

## BOOK REVIEW

### *A PLACE ON THE TEAM: THE TRIUMPH AND TRAGEDY OF TITLE IX*

Welch Suggs

[Princeton, NJ: Princeton University Press 2005]

vii + 283 pages [\$14.95 U. S. (soft cover)]

ISBN: 0-691-12885-5

Although *A Place On The Team: The Triumph and Tragedy of Title IX* by Welch Suggs is not a page-turner in the murder mystery tradition; this book was more than I expected as it provided interesting and informative reading. Suggs' compelling and journalistic prose provides a unique account of the legal, political, and social history of sport that happens to include Title IX. Those looking for a quick tutorial on Title IX, a review of Title IX case law, or first person accounts of professionals and their institution's trials with Title IX, would be better served by other texts previously reviewed in *JLAS*. Suggs' primary audience will include readers seeking a critique of the historical, social, and political context leading to the creation of and resistance to Title IX, as well as readers with a limited knowledge of the political history of amateur and professional sport in the United States, as both are presented in this relatively short and comprehensive text.

With several books examining and discussing Title IX already in circulation, it is easy to question if one more is truly needed. However, as the 35th anniversary of the signing of Title IX approaches, writers continue to address this Federal law from a myriad of angles and perspectives supposedly yet to be examined. Indeed, Suggs' publisher, Princeton University Press, states that *A Place on the Team: the Triumph and Tragedy of Title IX* "provides the first history of the law's [Title IX] evolution since its passage in 1972" (marketing flyer). While other publishers and authors may contest this assertion, Suggs does perhaps serve a niche by providing a presentation of the social development of sport in the United States that includes critical discussions of Title IX and equity issues. In addition, the writing style of the book provides a noteworthy and unique contribution to the genre of Title IX texts. As a professional journalist, Suggs engages the reader in a way that readers of primarily scholarly and legal journals will find to be either refreshing or frustrating. His book could perhaps be titled more appropriately

too, as it appears at times to be less a study of Title IX and more a review of the advances and declines of sport in general. While Suggs does address gender equity issues as well as the significant changes, both advances and retreats in women's amateur and professional sport, Title IX is not clearly nor consistently presented as the central theme of the book.

Welch Suggs has been writing about sport for a number of years in publications including *Street & Smith's SportsBusiness Journal* and the *Chronicle of Higher Education* where he served as senior editor for athletics. As a journalist, Suggs has documented and reported on the evolution and expansion of sport that has accompanied the equal rights battles of Title IX. As the Associate Director of the Knight Foundation Commission on Intercollegiate Athletics and as a journalist, Suggs does not pretend to be objective regarding Title IX. This too, perhaps, distinguishes this writer from other authors who have attempted to provide an objective historical overview of Title IX.

Convinced that no writer is truly objective, Suggs strove for fair and accurate. The biased or journalistic position that Suggs presents within *A Place on the Team: the Triumph and Tragedy of Title IX* includes the following two stated themes:

. . .the economics of college sports are responsible for the demise of men's gymnastics and wrestling. No athletics director wants to drop sports, but that is what he or she does when money is tight. Nobody ever freezes coaches' salaries or cuts back or tells the football team to use uniforms for a second year. . .Furthermore, after talking to people like Birch Bayh, it has become clear to me that the law [Title IX] was intended to end discrimination against women in education, not to require colleges to cater to men's or women's interests in any particular measure. . . Regardless of what anyone thinks, I arrived at them [the two stated themes of the book] after years of believing Title IX to be a silly and superfluous law, and yelling at [Federal] Education Department officials when they tried to tell me otherwise. As a track and cross-country runner, I am watching my sport vanish, too, and the obvious temptation is to blame a federal law for over regulating college athletics (p. 197).

Awareness of these biases or stated themes is critical for the reader, as the absence of an objective presentation of information is quite obvious throughout the text. Unfortunately, Suggs does not provide this information to the reader until page 197 as part of his two page Acknowledgment. Since it is common practice to address information of this importance in an introduction,

sequential readers of the text might be puzzled by the lack of balance or objective presentation of information to the point of disregarding the book. To delay sharing this information with the reader seems to be a disservice that serves no purpose and provides no observable benefit.

