

The Governance of Sport
ETHN 3104
University of Colorado
Spring Semester 2014
Roger A. Pielke, Jr., Professor

Course Homepage:

http://sciencepolicy.colorado.edu/students/ethn_3104

Class Location: Center for Science and Technology Policy Research, 1333 Grandview Ave.

http://sciencepolicy.colorado.edu/center_info/find_us.html

Class time: Tuesdays: 09:00-11:30

Office Hours: Tuesdays, 11:30-13:00 and by appointment

Location: CIRES Center for Science and Technology Policy, 1333 Grandview Ave.

http://sciencepolicy.colorado.edu/center_info/find_us.html

Phone: 303-735-3940 (no voice mail)

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Overview and Purpose of the Course

The goal of this course is to introduce students in issues of governance in various societal settings as viewed through the lens of sport. As Jens Sejer Andersen has noted, "[Sport is an expression of civilization.](#)" Through readings, discussions and individual and group projects students will engage a wide range of scholarly and popular literature, film and guest speakers to critically engage important issues that arise in the governance of sport. In this year's course case studies that we will engage include the role of technological augmentation in sport, policies delineating participation eligibility in the Olympics according to gender, societal and policy responses to concussions in the NFL, equity in journalism related to sports reporting, genetics and athletic performance, doping in sport, sport as a laboratory for understanding prediction and decision making, and gender equity in sport and beyond. The student should emerge from this class with tools of critical thinking and analysis, along with greater substantive knowledge of various interesting and important cases in the governance of sport.

Requirements of the Course

Course Format

The course follows a seminar format with ample time for discussion as well. The readings in the course are important and you are expected to have done the readings in advance of the course for which they are assigned. The formal requirements of the course include weekly one pagers, periodic group and individual assignments, a mid-term exam, and a final project.

Readings

Required books:

Epstein, D. 2013. **The Sports Gene** (Current Hardcover: NY).

Albergotti, R. and V. O'Connell, 2013. **Wheelmen**, (Penguin Group, NY).

Fainaru-Wada, M. and S. Fainaru, 2013. **League of Denial**, (Crown Archetype, NY).

There will be additional required readings as well assigned throughout the term.

Grading

Your grade will be determined as follows:

One Pagers	10%
Periodic Assignments	20%
Mid-Term Exam	30%
Final Project	40%

Requirements of the Course

Weekly Email One Pagers

Every week you are expected to turn in a one-page essay. We have established a list-serv for the course: ethn3104@lists.colorado.edu. Details will be provided in class.

A secondary purpose is to ensure that you have an opportunity to provide me with feedback on the class and your progress/satisfaction in the course.

Individual and group assignments

Periodically throughout the semester you will be responsible for individual and group assignments related to the week's readings and topic. These will be discussed as the semester progresses.

University Syllabus Statements

(1) The Boulder Provost's Disability Task Force recommended syllabus statement:

If you qualify for accommodations because of a disability, please submit to your professor a letter from Disability Services in a timely manner (for exam accommodations provide your letter at least one week prior to the exam) so that your needs can be addressed. Disability Services determines accommodations based on documented disabilities. Contact Disability Services at [303-492-8671](tel:303-492-8671) or by e-mail at dsinfo@colorado.edu.

If you have a temporary medical condition or injury, see Temporary Injuries under Quick Links at Disability Services website (<http://disabilityservices.colorado.edu/>) and discuss your needs with your professor.

(2) It is the responsibility of every instructor to clearly explain his or her procedures about absences due to religious observances in the course syllabus so that all students are fully informed, in writing, near the beginning of each semester's classes. Campus policy regarding religious observances states that faculty *must* make reasonable accommodation for them and in so doing, be careful not to inhibit or penalize those students who are exercising their rights to religious observance. Faculty should be aware that a given religious holiday may be observed with very different levels of attentiveness by different members of the same religious group and thus may require careful consideration to the particulars of each individual case.

See http://www.colorado.edu/policies/fac_relig.html

If you have questions about providing students with religious accommodations, please contact the Office of Discrimination and Harassment at [303-492-2127](tel:303-492-2127).

A comprehensive calendar of the religious holidays most commonly observed by CU-Boulder students is at <http://www.interfaithcalendar.org/>

Recommended syllabus statement:

Campus policy regarding religious observances requires that faculty make every effort to deal reasonably and fairly with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. In this class, *{{insert your procedures here}}*

See full details at http://www.colorado.edu/policies/fac_relig.html

(3) Faculty and students should be aware of the campus 'Classroom Behavior' policy at

<http://www.colorado.edu/policies/classbehavior.html> as well as faculty rights and responsibilities listed at http://www.colorado.edu/FacultyGovernance/policies/Professional_Rights_and_Duties.pdf

These documents describe examples of unacceptable classroom behavior and provide information on how to handle such circumstances should they arise. Faculty are encouraged to address the issue of classroom behavior in the syllabus.

