring in, the current NIL policy provides the following guidance:

- Individuals can engage in NIL activities consistent with the law of the state where the school is located. Colleges and universities may be a resource for state law questions.
- College athletes who attend a school in a state without a NIL law can engage in this activity without violating NCAA rules related to name, image, and likeness.
- Individuals can use a professional services provider for NIL activities.
- Student-athletes should report NIL activities consistent with state law or school and conference requirements to their school (NCAA, 2021).

Since the passing of the current NIL policy, male athletes have led the way in NIL compensation, leaving inequities and uneven NIL opportunities among genders (Berger, 2022; Hunzinger, 2022). With specific attention to numbers, male athletes constitute 59% of the total NIL deals in Division I as of December 31, 2021, according to data collected by INFLCR, a NIL online platform created to support college athletes grown their brand (Hunzinger, 2022). Furthermore, men athletes also brought in 67.4% of total NIL compensation, while women athletes have brought in 32.6% of the compensation as of December 2021 (Hunzinger, 2022). Although records show that women college basketball players have been putting more effort into their social media engagement and the posts they make on behalf of the companies, their male athlete counterparts have reaped more benefits with far less engagement (Berger, 2022).

The NIL conversation also discusses how these deals have created opportunities for Black college athletes in revenue-generating sports to finally receive compensation. While this is a bright spot, it is also important to acknowledge that Black women college athletes have not seen as much success in NIL deals as their Black male counterparts (Ariail, 2022; Brennan, 2022). Additionally, the benefits of White women athletes far exceed those of Black women athletes and bring more attention to the racial inequities NIL has upheld. With consideration of the NIL success of their Black men and White women counterparts, the NIL deals further illuminate the double bind for Black women in collegiate sports as they have navigated the dual impact of racism and sexism within this space (Carter-Francique, 2018; Cooper & Jackson, 2019; Simien et al., 2019).

## **Anti-Blackness & Racism: Critical Perspectives**

It is important to understand the distinction between racism and anti-Blackness in society and various

microcosms of society, including college sports. This distinction is particularly helpful in understanding exploitation and the overall mistreatment of Black athletes and how the governance structure of college sports allows such behaviors to occur (Hawkins, 1995). Racism is defined as unearned systematic advantages afforded to people based on their dominant social identities (Desmond & Emirbayer, 2009; Tatum, 2017). In other words, people who hold dominant social identities in society have privilege and power simply based on their identification with a dominant social group. Racism, however, falls short in explaining and helping us understand much of what happens to Black people, including Black athletes, in U.S. colleges and universities. In fact, racism can oversimplify what it means to be Black in an anti-Black world (Desmond & Emirbayer, 2009).

Anti-Blackness is a framework that illuminates the unwillingness of people in society to humanize Black people (Dancy et al., 2018). The level of disdain, disregard, disrespect, and inferiority to the existence of Black people dates to chattel slavery in the Americas. Although chattel slavery ended 400 years ago, current manifestations of enslavement, also referred to as the afterlife of slavery (Hartman, 1997), continue to exist. In the afterlife of slavery, Blackness as property, dehumanization, Black suffering, and even murder have been re-inscribed in other forms and institutionalized as normative practices through governance structures, legislation, and policy (Dumas, 2016). Anti-Blackness is a lens that accurately captures and explains the kind of relentless violence that encapsulates Black life (Hartman, 1997; Dancy et al., 2018). Such violence often does not make sense on the surface, particularly when it is not tied to a Black person's actions. Further, violence toward Black college athletes has been present in college sports since its inception (Comeaux, 2018; Hawkins, 1995; Singer, 2005). Examples include segregation in college sports, the refusal to allow Black athletes access to participation, and the many college sports scandals occurring to the detriment and mistreatment of Black athletes in recruitment, academics, compensation, and coaching, to name a few (Harper & Donnor, 2017).

### ***Settler Colonialism and Anti-Blackness***

Anti-Blackness is rooted in settler colonialism. According to Dancy et al. (2018), to understand the irrational nature of anti-Blackness, one must contend with the connection between labor and property that emerged as a function of settler colonialism. When colonizers arrived on occupied land, they raised questions about the humanity of the people unlike themselves and decided to use Christianity to dehumanize Indigenous peoples (Omi & Winant, 2010). This same ideology also determined which people should have freedom, the right to live, and the right to own other people, which also determined who should be enslaved, eliminated, and owned as property (Omi & Winant, 2010). Colonizers distinguished humans from "others" by seizing land that did not belong to them and subjecting Indigenous peoples to servitude, enslavement, elimination, and stripping them of political rights (Glen, 2015).