In Chapter 1: "The Segregated History of College Sports," Suggs ambitiously attempts to address segregation issues of color and gender and the impact of this segregation upon amateur and professional sport. It is in this chapter that Suggs begins to compare and contrast the highly competitive male or "commercial" model of sport with the female or "educational" model of sport. In Chapter 2: "A New Paradigm of Civil Rights" and Chapter 4: "College Sports and Civil Rights" Suggs provides an interesting and well-paced read through Title VI, VII, and IX. He traces the civil rights background of Title IX back to the Birmingham riots of 1963. Readers or students of Title IX who wonder about the connection between the Office of Civil Rights (OCR) and Title IX will find Chapter 2 to be a particularly well written and engaging chapter. Within Chapter 4, Suggs recounts the struggles of Congress and the Department of Health, Education, and Welfare to implement Title IX, including the series of rules, regulations, and policy interpretations that accompany Title IX. Suggs' work on this chapter is well done as his narrative moves the reader smoothly through the political issues leading to each new Title IX related document. All of the documents are presented in the Appendices (A - I).

Chapter 3: "Heroines as Well as Heroes" is Suggs' telling of the internal battle for control and ideological direction of sporting opportunities for girls and women. While many authors on Title IX include some presentation of this information, Suggs elected to examine this subject matter in depth. His journalistic style of writing significantly adds to this chapter. In Chapter 3 and Chapter 6: "The First Generation," Suggs skillfully blends together life stories of current leaders in sport (Pat Summitt, Sylvia Hatchell, and Judy Rose) and the growth of professional women's sport (WNBA) with the historical and social developments that framed the stage for the "competitive versus educational model of sport" debate among leaders in women's sport. His interviews and reviews of primary documents from Walter F. Byers, Christine Grant, Donna Lopiano and other leaders of the AIAW, DGWS, NCAA, and AAHPER, add colorful quotations and substance to these chapters as well.

Readers with an interest in the compliance responsibilities for Title IX, as assigned to the OCR, will find Chapter 5: "Legal and Logistical Challenges" of interest. Suggs traces the actions and discoveries of OCR investigator Lamar Daniel, as he conducts the first Title IX investigation of an athletic department. The details provided from conversations and primary documents

regarding this investigation of the University of Georgia are interesting, and a chapter dedicated to this topic is a rare and intriguing inclusion among many books on Title IX.

Suggs addresses Title IX case law in Chapter 7: "A Watershed Moment." Winding his way through selected cases, Suggs discusses *Brown University v. Cohen* in detail. A major weakness of this book is Suggs' decision to not address or least mention all significant Title IX related case law, nor to clearly state this fact. Readers with a narrow understanding of Title IX might be easily misled by this omission; thinking that they had read a book on Title IX so they must have the complete story. This possibility is further complicated by Suggs' decision to convey his bias at the conclusion of the book in his Acknowledgments. However, Chapter 7: "A Watershed Moment" and Chapter 8: "Clarifications amid Controversy" will likely delight readers looking for detailed coverage of the *Brown v Cohen* decision. In Chapter 8, Suggs details the impact of the Clinton Administration and Norma Cantu', as Assistant Secretary of Education for Civil Rights, upon Title IX, specifically regarding conversations and clarification letters issued in response to requests from Congressman Dennis Hastert.

In Chapters 9 and 10, Suggs addresses two special interest topics. Chapter 9: "Sports Before College" is an examination of the impact of Title IX upon interscholastic and youth sport, while in Chapter 10: "The Wrestlers' Response" Suggs discusses his view of the ways in which Title IX has impacted wrestling programs and the unique approaches that wrestling advocates have proposed in response.

