

**“STRANGE MIX OF
ENTITLEMENT AND EXPLOITATION”:
THE AFRICAN AMERICAN EXPERIENCE IN
PREDOMINANTLY WHITE COLLEGE SPORT**

DAVID K. WIGGINS†

African Americans have participated in intercollegiate sport on predominantly white university campuses since the latter half of the nineteenth century.¹ In spite of rigid racial discrimination in the United States, a very select number of athletically gifted and educationally motivated African Americans from largely middle class families participated in sports at some of this country’s oldest and most prestigious universities.² These African Americans, while as a group experiencing much success in the classroom, on the playing field, and in their post-college careers, were confronted with many of the same kinds of racial insensitivity and discrimination confronting other members of the black community.

Those African Americans who followed the above mentioned group into intercollegiate athletics continued to suffer the same kinds of racial insensitivity and discrimination, including: intense periods of isolation resulting from being members of a minority group in a predominantly white setting; confronting racial slurs; and enduring indignities that ranged from being denied the opportunity to participate in interracial athletic contests to unfair practices in both on-campus and off-campus

† Professor at George Mason University: School of Recreation, Health, and Tourism.

1. *See, e.g.*, OCANIA CHALK, *BLACK COLLEGE SPORT* 1–2, 140–51, 285–90 (1976); JOHN W. LOY, BARRY D. MCPHERSON & GERALD KENYON, *SPORT AND SOCIAL SYSTEMS: A GUIDE TO THE ANALYSIS, PROBLEMS, AND LITERATURE* 352–53 (1978).

2. ARTHUR R. ASHE, JR., *A HARD ROAD TO GLORY: A HISTORY OF THE AFRICAN-AMERICAN ATHLETE 1619–1918*, at 62–63, 77–79, 90–94 (1988).

housing.³ Perhaps most importantly, as the years passed and an increasing win-at-all-cost mentality pervaded college sport, more African Americans were used for their athletic abilities while not always being provided with the academic support necessary to realize a quality education.⁴ Often coming from relatively poor backgrounds and receiving inadequate academic preparation at the high school level, these African Americans were welcomed by predominantly white institutions, which often made a mockery of the educational system by funneling them into courses without regard to degree requirements and by participating in fraudulent schemes to keep them eligible and athletically serviceable.⁵ This pattern of deceit reared its ugly head during the 1920s and seemingly continued unabated for the next several decades.⁶

Importantly, by the early 1980s and continuing to the present day, the NCAA has passed a series of legislative reforms that, on the surface, have brought some sanity back into intercollegiate athletics and established more stringent academic guidelines for all athletes, irrespective of color.⁷ Whether these reforms have truly benefited African American athletes at the intercollegiate level of competition is open to question, as the NCAA's new standards have seemingly prevented many of them from selecting majors of their choice and courses of most interest to them.⁸ The rules appear to be a more subtle way to maintain athletic eligibility, rather than to ensure quality education.⁹ African American athletes at the intercollegiate level of

3. BILLY HAWKINS, *THE NEW PLANTATION: BLACK ATHLETES, COLLEGE SPORTS, AND PREDOMINATELY WHITE NCAA INSTITUTIONS* 31–40 (2010); KENNETH L. SHROPSHIRE, *IN BLACK AND WHITE: RACE AND SPORTS IN AMERICA* 25 (New York Univ. Press 1996).

4. HAWKINS, *supra* note 3, at 88–93.

5. *See id.* at 32, 117.

6. PATRICIA A. ADLER & PETER ADLER, *BACKBOARDS & BLACKBOARDS: COLLEGE ATHLETES AND ROLE ENGULFMENT* 127–32 (1991).

7. HAWKINS, *supra* note 3, at 157–61; Steve Herman, *NCAA Approves Academic Reforms*, *TRIB.COM* (Apr. 30, 2004, 12:00 AM), http://trib.com/sports/article_4006b473-e13f-5c82-b533-27caaca07e13.html.

8. SHROPSHIRE, *supra* note 3, at 107; *see also* HAWKINS, *supra* note 3, at 37 (describing some of the unintended effects that academic standards can have on African American athletes).

9. RONALD A. SMITH, *PAY FOR PLAY: A HISTORY OF BIG-TIME COLLEGE ATHLETIC REFORM* 183–84 (2011) (“The problem with the [NCAA’s Academic Progress Rate] was that the institutions’ athletic programs felt pressured into ensuring that academic progress would be met, not to promote the athlete’s education but to help guarantee the institution’s needs for athletes to remain eligible.”).

competition, while provided scholarships and an opportunity to compete at a very high level, are still largely focused on a limited number of careers in professional sports, still overrepresented in the highly commercialized sports of football and basketball, and still not sufficiently compensated financially for their performances relative to highly paid athletic administrators and coaches. In essence, their lives, and, for that matter, those of many white athletes as well, have become—to use the words of English professor and football historian Michael Oriard—a “decidedly strange mix of entitlement and exploitation. And entitlement itself is an ironic form of exploitation.”¹⁰

