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Title IX

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How many more times will the courts need to rule before university athletic administrators and presidents finally understand that Title IX really does mean that men's and women's sport must be dealt with on an equal basis? This, in effect, is what has been said for the fifth time by the courts, when The Supreme Court this week refused to hear the appeal by Brown University of a lower court ruling of last November.

At that time a three judge panel of the U.S. Circuit Court of Appeals ruled that cutting funding for two women's teams at Brown University had been an act of discrimination, and required the university to have "gender parity between its student body and its athletic lineup" or show progress towards that goal. The Circuit Court also ruled that this could be achieved either by increased funding for women's sports or decreased funding for men's sports.

The American Council on Education, sixty universities, and forty-nine members of Congress had joined Brown University's appeal of that decision.

The Supreme Court's action not to rule on the case in effect means the Circuit Court of Appeals' ruling will stand. This decision does not have the same power as it would have if the Supreme Court had made this as a positive ruling of its own, nonetheless it is significant.

Donna de Varona, Olympic gold medalist and past-president of the Women's Sports Foundation called it the "greatest single legal victory in the history of women's sports..." On the other side the prophets of doom and gloom warned that it could mean cutting men's sports or even cutting academic programs. I would bet on the latter before the former.

Men's football coaches, who theoretically have the most to lose on this issue because of the absurd size of college football squads, some running as high as 100 to 150, have been wringing their hands since the November ruling in the Brown University case. It will be interesting to see how many positions are ever really cut from college football squads at the major football institutions. Have you ever seen a competitive college game in which any team used more than fifty or sixty players, max?

What it is more likely to mean is larger and larger athletic budgets for those programs, and therefore more and greater need for revenue production. This will put more pressure on coaches to win, on athletic directors to turn a profit, and pressure on everyone to cheat and to sell themselves to the highest bidder. The forces of commercialism will increase geometrically and will increasingly affect women's sport.

The current argument over sport equity contains several contradictory assumptions which go to the heart of the century long debate over intercollegiate athletics. Intercollegiate athletics has always been justified on the grounds that it fit the ancient Greek ideals of balance, that it was part of the educational experience of students, and that it prepared the participants for life. In the more common parlance, it built character.

In its purest form physical activity may have these redeeming and educational qualities. If so the entire student body should share in such an experience, and not only vicariously. They have not.

Instead college sport and intercollegiate athletics evolved quickly into commercial spectacle and entertainment. It became an advertising arm of the university and a promotional tool for ambitious college presidents.

Never missing a beat the advocates of intercollegiate sport, including many college presidents, justified this commercial entertainment activity at an institution of higher learning on the grounds of the value of participation, competition, and physical culture, their version of the Greek ideal. This despite the fact that it affected a small minority of students, and despite the fact that intercollegiate athletics have little or no relation to the justification.

Thinking in terms of this phony justification of college sport, the courts see no reason why women should be denied an equal opportunity to its alleged benefits. In a sense the irony is rich, as college presidents, athletic directors, football coaches, and all those apologists for the corrupt commercial spectacle of intercollegiate athletics have been hoisted on the petard of their own specious arguments and those of their predecessors.

If it were a world in which right finally triumphs over the unsavory, the outcome of this struggle over Title IX would be a

curbing of intercollegiate athletics. Instead what we are likely to see is continuing growth of commercialized intercollegiate sport, especially among women, with the money getting bigger and the pressures to win increasing proportionately. It will be equal opportunity corruption.

On Sport and Society this is Dick Crepeau reminding you that you don't have to be a good sport to be a bad loser.

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