### ***Damaging Implications from the Racial Contract***

Forced social dominance because of settler colonialism and anti-Blackness is also a function of a racial caste system solidified in the form of a racial contract established in 1740 as the Negro Act (Anderson, 2016; Wilkerson, 2020). The racial contract outlined conditions that still exist today to maintain and uphold White supremacy and White colonial state control (Mills, 1997). Further, this contract essentially privileges White men over all other so-called subsets of people and makes the exploitation of the latter's bodies, resources, and land permissible (Dancy et al., 2018). One of the most severe and long-standing consequences of the racial contract for Black people is that it designated Blackness as a clear indicator of chattel enslavement. This designation is important to understand in the context of capitalism and fully understand Black bodies as property. For the colonies of colonizers to survive and profit, they needed labor. Enslavement of Black bodies served this purpose because, as Williams (1994) asserted Negro labor was the most cost-effective.

To be sure, the rationales in a series of court cases further dehumanized people and established a precedent

for the irrationality of the relationship between labor, property, and people (Anderson, 2016). The 1863 case of *Johnson v. McIntosh* and the 1902 case of *Lowe v. the United States* determined that Indigenous people were incompetent savages who were not considered laborers, nor could they possess property or treat their land as their home. A key contradictory ruling in these court cases established that colonial settlers were laborers and Indigenous peoples did not participate in labor. These decisions were clearly false because settlers did not labor on the land for agricultural purposes; they relied on enslaved Black people as labor. Naming and defining White settlers as laborers then erased not only Indigenous labor but Black labor as well.

### ***Defining Properties of Anti-Blackness***

Manifestations of Anti-Blackness rooted in settler colonialism include dehumanization, Blackness as property, Black fungibility, and Black suffering, all evident in how Black athletes are seen and treated in college and professional sports even today (Hawkins, 2010). The inability of society to treat Black people as human (rather than as property) is at the heart of dehumanization (Haslam, 2006). Dehumanization is characterized as a moral disengagement strategy of redefining people by assigning inhumane characteristics to them to justify violence against them. Redefining people normalizes behaviors that would otherwise be unethical and unfair. Further, people with privilege and power dehumanize people on the margins of society to justify greed, abuse, and violence to maintain power, financial gain, dominance, and control (Dancy et al., 2018; Haslam, 2006).

Another defining characteristic of anti-Blackness is the consideration of Black bodies not as relational beings but as property. In an 1856 court case, *Dred Scot v. Stanford* ruled that the property status ascribed to Black people as a function of chattel slavery remains whether they are owned. Moreover, this ruling continues to inform ideological thinking linked to violence towards Black people we have seen (and continue to see) over time. Violence and suffering toward Black people are consequences of living in a world that continues to view Black bodies as property. This troublesome ideology remains in our culture, in systems and structures that govern society, and in some people's minds. A current example can be seen through the prison industrial complex that explicitly names the problematic use of surveillance, imprisonment, and policing by government and industry to solve social, political, and economic issues (Alexander, 2016). Relatedly, critical scholars such as Hawkins (2010) and Comeaux (2018) draw important parallels to the use of hyper surveillance and policing in college sports and how policies and practices mirror the prison industrial complex.

Treating Black bodies as property and not as relational beings stripped Black people of the right to interact and participate in democracy (Wilderson, 2010). When Black people resist, they have been and are still treated as if they are the problem. Further, Black suffering is on public display, as Anderson (1995) described, for White audiences to consume and witness. Sadly, Black suffering and resistance are often treated in society as an inconvenience. It is a troublesome and deeply complex situation because, amid the hatred and violence of Black people in this society, they also need to exist for exploitative purposes.

### ***Manifestations of Anti-Blackness & Racism in College Sports***

Anti-Blackness and racism are reflected in college sports in several ways, including “relying on predominantly Black athletes to generate revenue and promote the university under the guise of amateurism” (Comeaux & Grummert, 2020, p. 62). This labor issue can be further understood by examining who holds power and control within college sports. Across Division I institutions, 77% of athletic directors and 80% of head coaches are White (NCAA, 2021). Even more troubling is Black athletes constitute up to 20% of college athletes at Division I institutions despite representing only 12% of the student population at four-year institutions (NCAA, 2021; PNPI, 2021). Furthermore, most Black college athletes at these institutions are concentrated in high revenue-generating sports, where 47% of Division I football players, 55% of Division I men’s basketball players, and 44% of women’s basketball players are Black

(NCAA, 2021). The distribution of power, control, and wealth within college sports is inherently anti-Black because while the leadership in college sports is predominantly White, the labor force in the areas that generate the most revenue is predominantly Black. Further, the treatment of Black athletes who comprise the overwhelming majority of college athletes in high revenue-generating sports but have little to no access to the revenue they generate is a current manifestation of anti-Blackness. Black bodies historically and contemporarily have been controlled and governed by wealthy White people for capital gain.