The final two chapters are reflected in Suggs' title, *A Place on the Team: the Triumph and Tragedy of Title IX*. It is likely that this title will lead readers to think that "Triumph" equates with legal victories in Title IX lawsuits, while "Tragedy" refers to institutional delays to fully comply with Title IX. Neither of these assertions is true. In Chapter Eleven: "The Tragedy" Suggs argues that it is the female sport programs' emulation and adoption of the highly competitive and commercial male model of intercollegiate and professional sport, and all of its accompanying ills, that is the real tragedy of Title IX. Suggs states "adapting to the highly competitive, often ethically questionable world of men's scholastic sports, women face certain challenges that they did not during the era when women's sports were controlled by physical-education departments. Does that mean something is wrong with women, or with the men's system?" (p. 187). The option that nothing is perhaps in fact "wrong" with either model, or that the behavior of individuals is at fault, is never addressed. This is one of the places where the reader is acutely aware of the previously stated biases of the author.

The triumphs are found in Chapter 12, which is simply titled "Triumph?" The use of a question mark is telling as Suggs jumps from topic to topic in this chapter while naming questionable gains, benefits, or triumphs of Title IX. Included in his discussion of possible successes are the following concepts; increased opportunities for female athletes, increased American public awareness of women's sport and the value of sport participation for women, and greater numbers of women attending universities and obtaining advanced professional degrees. However, at this point Suggs begins a lengthy discussion of intercollegiate sports and namely football. He states, "sports have become men's last bastion [on campus]. . . .While a record 2.8 million girls played high school sports that year [2002-2003], they represented only 41.7 percent of all athletes. . . .These numbers may not change much in the future for a simple reason: football" (p. 188). What follows is an interesting, albeit abbreviated and non-objective discussion of the competing Title IX ideologies possessed by those responsible for compliance with the law in intercollegiate athletics.

At the conclusion of this chapter and the book, Suggs returns to his theme of "Triumph" and states the following

American society has embraced Title IX. Female athletes are part of the mainstream now at all levels. . . .Parents now have the same expectations of their daughters as they do of their sons. In most cases, little girls have the same chance to learn . . .and shoot for the same goals as little boys (p. 195).

Rebecca J. Mowrey

Millersville University of Pennsylvania



# CALL FOR PAPERS:

## Journal of Legal Aspects of Sport

Winter, 2008 Issue

### Symposium: “Legal Issues Related to Gender Equity in Sports”

The Winter 2008 issue of the *Journal of Legal Aspects of Sport* will be a symposium including articles related to legal issues impacting gender equity in sports. Possible topics may include (but are not limited to) the following:

- The impact of Title IX on college or high school sports,
- The Equal Pay Act and its impact on college coaching salaries,
- Title VII and its impact on salaries for women in athletics,
- The Department of Justice’s clarifications of gender equity requirements,
- Proportionality and the three part test,
- Sexual harassment in sports,
- Gender based discrimination in sports,
- Legality of the use of interest surveys to determine interests and abilities.

If you are interested in contributing to this Symposium issue you must follow these steps.

#### Step 1:

By AUGUST 10, 2007 send an email to JLAS Editor Professor Paul Anderson, at [paul.anderson@mu.edu](mailto:paul.anderson@mu.edu) with the following information

- Subject line: 2008 JLAS Symposium Proposal
- Line 1: Author(s) name(s) and contact information
- Line 2: Potential article title

- Line 3: Short description of anticipated focus of article (no more than one paragraph)
- Line 4: Author background/expertise related to research about gender equity issues in sports

#### Step 2:

Once all proposals are received the Editor will notify each potential author in regard to whether their submission will be considered for publication in the *Journal*.

#### Step 3:

All submissions to the Winter 2008 Symposium issue of the *Journal of Legal Aspects of Sport* must be sent to the Editor and received in final form no later than Friday November 2, 2007.

Author(s) of any submitted article to the *Journal of Legal Aspects of Sport* must warrant that their submission follows all of the requirements of the *Journal's* Guidelines for Authors. The Guidelines for Authors are available in every issue of the *Journal* and are available online at <http://law.marquette.edu/jw/jlas> on the left hand column under "Guidelines for Authors."

Submission of an article does not guarantee publication. All submissions will go through a review process with the *Journal's* Editorial Review Board. The expected publication month for the Symposium issue is March 2008.