The African Americans who participated in intercollegiate sport during the latter stages of the nineteenth century were, by whatever standards employed, an extraordinary group of individuals who excelled both on the playing field and in the classroom. These individuals—including the likes of Moses Fleetwood Walker of Oberlin; George A. Flippen of Nebraska; William Tecumseh Sherman Jackson of Amherst; George M. Chadwell of Williams College; and William Henry Lewis of both Amherst and Harvard—came from upper middle class families that placed much emphasis on education and preparing for careers in law, medicine, teaching, and any number of other respected professions.¹¹ Unfortunately, while receiving quality educations, taking advantage of their universities’ many resources, and often going on to prestigious post-college careers, these African Americans experienced some of the same racial insensitivity and indignities encountered by other black students in predominantly white institutions during this period.¹² As students in schools that opened their doors to just a few talented blacks and believed racial antagonisms could be lessened if black and whites lived their lives as separate entities, these African Americans spent much of their time by themselves while on campus and were forced to seek companionship and nurturing

10. MICHAEL ORIARD, *BOWLED OVER: BIG-TIME COLLEGE FOOTBALL FROM THE SIXTIES TO THE BCS ERA* 209 (2009).

11. ASHE, *supra* note 2, at 63–77, 90–92; Jack W. Berryman, *Early Black Leadership in Collegiate Football: Massachusetts as a Pioneer*, 9 HIST. J. MASS. 17 (1981); Gregory Bond, *The Strange Career of William Henry Lewis*, in *OUT OF THE SHADOWS: A BIOGRAPHICAL HISTORY OF AFRICAN AMERICAN ATHLETES* 39–56 (2006); DAVID W. ZANG, *FLEET WALKER’S DIVIDED HEART: THE LIFE OF BASEBALL’S FIRST BLACK MAJOR LEAGUER* 1–2, 16–26, 123 (1995).

12. HAWKINS, *supra* note 3, at 35, 37–39.

relationships in the local black community and beyond.¹³ This was certainly the case for William Henry Lewis, the great center-rush from Amherst and Harvard who was selected to Walter Camp's All-America Teams in both 1892 and 1893.¹⁴ Lewis established friendships with fellow students and lasting professional ties with some faculty members, but only found a sense of fellowship in the homes of elite black families that had forged an essential social network based on common lifestyles, interests, and problems.¹⁵

A number of African Americans would find their way into college sports on predominately white university campuses during the first two decades of the twentieth century. While most African Americans were being eliminated from organized sports at various levels of competition during this period, a very select number of very gifted and academically talented African Americans were distinguishing themselves as genuine student-athletes on predominantly white university campuses.¹⁶

Like their predecessors, these individuals came largely from upper-middle-class families and would find much success in professional careers once their playing days were over. There were, however, a number of distinguishing participation patterns developing that would have a decided effect, in some cases quite negative in scope, on African American college athletes in particular and on predominantly white university sport more generally. One pattern that had developed was the funneling of the largest number of African American college athletes into football, track, and, to a lesser extent, baseball—the three sports that dominated university life during the early years of the twentieth century.¹⁷ Just in track alone during this period, there were such great and nationally known performers as Edward

13. *Id.* at 31.

14. ASHE, *supra* note 2, at 90–91; David K. Wiggins, *Prized Performers, but Frequently Overlooked Students: The Involvement of Black Athletes in Intercollegiate Sports on Predominantly White University Campuses, 1890–1972*, 62 RES. Q. FOR EXERCISE & SPORT 164, 165–66 (1991).

15. Bond, *supra* note 11, at 39.

16. See JOHN A. LUCAS & RONALD A. SMITH, SAGA OF AMERICAN SPORT 267–84 (1978); DAVID K. WIGGINS, GLORY BOUND: BLACK ATHLETES IN A WHITE AMERICA 26–57, 200–08 (1997) (discussing the hardening of racial lines in America during the late nineteenth and early twentieth centuries, which resulted in the elimination of many African American athletes at various levels of competition from predominately white organized sports).

17. ASHE, *supra* note 2, at 62–63, 77–79, 90–94.

Solomon Butler of Dubuque's German College, Henry Binga Dismond of the University of Chicago, John Taylor of the University of Pennsylvania, Theodore "Ted" Cable of Harvard, Howard Drew of the University of Southern California, and George Poage of the University of Wisconsin.¹⁸

In addition to the sports in which they participated, a geographical pattern emerged among African American student-athletes that would mirror the approach taken by predominantly white universities toward black and other minority groups. African American student-athletes continued to participate in college sport at Amherst, Harvard, historically liberal Oberlin College, several private institutions across the country, and a number of state supported universities such as those in the Western Conference.¹⁹ Conspicuous by their absence from this list were some Catholic universities, both the Army and Navy service academies, Yale, and Princeton.²⁰ The University of Notre Dame did not have any African Americans on its athletic teams until the 1950s, the Naval Academy had no African Americans on its athletic teams and refused for years to compete against institutions that did, and Princeton, seemingly out of deference to its small contingent of southern students, did the same thing.²¹

Besides their disproportionate representation in particular sports and exclusion from teams that would become future sports powerhouses of predominantly white institutions, African American college athletes experienced blatant forms of racial discrimination that lasted throughout much of the first half of the twentieth century. Examples of this can be gleaned from the experiences of Fritz Pollard and Paul Robeson, two of the early twentieth century's most famous African American college athletes. Pollard, the great running back from Brown University

18. *Id.* at 63–67, 77–79, 90–94; *see also* Butler, Edward Solomon "Sol," ENCYCLOPEDIA DUBUQUE (Randolph W. Lyon ed.), http://www.encyclopediadubuque.org/index.php?title=BUTLER%2C_Edward_Solomon_%22Sol%22 (last visited April 23, 2012) (noting that Solomon Butler set seven school athletic records and collected 186 medals during his college career).