Consequences of anti-Blackness and racism within college sports are also reflected in student outcomes. For example, only 60% of Black Division I collegiate athletes graduate, compared to 73% of White college athletes and 69% of all student-athletes (NCAA, 2021). Low graduation rates speak to the disposability of Black athletes (Hawkins, 2010, Gayles et al., 2018). Disposability in college sports describes Black athletes as “possessing value only relative to the interests of primarily White athletic stakeholders” (Comeaux & Grummert, 2020, p. 57) and represents a manifestation of Black bodies as property (not as relational or intellectual beings). Low graduation rates and under-preparedness to pursue careers outside of playing sports upon graduation exemplify Black collegiate athletes’ disposability. At the same time, their coaches go on to recruit new talent to continue generating revenue (Comeaux, 2018). Furthermore, prior literature demonstrates that due to coach-imposed time demands, Black college athletes rarely engage with the college environment in educationally purposeful ways, such as joining student organizations, experiencing internships, studying abroad, or engaging with non-athlete students in meaningful ways (Gayles & Hu, 2009; Riley, 2015). This is particularly troubling because engaging in these high-impact practices is connected to important educational outcomes that set students up for success both in college and after graduation (Gayles & Hu, 2009; Hu & Kuh, 2003; Pascarella & Terenzini, 2005; Walker, 2018; Walker et al., 2019).

Anti-Black procedures and practices impose consequences on the experiences of Black college athletes in particular. For example, academic clustering describes the over-saturation of student-athletes in certain classes and/or majors, which limits students’ agency to pursue majors aligned with their interests beyond sports (Case et al., 2017; Fountain & Finley, 2009; Paule-Koba, 2019). Clustering is most prevalent for athletes in football and men’s basketball, two sports over saturated with Black athletes (NCAA, 2021). Clustering is one way Black athletes are hyper-surveilled within the athletic environment (Comeaux, 2018). Hyper-surveilling, or “intense purposeful monitoring for the sake of control” (Comeaux, 2018, p. 33), allows for monitoring athletes’ behavior in academic and social settings. Other surveillance practices include class checking to ensure athletes attend class (Engstrom et al., 1995; New, 2015) and monitoring athletes’ social media, which Comeaux (2018) argued impedes student-athletes constitutional (e.g., free speech) and privacy rights. While these practices may be enforced on all student-athletes, historically situated, deficit-minded stereotypes about Black people’s intellectual capacity and perceived criminality leave them vulnerable to these policies and practices (Comeaux & Grummert, 2020). Such ideologies represent another manifestation of Black bodies as property, not capable of intellectual engagement. Ultimately, anti-Black practices function to contain Black athletes’ academic eligibility and the athletic capitalist enterprise at the expense of their academic and career development (Comeaux, 2018; Comeaux & Grummert, 2020; Gayles et al., 2018; Jayakumar & Comeaux, 2016).

Furthermore, literature on the experiences of Black student-athletes reflects the lived experiences of racism within college sports. An abundance of literature has captured how Black college athletes navigate unwelcoming campus climates (Oseguera et al., 2018; Rankin et al., 2011), stereotypes and micro-aggressions in academic and athletic settings, and unruly spectators (Beamon, 2014; Carter-Francique et al., 2011; Lawrence, 2005; Singer, 2005, 2016). Additionally, Beamon (2008) found that Black college athletes believed their institutions benefited from their labor far more than they benefited from their athletic scholarships and/or the opportunity to pursue higher education, particularly in light of low graduation rates and limited employability trends post-college (Singer, 2019). The literature demonstrates the lived experiences and perceptions of racism within college sports. Despite these circumstances, literature has documented how Black athletes have persisted in these environments, despite the racist and



anti-Black structures that are in place (Bimper et al., 2013; Cooper, 2016; Cooper et al., 2016; Cooper et al., 2017b; Harrison et al., 2015; Martin et al., 2010; Ofoegbu et al., 2021). Practitioners within athletics can leverage such literature to reimagine more inclusive and equitable environments that reflect a commitment to anti-racist models of support for Black students.