If you have any additional questions and for further information please contact JLAS Editor Professor Paul Anderson by email at [paul.anderson@mu.edu](mailto:paul.anderson@mu.edu).



# 21ST ANNUAL CONFERENCE ON SPORT, PHYSICAL ACTIVITY, RECREATION AND LAW

The 2008 Sport and Recreation Law Association conference will be held February 27—March 1 at the Embassy Suites at Kingston Plantation in Myrtle Beach, South Carolina. The Conference will be hosted by Linda L. Schoonmaker from the Department of Sports Studies, St. Andrews Presbyterian College and Colleen McGlone of the Department of Health, Physical Education, and Recreation and Sport Management at Coastal Carolina University. As in the past, the Conference will begin on Wednesday evening with a Welcome Reception, with presentation sessions Thursday through Saturday. More information on the Conference will soon be available on the SRLA website at [www.srlaweb.org](http://www.srlaweb.org) or contact Linda at [schoonmaker@sapc.edu](mailto:schoonmaker@sapc.edu) or Colleen at [cmcglone@coastal.edu](mailto:cmcglone@coastal.edu).

# CALL FOR PAPERS

## **The Sport and Recreation Law Association's 21st Annual Conference on Sport, Physical Activity, Recreation and Law**

The SRLA Board of Directors welcomes the submission of abstracts for the 2008 Annual Conference on Sport, Physical Activity, Recreation and Law to be held at Myrtle Beach, South Carolina on February 27 th-March 1st, 2008.

### **I. ABSTRACT SUBMISSION GUIDELINES:**

To be considered for acceptance, abstracts must reflect completed research on legal theory or the application of law to sport, physical activity, or recreation management issues and teaching. The abstract must provide enough detail about the presentation that the reviewers have sufficient information to judge the quality of the proposal. Abstracts will undergo a three-person, blind-review process to determine acceptance.

Authors may submit up to three (3) proposals of which no more than two (2) may be solo-authored proposals. An exception will be granted when an advisor is listed as a co-author of a student submission, in which case the advisor must clearly indicate in the author section of the submission that they are a faculty advisor.

Abstracts submitted to SRLA may not be concurrently submitted for consideration to another conference, may not previously been presented at another conference, and may not reflect work published prior to November 2008.

Submission of abstract(s) indicates the intent of the presenter(s) to register for the Conference and pay the appropriate registration fee. All accepted abstracts will be published as submitted both (a) in the Conference Proceedings and (b) on the SRLA website.

### **II. ABSTRACT FORMAT AND SUBMISSION PROCEDURES:**

A. All abstracts **MUST** be submitted electronically as a Microsoft Word attachment.

B. Presentation Format Options (minutes listed include time for questions/ answers)

25 minute oral presentation on research or teaching

75 minute symposium, roundtable, workshop or forum

Poster presentation

C. Abstract Format Requirements:

1. Single-spaced

2. One-inch margins

3. Times New Roman 12 point font, and

4. 400-word maximum for 25 minute oral presentation and posters, and 800-word maximum for 75 minute presentation

D. Abstract Content

1. Line 1: length of session desired (choose from the options above)

2. Line 2: three to four keywords that will help the program coordinator to schedule similar topics in succession

3. Line 3: author(s) and institution(s) names (centered on page)

4. Line 4: presentation title

5. Line 5: blank

6. Line 6 to end: text of abstract

*Note: In the email message accompanying the attached abstract, include the principal author's name, postal mailing address, email address, and fax and telephone numbers.*

### III. SUBMISSION DEADLINE AND TRANSMISSION INFORMATION:

A. Abstracts **MUST** be received no later than **MONDAY, OCTOBER 15, 2007 (11:59PM EST)**. Submissions received after this date and time will not be considered for acceptance.

B. All abstracts **MUST** be submitted electronically as a Microsoft Word attachment.

C. Please **EMAIL ALL ABSTRACTS TO: Rebecca Mowrey (Past-President) at [rmowrey@millersville.edu](mailto:rmowrey@millersville.edu)** with **SRLA ABSTRACT** written in the **SUBJECT LINE**.