Recommended syllabus statement:

Students and faculty each have responsibility for maintaining an appropriate learning environment. Those who fail to adhere to such behavioral standards may be subject to discipline. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, color, culture, religion, creed, politics, veteran's status, sexual orientation, gender, gender identity and gender expression, age, disability, and nationalities. Class rosters are provided to the instructor with the student's legal name. I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. See policies at <http://www.colorado.edu/policies/classbehavior.html> and at http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student_code

(4) The Office of Discrimination and Harassment recommends the following syllabus statement:

The University of Colorado Boulder (CU-Boulder) is committed to maintaining a positive learning, working, and living environment. The University of Colorado does not discriminate on the basis of race, color, national origin, sex, age, disability, creed, religion, sexual orientation, or veteran status in admission and access to, and treatment and employment in, its educational programs and activities. (Regent Law, Article 10, amended 11/8/2001). CU-Boulder will not tolerate acts of discrimination or harassment based upon Protected Classes or related retaliation against or by any employee or student. For purposes of this CU-Boulder policy, "Protected Classes" refers to race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, or veteran status. Individuals who believe they have been discriminated against should contact the Office of Discrimination and Harassment (ODH) at [303-492-2127](tel:303-492-2127) or the Office of Student Conduct (OSC) at [303-492-5550](tel:303-492-5550). Information about the ODH, the above referenced policies, and the campus resources available to assist individuals regarding discrimination or harassment can be obtained at <http://hr.colorado.edu/dh/>

(5) The Boulder campus has a student Honor Code and individual faculty members are expected to familiarize themselves with its tenets and follow the approved procedures should violations

be perceived. The campus has been working diligently to make this process work better and to provide guidance on 'gray areas' to be helpful to both faculty and students at the Honor website. The Honor Council recommended syllabus statement:

All students of the University of Colorado at Boulder are responsible for knowing and adhering to the academic integrity policy of this institution. Violations of this policy may include: cheating, plagiarism, aid of academic dishonesty, fabrication, lying, bribery, and threatening behavior. All incidents of academic misconduct shall be reported to the Honor Code Council (honor@colorado.edu; [303-735-2273](tel:303-735-2273)). Students who are found to be in violation of the academic integrity policy will be subject to both academic sanctions from the faculty member and non-academic sanctions (including but not limited to university probation, suspension, or expulsion). Other information on the Honor Code can be found at <http://www.colorado.edu/policies/honor.html> and at <http://honorcode.colorado.edu>

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Tentative Schedule and Readings

Week 1: 01-14-14 **Introductions**
 Overview of the Course
 Initial discussion – “Let Them Wear Towels”

Week 2: 01-21-14 **Introduction to Issues and Tools**

Read: Albergotti and O’Connell

Casini, L. 2010. The Making of a *Lex Sportiva*: The Court of Arbitration for Sport “Der Ernährer,” Draft paper for the Max Planck Institute International Conference on “Beyond Dispute: International Judicial Institutions as Law-Makers” Heidelberg, June 14-15, 2010

Szymanski, S. 2003. The Economic Design of Sporting Contests, *Journal of Economic Literature*, **41**:1137-1187.

Preston, I. and S. Szymanski, 2003. Cheating in Contests, *Oxford Review of Economic Policy* **19**:612-624.

Hunt, T. M. 2007. Countering the Soviet Threat in the Olympics medals race: The Amateur Sports Act of 1978 and American Athletics Policy Reform, *The International Journal of the History of Sport*, **24**:796-818.

Week 3: 01-28-14 **Concussions in Football: Problem Definition 1**

Read: Fainaru-Wada and Fainaru 2013

Watch: League of Denial, Frontline: <http://video.pbs.org/video/2365093675/>

Week 4: 02-04-14 **The Sports Gene**

<http://thetalentcode.com/2013/08/20/talking-naturenurture-with-david-epstein-author-of-the-sports-gene/>

Week 5: 02-11-14 **Constitutive Decision Making: Two Cases**

GROUP PROJECTS ASSIGNED

Technological aids in sport

B. Burkett, M. McNamee and W. Potthast 2011. [Shifting boundaries in sports technology and disability: equal rights or unfair advantage in the case of Oscar Pistorius?](#), *Disability & Society*, **26**:643-654.