### **Reimagining an Anti-Racist Governance Structure for College Sports: Practical Applications for Sport Managers**

It is beyond time to reform NCAA governance and irradicate anti-Blackness and racism that are apparent within the system. Thus, we conclude this chapter by suggesting transformative approaches to disrupt anti-Blackness and racism in NCAA governance. Creating anti-racist or anti-Black change is challenging because it is uncomfortable and White stakeholders may resist change that dismantles the status quo (Welton et al., 2018). Therefore, if real anti-racist change is going to take place, organizational leaders must commit to humanizing values that prioritize wellbeing and fair treatment of college athletes. Further, leaders must educate themselves on the difference between transactional and transformative change. Transactional change typically results in surface-level solutions that do not solve the problem at its root. Further, transactional changes are often done to appease people instead of transform systems. Transformational change, however, disrupts systemic oppression and new organizational structures that are equitable and just being put into place.

We recognize that anti-racist change can be challenging to operationalize because it is deeply embedded within systems and structures in athletics and the world. At the core of transformational change should be the intention to dismantle institutional racism (DiAngelo, 2018), which requires interrogating current systems and structures and placing something equitable and values-centered in its place. We know enough about the presence of anti-Blackness and racism within governance structures to do the work to dismantle it. There are multiple layers to organizational change (see Kezar, 2016; Slack & Parent, 2006), but structural change must be at the center of reform.

Structural change involves transforming policies, procedures, and institutional reward systems (Kezar, 2016). Thus, we offer suggestions for structural change at the organizational level of NCAA governance. What we suggest here represents a starting point, and we encourage leaders to engage in continuous, reflexive, and proactive change as college sports evolve. The suggested changes focus on addressing economic inequities, inclusive legislation, intentional organizational oversight, and changes to academic accountability. By creating change in these broad areas, the NCAA can work toward becoming a more inclusive and just organization and address systemic racism currently shaping the organization and the experiences of people within.

#### ***NCAA Changes***

Organizational change starts at the top. At the core of college athletics is the myth of amateurism, and through neoliberal capitalism, the NCAA continually shows that amateurism does not exist in college athletics. We recommend that the NCAA avoid using amateurism as an organizational core value. Amateurism in college sports is rarely defined in terms of what amateurism really is. It is generally defined as what amateurism is not (Hextrum, 2021; Smith, 2020). Therefore, it is not surprising that the NCAA consistently fails to uphold amateurism because no one (including the NCAA) knows what it is and how to operationalize it in college sports. The term “student-athlete” was created in the spirit of amateurism. However, Walter Byers, who coined the term, explicitly stated that the term was created to deny college athletes rights to employer benefits, such as pay for play and the right to unionize (Byers & Hammer, 1995). The myth of amateurism has been used for decades as a fear-mongering tactic to stop college athletes from receiving NIL benefits. It was argued that NIL would ruin college athletics because players would no longer be amateurs, fans would no longer be interested, and NIL would be impossible to regulate (Schwarz, 2016; Southall & Staurowsky, 2013). Critical Scholars have long called



for the NCAA to stop using the term “student-athlete” (Harry, 2020; Staurowsky & Sack, 2005). While discontinuing the term and moving away from using amateurism as a coverup for denying rights to college athletes are good first steps, more must be done to ensure fair treatment and wellbeing. No longer having amateurism as a guise means the NCAA will fundamentally change. Instead of amateurism, the NCAA could use this shift as an opportunity to truly center equitable education and economic rights in college athletics. The idea that college athletes must forgo economic rights to earn an education while administrators and coaches continue to capitalize on a multi-billion-dollar industry is a fallacy at best and, at worst, is an anti-Black system of exploitation.

In addition to moving away from amateurism as a core value, the NCAA should consider structural changes at the association level. The NCAA and member institutions continually profess diversity, inclusion, and equity as important initiatives (Ofoegbu & Ekpe, 2022; Ortega et al., 2020). Enacting such values will fundamentally shift the NCAA and its revenue structure. However, we realize that as a multi-billion dollar organization with revenue that continues to increase under the current model (Lawrence, 2013; Zimbalist, 2013) that there is little to no incentive to dismantle this neoliberal system (Kotz, 2015). This is partly why NCAA’s statements have primarily been viewed as symbolic rather than transformative. Suppose the NCAA wants to move beyond symbolism to create transformational change. In that case, it must rethink and revise the current system and practices, especially those rooted in anti-Blackness and/or neoliberal capitalist values.