19. WIGGINS, *supra* note 16, at 224.

20. MARCIA GRAHAM SYNNOTT, THE HALF-OPENED DOOR: DISCRIMINATION AND ADMISSIONS AT HARVARD, YALE, AND PRINCETON, 1900–1970, at 48–49, 133–35, 173–74 (1979); Wiggins, *supra* note 14, at 166.

21. RICHARD J. ROCHE, CATHOLIC COLLEGES AND THE NEGRO STUDENT 165–69 (1948); SYNNOTT, *supra* note 20, at 48–49, 173–74; W.E.B. Dubois, *Negroes in College*, THE NATION, Mar. 3, 1926, at 228.

who was selected to Walter Camp's All-American team in 1916, regularly competed against individuals who utilized illegal tactics in order to injure him and take him out of games.²² The treatment he received off the field was not necessarily any better, as he was sometimes denied service on public transportation and had to make special arrangements to stay in hotels with his white teammates during away games.²³

Robeson, the great singer, actor, and athlete who was both Phi Beta Kappa and class valedictorian at Rutgers University, had similar experiences to Pollard. The most famous and written-about racial insult he experienced while in college occurred in 1916, when he was held out of a football game against Washington and Lee University, which refused to play against any teams with African Americans.²⁴ Importantly, the snubbing of Robeson caused no immediate outpouring of protest. Nearly three years after the incident, a protest was finally lodged by James Carr, Rutgers first black graduate and Phi Beta Kappa honor student, who admonished his alma mater's football coach George Sanford for acquiescing to the racist policies of Washington and Lee.²⁵ In a scathing letter addressed to Rutgers's president William Demarest, Carr wrote that, "[t]he Trustees and Faculty of Rutgers College should disavow the action of an athletic manager who dishonored her ancient traditions by denying to one of her students solely on account of his color, equality of opportunity and privilege."²⁶

Carr's admonishment of Rutgers took place at a time when the African American community and this country in general were beginning to experience significant demographic changes. Southern African Americans, distraught by continued racial discrimination in their home states and financially strapped by the region's agricultural crisis, steadily migrated to large urban areas

22. ASHE, *supra* note 2, at 99–103; LUCAS & SMITH, *supra* note 16, at 377.

23. See JOHN M. CARROLL, FRITZ POLLARD: PIONEER IN RACIAL ADVANCEMENT, 80–81, 83 (1992) (noting that Pollard clashed with porters and waiters on one team trip and had to be accommodated in order to stay in the team hotel on another); Wiggins, *supra* note 14, at 167.

24. MARTIN BAUML DUBERMAN, PAUL ROBESON, 22–23 (1989); Wiggins, *supra* note 14, at 167.

25. *Id.* at 23, 573; Letter from James D. Carr to William H.S. Demarest (Jun. 16, 1919), reprinted in DAVID K. WIGGINS & PATRICK B. MILLER, THE UNLEVEL PLAYING FIELD: A DOCUMENTARY HISTORY OF THE AFRICAN AMERICAN EXPERIENCE IN SPORT 177, 179–80 (Benjamin G. Rader & Randy Roberts eds., 2002); see also Wiggins, *supra* note 14, at 167.

26. WIGGINS & MILLER, *supra* note 25, at 180.

in the north looking for work and a better life.²⁷ These population gains would gradually translate into increasing black enrollment in the general student bodies of northern colleges and universities.²⁸ Coinciding with this increase was an influx of outstanding African American athletes into those same institutions. Predominantly white institutions, motivated less by any sense of altruism and more by a quest for athletic prominence, were now more willing to disregard skin color and recruit physically gifted African Americans. The African American athletes competing in sports on predominantly white university campuses during the 1930s would make almost anyone's "who's who" list of great American athletes. Included among them were: Marquette University's Ralph Metcalfe; University of Pittsburgh's John Woodruff; University of North Dakota's Fritz Pollard, Jr.; University of Minnesota's Horace Bell; Northwestern University's Bernie Jefferson and Clarence Hinton; University of Iowa's Homer Harris and Oze Simmons; The Ohio State University's William Bell, David Albritton, and Jesse Owens; Syracuse University's Wilmeth Sidat-Singh; University of Michigan's Eddie Tolan and Willis Ward; Cornell University's Jerome "Brud" Holland; and UCLA's Archie Williams, Jimmy LuValle, Kenny Washington, and Jackie Robinson.²⁹

These men, who established their reputations and national acclaim through their remarkable physical skills and sometimes through the symbolic nature of their athletic exploits, would encounter racial discrimination experienced by their predecessors on predominantly white university campuses as well as new problems still confronted by contemporary African American college athletes.³⁰ Like their counterparts in late nineteenth

27. JOHN HOPE FRANKLIN, *FROM SLAVERY TO FREEDOM: A HISTORY OF AMERICAN NEGROES*, 390–92 (2nd prtg. 1948).

28. See MEYER WEINBERG, *MINORITY STUDENTS: A RESEARCH APPRAISAL* 16 (photo. reprint 1977) (1977) (stating that the number of African American students enrolled in predominantly white universities in the north increased from 1,400 to 2,538 between 1924 and 1932).

