

# A Critical Period for the N.C.A.A. — From Education to Regulation

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The history of the NCAA before World War II can best be characterized as that of a discussion body, even though the original Constitution delineated the object:

**It object shall be the regulation and supervision of college athletics throughout the United States, in order that the athletic activities in the colleges and universities of the United States may be maintained on an ethical plane in keeping with the dignity and high purpose of education.**

Since the NCAA had no mechanism for carrying out this regulatory function, the annual meetings served as little more than a discussion exchange where members could exert only informal pressure on brethren who might stray from the tenets of the Constitution. Repeated exposes of intercollegiate sport in the twenties and thirties did precipitate discussion concerning a regulatory mechanism but no significant reform in the Constitution was accomplished. The main reason for these rebuffs was simply the desire of individual institutions not to relinquish autonomy of their athletic programs. Consequently, prior to World War II the main regulators of intercollegiate sport were the individual institutions or regional groupings of institutions with similar athletic philosophies called conferences.

Following World War II, however, the age-old problems of recruiting and subsidization were significantly heightened by concerns over gambling prompting the membership to adopt specific provisions in the Constitution commonly referred to as the "Sanity Code." This code gave the NCAA for the first time an involved regulatory mechanism that included censure and even expulsion of member schools provided a two-thirds vote of the membership could be mustered. This reform measure hastened by the concern over the increasing commercialism of intercollegiate sport proved to be unenforceable though. In a test case involving seven institutions, the two-thirds majority necessary for action could not be attained. The resulting no action effectively ended the "Sanity Code" provisions and the NCAA returned to a discussion group. Shortly thereafter, however, in 1950 and 1951 several abusive practices regarding intercollegiate sport gained widespread media coverage, particularly the basketball scandals. This undesired visibility which equalled and in many cases surpassed that normally given to game scores and regular reporting forced the membership to reconsider another form of regulation for the NCAA. Again the NCAA Constitution was revised and a mechanism for control and punishment short of expulsion was instituted.

It is the contention of this writer that the NCAA was not given this regulatory power to bring intercollegiate sport closer to the purposes and goals of higher education as some have suggested. If that were the case, the membership would have given the NCAA that mechanism from the outset or surely would have voluntarily adopted the necessary measures prior to World War II. Since these reforms were not instituted until after the scandals of the 1950s, it may be concluded that the regulatory mechanism was given to the NCAA to help restore the integrity of athletics sorely buffeted by these revelations.