A good starting place for the NCAA to enact transformative change is with HBCUs. For instance, the NCAA could create an association-wide committee specific to overseeing HBCU athletic compensation. The committee should primarily consist of HBCU athletic directors, college athletes, and presidents to oversee how NCAA policies affect HBCU athletics. The NCAA has the Minority Opportunities and Interest Committee as an association-wide committee. While this is a good start, it does not specifically address how HBCUs have historically been excluded or HBCUs’ unique position in higher education. Creating an association-wide HBCU committee creates an opportunity for HBCUs to be involved with dismantling some of the anti-Black policies that affect those institutions.

For example, HBCUs are overly scrutinized through current academic eligibility measures and more frequently face academic penalties (Cooper et al., 2014; Ostielu, 2019; Westman, 2018). Being disadvantaged through academic policies highlights how such policies do not account for institutional differences and negatively affect economic outcomes that disproportionately impact HBCUs. The NCAA has acknowledged that these issues stem from HBCUs having fewer economic resources (Charlton, 2011); yet, the organization has done little to address this, and the institutional distance between HBCUs and HWCUs continues to widen (Cheeks & Carter-Francique, 2015). By creating an association-wide committee, HBCU leaders and athletes would have the political power to advocate for these issues to be addressed through changes to formal organizational policies (Birnbaum, 1988; Manning, 2018). We offer specific recommendations for addressing academic policies that disenfranchise HBCUs further down in the discussion.

Another strategy involves redesigning current revenue distribution systems within college athletics. Currently, the NCAA distributes revenue equally to all conferences, which may seem fair on the surface, but it does not account for institutional distancing where HWCUs already receive more financial support than HBCUs (Cheeks & Carter-Francique, 2015; Marshall, 2022; Milligan, 2021). For instance, the Power 5 conferences receive revenue from television and media rights deals and the NCAA’s distribution. Still, because HBCUs were not allowed to join these conferences during the original formation, those institutions are also not allowed access to those funding sources. Additionally, HBCUs continue to receive less funding from states and federal governments, which creates resource gaps between HBCUs and PWIs (Cooper et al., 2014). To reconcile this, the NCAA should consider these factors and change the revenue distribution to be equitable, not equal. The NCAA should require each Power 5 conference to commit one percent of its annual revenue to HBCU athletic conferences. This would align with other

revenue distribution initiatives the NCAA has in place, such as the basketball performance fund or the academic enhancement fund (NCAA, 2022). In 2020, the Power 5 conference earned over 2 billion dollars in revenue (Berkowitz, 2020), so committing one percent would generate nearly 30 million dollars for HBCU athletics. This revenue could eliminate HBCUs' need to participate in guaranteed games (Jones & Black, 2022) and other economically exploitative practices.

Removing anti-Blackness and racism from college athletics starts by disrupting neoliberal capitalism embedded in this country and college sports. Across the United States, it is common to find buildings or other physical spaces named after racist people (Wilder, 2013). Statues and buildings named after people symbolize honor, history, and celebration, but for many colleges, these symbols celebrate racist people. They are a reminder of anti-Blackness in the past and present (Wilder, 2013). College athletic facilities are no different, as currently, at least 18 Division I football and basketball arenas are named after racist people (Turick et al., 2021). The NCAA does not control individual naming rights; however, it can implement policies that prevent naming athletic facilities after people who are knowingly racist and offer guidance on how to handle the issue once it has been discovered. Further, while the NCAA may not receive compensation from naming rights (e.g., money from donors or alumni), the NCAA could dedicate research funds or collaborate with researchers to better understand how racist rituals, rites, and symbols affect college athletes (Manning, 2018)—implementing legislation and demonstrating a commitment to learning more about how anti-Blackness and racism affects college athletes would help to negate ways Whiteness is affirmed in college athletics (Keaton & Cooper, 2022).