29. ASHE, *supra* note 2, at 29, 36–37, 40–42, 80–81, 84–88, 93–97, 99.

30. See CHARLES H. MARTIN, *BENCHING JIM CROW: THE RISE AND FALL OF THE COLOR LINE IN SOUTHERN COLLEGE SPORTS, 1890–1980*, at 27–54 (2010); Patrick B. Miller, *Harvard and the Color Line: The Case of Lucien Alexis, Jr.*, in *SPORTS IN MASSACHUSETTS: HISTORICAL ESSAYS* 137 (Ronald Story ed., 1991); MICHAEL ORIARD, *KING FOOTBALL: SPORT AND SPECTACLE IN THE GOLDEN AGE OF RADIO AND NEWSREELS, MOVIES AND MAGAZINES, THE WEEKLY & THE DAILY PRESS* 299–313 (2001); JOHN SAYLE WATTERSON, *COLLEGE FOOTBALL: HISTORY, SPECTACLE, CONTROVERSY* 309–12 (2000); Donald Spivey,

century America, African American college athletes during the early to mid decades of the twentieth century continued to be kept out of athletic contests, especially intersectional football games, against southern institutions.³¹ In contrast to the Robeson affair in 1916, these incidents garnered much publicity and the black press and such civil rights organizations as the National Association for the Advancement of Colored People (“NAACP”) brought great pressure on both northern and southern institutions in an attempt to ensure that African American athletes were allowed to participate.³² For example, in 1929 Coach Chuck Meehan of New York University acquiesced to southern racial mores by keeping his outstanding halfback Dave Myers out of a game with the University of Georgia, which refused to play against a black athlete.³³ A highly contentious affair, the Myers incident received a great deal of local and national press coverage with the NAACP publicly condemning Meehan and New York University for consenting to the racist demands of a segregated southern institution.³⁴ In 1934 the University of Michigan left star running back Willis Ward out of a game against Georgia Tech because of that institution’s refusal to compete against African Americans.³⁵ In perhaps an unprecedented decision, Georgia Tech chose to keep its star end Hoot Gibson out of the game, a move which, according to historian Charles Martin, allowed “Tech to maintain its racial principles without placing Michigan at a competitive disadvantage.”³⁶

The Myers and Willis affairs were followed over the next several years by a number of other well known incidents in which African Americans were kept out of intersectional football games because of their color, including incidents involving such prestigious institutions as UCLA, Boston College and the University of California at Berkeley.³⁷ Of all the African American

‘End Jim Crow in Sports’: The Protest at New York University, 1940–1941, 15 J. SPORT HIST. 282, 282–92, 294–95, 298 (1988); Wiggins, *supra* note 14, at 170–71.

31. See DUBERMAN, *supra* note 24, at 22–23 (stating that, in several instances, Paul Robeson was held out of games against southern institutions).

32. See MARTIN, *supra* note 30, at 31, 35, 40–41.

33. Wiggins, *supra* note 14, at 169.

34. *Id.*; MARTIN, *supra* note 30, at 25.

35. Wiggins, *supra* note 14, at 169.

36. MARTIN, *supra* note 30, at 31.

37. *Id.* at 42.

athletes affected by these incidents, or “gentlemen’s agreements” as they came to be called, perhaps none of them suffered more than Lou Montgomery, the great running back from Boston College. On six separate occasions over an approximately two year period of time, Montgomery was left out of football games with southern institutions: in 1939 against the University of Florida and Auburn University; in 1940 against Clemson University (Cotton Bowl), Tulane University, and Auburn University; and in 1941 against the University of Tennessee (Sugar Bowl).³⁸ In all probability, Montgomery was left out of more football games than any other African American athlete because of the gentlemen’s agreements.³⁹

In addition to being excluded from contests against southern institutions, African American athletes on predominantly white university campuses continued to experience forms of insensitivity, racial prejudice, and feelings of isolation, which often made it difficult to be full members of their athletic teams and the general student body. Although certainly not as outspoken as African American college athletes during the late 1960s and early 1970s, African American college athletes became far more vocal by the 1930s about the unfair treatment they were receiving on their predominantly white campuses.⁴⁰ In 1936, for instance, Oze Simmons, an outstanding halfback from the University of Iowa, quit the football team because of what he believed was unfair treatment at the hands of teammates, coaches, and university officials.⁴¹ He complained that his teammates purposely refused to block for him and did not defend him against the verbal and physical abuse given out by opposing players, that he was not allowed to participate in the social life of the school, and that coaches adopted racist language towards him and used him as a scapegoat when the team lost.⁴²

Equally disturbing as the segregationist practices of southern institutions and social isolation experienced by African American college athletes was the increasing academic neglect

38. See ORIARD, *supra* note 30, at 301; Wiggins, *supra* note 14, at 169 (stating that Montgomery was held out of numerous games including the two bowl games in question).

39. MARTIN, *supra* note 30, at 42–45; Wiggins, *supra* note 14, at 169.

40. Wiggins, *supra* note 14, at 170–71.

41. *Id.* at 171.