# GUIDELINES FOR AUTHORS

The *Journal of Legal Aspects of Sport* is a peer-reviewed and copyrighted professional journal intended to meet the needs of sport law educators and to serve as a forum for legal issues related to clubs, fitness, health & wellness, physical activity, recreation and sport.

## PART ONE: SUBMISSIONS

Submissions can be sent by email to the Editor, Professor Paul Anderson at [paul.anderson@mu.edu](mailto:paul.anderson@mu.edu).

Submissions can also be sent by regular mail to:

Professor Paul Anderson  
Editor, Journal of Legal Aspects of Sport  
National Sports Law Institute  
Marquette University Law School  
1103 W. Wisconsin Ave., P.O. Box 1881  
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A manuscript submission by email should include

- (a) Within the email: The author(s) name, contact information, and biographical information. This information should not appear anywhere within the attached manuscript.
- (b) Attached to the email: The manuscript itself.
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### (2) Submission by Mail

A manuscript submission by mail should include:

- (a) A cover letter that includes the author(s) name, contact information and biographical information. Do not include any of this information within the manuscript.
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LEGAL STYLE (footnotes), following the Harvard Citator/  
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  - (f) Include the editions or volume of a book or other publication in normal font, i.e., 4th ed. is correct. Do not include this information in superscript font.
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  - (i) *Do not include an abstract within any manuscript.*

### PART THREE: REVIEW PROCESS

- (1) Once a submission is received, the Editor will contact the author to certify that the manuscript complies with all of these Guidelines.

(2) All submissions are reviewed by the Editor and three selected members of the Editorial Review Board chosen by the Editor.

(3) Upon receipt of a submission by the Editor, the article review process will normally last approximately 6 weeks.

(4) *Review Standards*

The *Journal of Legal Aspects of Sport* endeavors to publish submissions of the highest scholarly quality in terms of novelty, writing, research, methodology and interest to the academic world, sport management and sports law professionals.

Categories that are of particular importance include:

i. Proper use of APA or Bluebook style.

ii. Quality of Writing (Is the article readable with good transitions with few mistakes in word tense, grammar, spelling and sentence structure?)

iii. Organization, reasoning and analysis (Does the author present a reasoned and organized legal analysis of the topic? Does the author present the topic in an easy to understand, logical manner?)

iv. Quality of research (Has the author thoroughly researched the topic area, or do you know of other sources they should have used in their paper?)

v. Novelty and uniqueness of the topic (Has this topic been covered before in other articles so that the author just restating what has come before? Or, has the author presented a new and novel look at the topic?)

(5) All publication decisions are made by the Editor after consideration of reviewer comments and the factors above. Authors can expect to receive one (1) of the following three (3) responses:

\_\_\_\_\_Accept the article for publication with minor edits

\_\_\_\_\_Do not accept the article

\_\_\_\_\_Send the article back to the author with reviewer comments and allow for resubmission.

(6) All publication decisions are final and are not reviewable.

# Sport and Recreation Law Association

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**Journal** - The *Journal of Legal Aspects of Sport* is published two times per year, publications include a winter and summer issue.

Subscriptions to the *Journal of Legal Aspects of Sport* alone are also available for \$15.00 an issue or \$45.00 annually. To order the *Journal* please contact Lori Miller, SRLA Executive Director, c/o Mary Myers, Wichita State University, Campus Box 16, 1845 Fairmount, Wichita, KS 67260-0016. PHONE: (316) 978-3340; FAX: (316) 978-5451; EMAIL: [mary.myers@wichita.edu](mailto:mary.myers@wichita.edu).

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- (1) to serve as a medium for academic growth and development through professional exchange;
- (2) to provide service functions for SRLA members through conference presentations and research publications;
- (3) to assist in the development of appropriate curricula content;
- (4) to cooperate closely with allied national and international organizations in areas such as athletics, education, exercise, law, medicine, recreation, and sport; and
- (5) to network and provide a forum for discussion about the law.