Not only do anti-Black, racist, and neoliberal capitalistic logics permeate the NCAA through athletic rituals, rites, and symbols, but these logics are also apparent through hyper surveillance and monitoring (Keaton & Cooper, 2022). We recommend that the NCAA develop a policy for member institutions that would ban institutions from having social media monitoring or academic monitoring policies. College athletes, predominantly Black college athletes, are subject to several control mechanisms that dictate their time (e.g., class checkers, academic clustering, siloing college athletes to only athletic settings), which ultimately limits college athletes' educational agency (Keaton & Cooper, 2022). Recently college athletes have taken to social media (e.g., Twitter, Facebook, Instagram, etc.) to protest and advocate for economic rights (Hruby, 2017), but because athletic departments have rules dictating what or how frequently college athletes can post to social media (Sanderson, 2020; Sanderson, 2018; Sanderson et al., 2015) this form of activism is hindered or even avoided, thus silencing college athletes and preventing potential solutions to current problems (Black et al., 2022; Kluch, 2020). By banning monitoring policies as an organization, the NCAA gives agency educational and social experiences back to college athletes.

In July 2021, NIL legislation officially began, and while this is a step in a progressive direction, the organization must create policies and guidance that ensure equitable opportunities. Thus far, the NCAA has taken a *laissez-faire* approach to create an organization-wide NIL policy by relying heavily on federal government regulation (Carrasco, 2021a). For over four decades, the NCAA denied college athletes economic rights to their NIL through their policies and court cases upholding the myth of amateur college sports (Byers & Hammer, 1995; Norcera & Strauss, 2016). Now that NIL legislation is in place, university presidents must be accountable for creating equitable policies to guide good practice. This should occur through the NCAA governance structure to create a permanent organization-wide policy on NIL. The policies must be equitable and ensure that NIL will be something that Black athletes across institutions and sports can leverage responsibly. Scholars have accurately predicted that NIL would be promising, but thus far, it has been promising mainly for White athletes (Moore, 2021). These early data points allow the NCAA governance structure to create accountability policy and guidance to ensure NIL practices are equitable and above board.

### ***Division I Changes***

Racism and anti-Blackness in college sports are ongoing challenges that deserve attention. The entire

NCAA organization needs to become anti-racist. Still, it is equally important for the NCAA Division I to irradicate current manifestations of racism and anti-Blackness that continue to exist. Black college athletes are overrepresented in NCAA Division athletics compared to their non-athlete peers but have significantly worse academic outcomes (Harper, 2018a). Further, because of academic eligibility standards, HBCUs are disproportionately more negatively affected by academic sanctions (Jackson, 2020). The current NCAA structure exploits Black athletes for their labor while penalizing Black institutions. Therefore, the NCAA Division I governance structure should implement changes to support Black athletes and institutions.

Just as Black athletes are exploited through academic clustering, HBCUs are exploited through current academic eligibility measures, which need to be reformed. HBCUs face more frequent academic penalties that prevent them from postseason competition and limit the revenue those institutions can receive (Jackson, 2020). Scholars have critiqued the graduate success rate (GSR) and academic progress rate (APR) as inaccurate measures of student success (Eckard, 2010; LaForge & Hodge, 2011; Southall, 2014). Further, the GSR and APR measures hold college athletes to different academic standards than their non-athlete peers (LaForge & Hodge, 2011). There is enough evidence to suggest that the NCAA discontinue using such inequitable metrics. The federal graduation rate is an alternative and more equitable measure to assess academic performance.

Academic performance is an important outcome; however, the current governance structure does not account for differences in institutional resources. This likely contributes to why HBCUs are overly penalized for academic outcomes (Cooper et al., 2014; Ostielu, 2019; Westman, 2018). The fact that HBCUs have fewer resources to support their college athletes academically should be considered in evaluating their outcomes because of the institutional distancing that has historically taken place in college athletics (Cheeks & Carter-Francique, 2015). To address this issue, the NCAA should commit more resources to support academic outcomes for HBCU college athletes. That could mean allocating more funding to institutions to hire academic advisors or to create institutional-level programming designed to improve academic outcomes for HBCU college athletes. This type of equity could help improve the academic experiences of HBCU college athletes.

## **Conclusion**

College athletics were created during a time when anti-Blackness and racism were much more overt in society than they are today. As a result, we now have a college athletic system and governance structure rooted in these problematic principles and ideologies. Interrogating existing systems and governance structures is necessary to see how such systems and structures dehumanize, exploit, dispose, and cause suffering for Black athletes and HBCUs. The NCAA has taken strides to rectify some of these issues, but there is still much to be addressed. The suggestions in this chapter are only a starting point for eliminating some anti-Black and racist policies and practices within the current NCAA structure, specifically in Division I institutions. Becoming an anti-racist organization is an ongoing effort that the NCAA and its leaders must commit to if they truly want equity, liberation, and fair treatment for Black college athletes and Black institutions.

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