42. *Id.*; ORIARD, *supra* note 30, at 305–07.

these athletes were confronted with by the 1930s. Although a large number of outstanding African American student athletes continued to find their way onto the campuses of predominantly white institutions, an increasing number of academically unprepared African American athletes were also being accepted. More than any earlier time, predominantly white institutions were recruiting African American athletes who could perform well on the playing field, but stood little chance of success in the classroom. The *Pittsburgh Courier's* Al Dunmore wrote on the eve of the college basketball gambling scandal in 1951 that over the preceding two decades a relatively large number of African American college athletes had "been little more than professional performers who were virtually duped into neglecting their academics for a few moments of athletic glory."⁴³ Dunmore's claims were supported quantitatively by historians Donald Spivey and Thomas Jones, who determined that African American athletes at the University of Illinois, between 1931 and 1967, had a much higher attrition rate than the general student body.⁴⁴ Spivey and Jones attributed this high attrition rate to poor academic preparation at the interscholastic level.⁴⁵ Although noting that African American athletes at the University of Illinois during this period had ranked in the top third of their respective high schools, Spivey and Jones made clear that nearly half of them had come from inner city high schools in Chicago which had far fewer academic resources than largely white, suburban schools.⁴⁶ This inadequate academic preparation, noted by Spivey and Jones, was compounded by the coaches at the University of Illinois, who were not genuinely concerned about the education of their athletes and funneled them into courses that would keep them eligible rather than lead toward a degree.⁴⁷

One African American college athlete during the 1930s that suffered at the hands of the educational system was Jesse Owens, the outstanding track star from The Ohio State University

43. Wiggins, *supra* note 14, at 170; Al Dunmore, *Scores of Athletes Failing to Make Grade in Classrooms*, PITTSBURGH COURIER, Sep. 1, 1951, at 1.

44. Donald Spivey & Thomas A. Jones, *Intercollegiate Athletic Servitude: A Case Study of the Black Illini Student-Athlete, 1931-1967*, 55 SOC. SCI. Q. 939, 939-47 (1975); Wiggins, *supra* note 14, at 170.

45. Spivey & Jones, *supra* note 44, at 939.

46. *Id.*

47. *Id.*

who realized enduring fame by capturing four gold medals at the Berlin Olympic Games.⁴⁸ Ill-prepared to do college work, Owens received very little academic support and did so poorly in his course work that he never graduated from The Ohio State University.⁴⁹ Delbert Oberteuffer, a well-known professor of physical education, laid the blame for Owens's academic failure squarely at the feet of the school's athletic department.⁵⁰ In a scathing letter to athletic director L.W. St. John, shortly after the Berlin Olympic Games, Oberteuffer expressed his displeasure that Owens had been counseled against enrolling in academically demanding courses "because of the desire on the part of his athletic advisors to keep him eligible."⁵¹ Oberteuffer made clear that Owens's Olympic triumphs now made his academic success even more important.⁵² "The world had come to admire him as a beautiful and remarkable animal," noted Oberteuffer.⁵³ "He has been on display and has invariably come through. He has reached the top in athletic skill. The world, it seems to me, now is entitled to look on him as a remarkable man, as well as a remarkable psychomotor genius."⁵⁴ With that in mind, Oberteuffer pleaded that Owens's interests should be "carefully redirected by his advisors."⁵⁵ Barring this, The Ohio State University itself would be at fault. "We have been interested largely in keeping him eligible but beyond that we have been more or less unconcerned," Oberteuffer decried.⁵⁶ "The time has come, in my judgment, when we as a faculty should do what we can to fan the spark of interest into the flame which it can become."⁵⁷

The academic neglect of athletes such as Owens, as well as the sense of isolation and racial insensitivity and injustices experienced by African American college athletes, continued unabated throughout the 1940s and 1950s. Although these two

48. WILLIAM J. BAKER, *JESSE OWENS: AN AMERICAN LIFE* 27–28, 37, 39–42, 53, 66, 121–22, 161 (1986).

49. *Id.* at 161–62.

50. *Id.* at 121–22 (quoting letter from Delbert Oberteuffer to L.W. St. John, August 20, 1936, Ohio State University Archives).

51. *Id.*

52. *Id.*

53. *Id.*

54. *Id.*

55. *Id.*

56. *Id.*

57. *Id.*

decades witnessed the reintegration of several professional sports, a continued increase in the number of African American students enrolled in northern institutions, release of a report by the President's Commission on Higher Education that made problems of racial discrimination on college campuses a national issue for the first time, and passage of the famous *Brown v. Board of Education* school desegregation decision, African American athletes on predominantly white university campuses still suffered the pangs of racial discrimination.⁵⁸ In fact, the increased participation of African Americans in intercollegiate sport on predominantly white university campuses resulted in new forms of racial discrimination and continuation of many of the same kinds of racial prejudices and slights that had been evident in college sport since its beginning. Predominantly white institutions continued to recruit only the very best African American athletes, with an increasing number of those now finding their way into football and basketball; those institutions established unwritten quotas as to how many of African American athletes could participate on their teams at one time.⁵⁹ They continued to express their belief in the notion of the "scholar-athlete," but failed to provide African American athletes with the educational support services that would contribute to their academic success.⁶⁰ They continued to be insensitive to the sense of isolation and estrangement that African American athletes experienced on predominantly white university campuses and in the surrounding communities.⁶¹ They continued to deny former African American athletes coaching positions, forcing them to seek employment at historically black colleges and universities.⁶² African American athletes at predominantly white universities, moreover, continued to experience racial discrimination on the playing field and to be excluded from participating in athletic contests against southern institutions.⁶³

58. Adolph H. Grundman, *The Image of Intercollegiate Sports and the Civil Rights Movement: An Historian's View*, 3 ARENA REV. 17, 17 (1979).

59. *Id.* at 18, 21.

60. HARRY EDWARDS, *THE REVOLT OF THE BLACK ATHLETE* 10–11 (1969).

61. *See id.* at 12–16 (describing how African American athletes were socially isolated from white athletes and white students because of southern prejudices restricting the interaction of blacks and whites in social settings).

62. *Id.* at 26.

63. Grundman, *supra* note 58, at 19–20.

One of the most blatant and publicized incidents of racial injustice during this period of time was committed against Johnny Bright, an outstanding African American running back from Drake University. In a 1951 football game against Oklahoma A&M, Bright suffered vicious hits to the head three times by A&M lineman Wilbanks Smith.⁶⁴ Photographs taken by John Robinson and Don Ultang of the Des Moines Register and Tribune Company—photographs that garnered the two men the Pulitzer Prize—made clear that Bright was attacked by Smith after he had handed the ball off to a teammate and was far removed from the action on the field.⁶⁵ The incident left Bright with a broken jaw and forced him out of the game.⁶⁶ Wearing a specially fitted face mask and with his jaw wired shut, Bright was able to play a portion of just one more game that season.⁶⁷ In spite of that fact, Bright came in fifth in the Heisman Trophy balloting and became a star in the Canadian Football League and an eventual member of its Hall of Fame.⁶⁸

This and other racially discriminatory practices would not be seriously taken up by a large number of African American student athletes until the latter stages of the 1960s and early 1970s. Both shedding their traditional conservative approach to racial matters and inspired by the Black Power movement, the larger civil rights struggle, and the courageous actions of such great performers as Muhammad Ali and Bill Russell, African American athletes on predominantly white university campuses during this period charged that their coaches were racists and protested everything from inadequate student housing and lack of equal representation in student government to mistreatment at the hands of prejudiced athletic trainers and punishment meted out for interracial dating.⁶⁹ This outspokenness had its consequences.

64. LANE DEMAS, *INTEGRATING THE GRIDIRON: BLACK CIVIL RIGHTS AND AMERICAN COLLEGE FOOTBALL* 61 (2010).

65. *Id.* at 61–63.

66. *Id.* at 61.

67. Grundman, *supra* note 58, at 1920.

68. DEMAS, *supra* note 64, at 49–71 (2010); ORIARD, *supra* note 30, at 299–300, 334; MURRAY SPERBER, *ONWARD TO VICTORY: THE CRISES THAT SHAPED MODERN COLLEGE SPORTS* 480–81 (1998); WATTERSON, *supra* note 30, at 273–74; *see also* LUCAS & SMITH, *supra* note 16, at 392–93.

69. HARRY EDWARDS, *THE REVOLT OF THE BLACK ATHLETE* 28–90 (1970); WIGGINS, *supra* note 16, at 123–52; *see also* DOUGLAS HARTMAN, *RACE, CULTURE, AND THE REVOLT OF THE BLACK ATHLETE* 111–20 (2003).

Many athletes involved in these protests, which took place on a plethora of campuses in almost every section of the country, suffered temporary and, in some cases, long-lasting damage to their education and careers for bravely speaking out about the racial injustices they observed and experienced on predominantly white university campuses and in the larger American society. For merely threatening to wear black armbands in protest of the racial policies of Brigham Young University, fourteen African Americans were permanently kicked off the University of Wyoming football team in 1969 by coach Lloyd Eaton.⁷⁰ Fortunately, ten of those players eventually graduated from college, and four went on to play at the professional level.⁷¹

The case of Wyoming's "Black 14," as the disturbance came to be called, was handled without any intervention of official counsel from the Western Athletic Conference ("WAC"), of which the school was a member.⁷² The lack of a coordinated effort between the University of Wyoming and the WAC was not atypical as conferences around the country let their affiliated institutions handle the grievances of African American athletes in their own way. This approach would change, at least in one conference, when, in 1972, the Big Ten Conference appointed an advisory commission to examine the grievances and recommend solutions to the racial disturbances plaguing most league schools.⁷³ Consisting of former African American athletes from conference schools, the advisory commission was established largely in response to a formal protest made to the Big Ten Joint Committee (athletic directors and faculty athletic representatives) by a number of African American professors, led by Robert L. Green of Michigan State University.⁷⁴ Green and his colleagues, in a detailed report titled "The Status of Blacks in the Big Ten Athletic Conference: Issues and Concerns," pointed out, among other things, the inadequate education received by African American

70. DEMAS, *supra* note 64, at 26.

71. WATTERSON, *supra* note 30, at 322-24.

72. DEMAS, *supra* note 64, at 129-30.

73. John Behee, *Race Militancy and Affirmative Action in the Big Ten Conference*, N. AM. SOC. SPORT HIST.: PROC. & NEWSL. 44 (1974), http://www.la84foundation.org/SportsLibrary/NASSH_Proceedings/NP1974/NP1974zk.pdf.

74. *Id.*; see also Wiggins, *supra* note 14, at 174.

athletes and racial discrimination in employment practices in conference schools.⁷⁵

The advisory commission agreed with many of the assertions Green's group made and added several of its own.⁷⁶ The interviews they had conducted with African American Athletes revealed far-ranging and consistent academic abuses and exploitation. The Big Ten Joint Committee strongly supported the advisory commission's report and established significant new guidelines and procedures, including the creation of Athletic-Academic Counseling programs, implementation of educational seminars to help improve communications between coaches and African American athletes, and compilation of a list of African Americans who could potentially be hired as coaches, athletic trainers, officials, athletic administrators, and other athletic personnel.⁷⁷

The actions of the Big Ten Conference occurred around the same time that large scale racial disturbances were becoming less frequent on predominantly white university campuses. The women's rights struggle, preoccupation with the problems of inflation and unemployment, elimination of the last stages of legal segregation, and the general collapse of radicalism in this country, had taken much of the attention away from the black protest movement.⁷⁸ This fact, however, did not eliminate the racial insensitivity and struggles experienced by African American athletes on predominantly white university campuses.

The continued recruitment and subsidizing of African American athletes, most of them football and basketball players from lower socioeconomic classes who were ill-prepared to do college work, guaranteed academic improprieties and exploitation.⁷⁹ This exploitation and resulting educational failures of African American college athletes sometimes received national headlines. Two famous cases of academic exploitation involved Creighton University basketball player Kevin Ross and Oklahoma

75. *Id.*; see also Wiggins, *supra* note 14, at 174.

76. *Id.* at 45; see also Wiggins, *supra* note 14, at 174.

77. *Id.*

78. RANDY ROBERTS & JAMES S. OLSON, WINNING IS THE ONLY THING: SPORTS IN AMERICA SINCE 1945, at 177 (1989).

79. *Outside the Lines: Unable to Read*, ESPN.COM (Mar. 17, 2002), <http://sports.espn.com/page2/tvlistings/show103transcript.html>.

State University football star Dexter Manley.⁸⁰ Ross graduated from Creighton in 1982 without knowing how to read and eventually sued the university for damages.⁸¹ Although never admitting liability, Creighton awarded Ross \$30,000 and paid \$350 a month for him to attend Westside Preparatory School in Chicago, where he finally overcame his reading deficiencies.⁸² Manley, who was an All-Pro defensive end for the Washington Redskins, testified before the U.S. Senate in 1988 that he was illiterate in spite of his four years at Oklahoma State.⁸³ As it turns out, Manley was recruited to Oklahoma State even though his ACT score was an abysmal six, and he could only read at the second grade level.⁸⁴ It was only at the age of twenty-five, with the help of a tutor by the name of Sarah Hines at the Washington Lab School, that Manley was able to raise his reading to the high school level.⁸⁵

An outgrowth of this type of academic exploitation was a study completed by the NCAA on the experiences of African Americans in football and basketball at Division I institutions. Published in 1989 by the American Institutes for Research in Palo Alto, the study, which is the only one ever conducted by the NCAA in regards to the involvement of African Americans in these two sports at Division I institutions, merely confirmed what close followers of college sport had always known.⁸⁶ Among the findings were that African Americans came from lower socioeconomic backgrounds, were not as prepared academically as their white counterparts, felt a sense of racial isolation and lack of control over their lives on college campuses, and experienced various forms of racial discrimination.⁸⁷

The American Institutes for Research study took place amid an NCAA academic reform movement that was already well underway. In 1983, the NCAA passed Proposition 48, then in 1989 Proposition 42, and then in 1992 Proposition 16, in an effort to

80. *Id.*; see *infra* note 83.

81. *Outside the Lines: Unable to Read*, *supra* note 79.

82. *Id.*

83. Laura B. Randolph, *Dexter Manley's Incredible Story*, EBONY (Oct. 1989), available at http://findarticles.com/p/articles/mi_m1077/is_n12_v44/ai_8010811/?tag=content;coll.

84. *Id.*

85. *Id.*; SMITH, *supra* note 9, at 134–36.

86. ORIARD, *supra* note 10, at 154.

87. *Id.* at 154–55.

improve the academic performances of college athletes.⁸⁸ These propositions, which combined grade point averages with standardized test scores to determine athletic eligibility, were partly a result of sustained efforts by individuals within the federal government to raise academic standards for those competing in intercollegiate sports. Prominent individuals such as Maryland Representative Tom McMillen, New York Representative Edolphus Towns, and Senator Bill Bradley all pressed in various ways to improve the academic integrity of college athletics.⁸⁹ Historian Ronald A. Smith makes clear in his book, *Pay for Play: A History of Big-Time College Athletic Reform*, that McMillen played a leading role in the reform movement.⁹⁰ McMillen, a former college and professional basketball player as well as Rhodes Scholar and representative to the Knight Foundation Commission on Intercollegiate Athletics, strove for higher academic standards via the sponsorship of a 1991 bill titled the “Collegiate Athletic Reform Act.”⁹¹ Included in the congressional testimony was a report from the American Association of University Professors, which addressed the inadequate academic preparation of African American athletes by noting that “athletic programs never should be considered as a major way of supporting students from disadvantaged backgrounds in institutions of higher learning.”⁹²

Importantly, the NCAA Propositions fostered intense differences of opinion in the African American community, with well-known college basketball coaches like John Thompson and John Chaney vehemently arguing against what they perceived as the unfair nature of the new requirements, while such prominent individuals as tennis star Arthur Ashe and sociologist/sports activist Henry Edwards praised the more rigorous academic requirements.⁹³ Both Thompson and Chaney claimed that the standardized test scores used were culturally biased and that the new NCAA guidelines would guarantee that fewer African

88. *Id.*

89. SMITH, *supra* note 9, at 159–60.

90. *Id.* at 160.

91. *Id.*

92. *Id.* at 161.

93. ARTHUR ASHE & ARNOLD RAMPERSAD, *DAYS OF GRACE: A MEMOIR* 147–51 (1993); *see also* JAY COAKLEY, *SPORT IN SOCIETY: ISSUES & CONTROVERSIES* 434–35 (7th ed. 2001); Timothy Davis, *African-American Student-Athletes: Marginalizing the NCAA Regulatory Structure?*, 6 MARQ. SPORTS L.J. 199, 203–04 (1995).

Americans would be eligible to compete in intercollegiate athletics.⁹⁴ Ashe and Edwards expressed their strong support for the propositions, believing they would ultimately contribute to the improved academic performance of African American athletes.⁹⁵ Ashe, in particular, was very vocal in his support of the proposition. A lifelong advocate of higher educational aspirations for all blacks, Ashe made clear in his autobiography, *Days of Grace: A Memoir*, that he believed the arguments used by Thompson and Chaney against the propositions were reflective of the sense of entitlement pervasive among young African Americans.⁹⁶ Quoting his essay “Coddling Black Athletics,” Ashe wrote that “we need to address the deep-stated cynicism of coddled, black public-school athletes, many of whom are carried through school with inflated grades and peer group status that borders on deification.”⁹⁷ High school coaches need to be held accountable for the academic preparation of their would-be Michael Jordans.⁹⁸ Specifically, “Proposition 42—or something like it—would motivate high school coaches and their best players to take education seriously.”⁹⁹

Irrespective of the philosophical position that one took on the matter, it was apparent that the new propositions had a much different impact on African Americans than on their white counterparts. The National Center for Education Statistics reported that while 64.7 percent of 1992 college-bound seniors—both athletes and non-athletes—satisfied the requirements of Proposition 16, the figure for African Americans was only 46.4 percent.¹⁰⁰ The NCAA realized all of this, as evidenced by the memorandum of an internal subcommittee which noted that enrollment figures indicated “a drop in the proportion of African-Americans among first-year scholarship athletes in Division I from 23.6 percent to 20.3 percent.”¹⁰¹

In 1997, a lawsuit was filed on behalf of two African American high school athletes who were denied scholarships

94. ASHE & RAMPERSAD, *supra* note 93, at 149–51.

95. *Id.* at 147–49.

96. *Id.* at 150.

97. *Id.* at 150.

98. *Id.* at 150–51.

99. *Id.* at 151.

100. ORIARD, *supra* note 10, at 155.

101. *Id.*

2012] *STRANGE MIX OF ENTITLEMENT AND EXPLOITATION* 113

under Proposition 16, but the Third Circuit Court of Appeals ultimately ruled that the NCAA was not subject to the requirements of Title VI of the Civil Rights Act of 1964 because it was not a direct recipient of federal funds.¹⁰² The decision of the Third Circuit Court effectively gave the NCAA free reign on policy decisions, and it responded in 2005 with the creation of the Academic Progress Rate; in 2008 it began to require that high school athletes complete sixteen core courses for initial eligibility in Division I.¹⁰³ While this new legislation, which could result in schools losing scholarships for failure to reach a minimum score relating to eligibility and retention rates, has apparently contributed to the improved graduation rates of African American athletes, they continue to fall well behind white athletes.¹⁰⁴ They are still, in spite of elaborate academic support services and an assortment of special privileges, “disproportionately the star players” in the two most highly commercialized sports and “disproportionately the non-graduates.”¹⁰⁵ They are also often funneled into specific majors not always of their own choosing and focused on limited career opportunities in professional sports rather than more realistic career opportunities in law, medicine, teaching, or other occupations requiring special training and intellectual skill.¹⁰⁶ In truth, unlike the select number of African American athletes on predominantly white university campuses during the late nineteenth century, African American college athletes of today are often more athlete-students than student-athletes, kept eligible for as long as possible by millionaire coaches who have been hired to win games for schools striving for national acclaim.¹⁰⁷

102. *Id.* at 152.

103. *Id.* at 153.

104. *Id.* at 155–56.

105. *Id.* at 157.

106. *Id.* at 186, 207.

107. See generally *Compensation for Div. I-A College Football Coaches*, USA TODAY, http://www.usatoday.com/sports/graphics/coaches_contracts/flash.htm (last visited Jan. 25, 2011).