Carwyn Jones & Cassie Wilson (2009): [Defining advantage and athletic performance: The case of Oscar Pistorius](#), *European Journal of Sport Science*, 9:2, 125-131.

Tribunal Arbitral du Sport. [Court of Arbitration for Sport. Arbitration CAS 2008/A/1480 Pistorius v/ IAAF](#), award of 16 May 2008.

Gregor Wolbring (2012) [Paralympians Outperforming Olympians: An Increasing Challenge for Olympism and the Paralympic and Olympic Movement Sport](#), *Ethics and Philosophy* 6: 2. 251-266.

Gregor Wolbring (2008) [Oscar Pistorius and the Future Nature of Olympic, Paralympic and Other Sports](#). *SCRIPTed - A Journal of Law, Technology & Society* 5: 1. 139-160.

Who gets to participate in women's events in the Olympics?

Tucker R, Collins M. [The science of sex verification and athletic performance](#). *Int J Sports Physiol Perform*. 2010 Jun;5(2):127-39.

Ariel Levy, [Either/Or: Sports, sex, and the case of Caster Semenya](#). *The New Yorker*, November 30, 2009.

Katrina Karkazis, Rebecca Jordan-Young, Georgiann Davis & Silvia Camporesi (2012): [Out of Bounds? A Critique of the New Policies on Hyperandrogenism in Elite Female Athletes](#), *The American Journal of Bioethics*, 12:7, 3-16.

[IOC Regulations on Female Hyperandrogenism Games of the XXX Olympiad in London](#), 2012.

Kaye N Ballantyne, Manfred Kayser, J Anton Grootegoed, 2011. [Sex and gender issues in competitive sports: investigation of a historical case leads to a new viewpoint](#), *Br J Sports Med* 2012;46:614-617.

Week 6: 02-18-14 In-Class Group Project Day

Week 7: 02-25-14 Group Project Presentations (1st half of class)

Doping in Sport 1 – Problem Definition 2 (2nd half of class)

Yesalis, C. E. and M. S. Bahrke, 2002. History of Doping in Sport, *International Sports Studies*, **24**:42-76.

Glibert, B. 1969. Problems in a Turned-on World, *Sports Illustrated*, June 23.

Gilbert, B. 1969. Something Extra on the Ball, *Sports Illustrated*, June 30.

B. Gilbert, 1969. High Time to Make Some Rules, *Sports Illustrated*, July 7.

Loland, S. 2012. The Ethics of Performance-Enhancing Technology in Sport, *Journal of the Philosophy of Sport* **36**:152-161.

Week 8: 03-04-14 Doping in Sport 2 – Decision Process

David, P. 2013. Overview of the Code and the World Anti-Doping Program, Chapter 2 pp. 52-77 in **A Guide to the World Anti-Doping Code: The Fight for the Spirit of Sport** (Cambridge University Press).

Houlihan, B. Civil rights, doping control and the World Anti-doping Code, *Sport in Society: Cultures, Commerce, Media, Politics* **7**:420-437.

Houlihan, B. 2001. The World Anti-Doping Agency: Prospects for Success, Chapter 9 pp. 125-145 in **Drugs and Doping in Sport: Socio-Legal Perspectives** (J. O'Leary editor), (Cavendish, London).

Morgan, W. J. 2006. Fair is Fair, Or Is It?: A Moral Consideration of the Doping Wars in American Sport, *Sport in Society: Cultures, Commerce, Media, Politics*, **9**:177-198, To link to this article: <http://dx.doi.org/10.1080/17430430500491256>

Straubel, M. 2008. The International Convention Against Doping in Sport: Is It the Missing Link to USADA Being a State Actor and WADC Coverage of U.S. Pro Athletes? *Marquette Sports Law Review* **19**:63-89. Available at: <http://scholarship.law.marquette.edu/sportslaw/vol19/iss1/5>

Week 9: 03-11-14 Sport as a Laboratory 1 – Can We Predict the Future?

Individual assignment TBA

Case study: Olympic Medals Prediction: Is Valued Added?

Johnson, D. K. and A. Ali, 2004. A Tale of Two Seasons: Participation and Medal Counts at the Summer and Winter Olympic Games, *Social Science Quarterly*, **4**:974-993.

Brean, J. 2012. Professor has a surprisingly accurate formula for prediction Olympic medal results, *Financial Post*, March 13.

<http://news.nationalpost.com/2012/03/13/professor-has-a-surprisingly-accurate-formula-for-predicting-olympic-medal-results/>

Pielke, Jr., R. 2012. Accuracy and skill in predicting sporting outcomes, *The Least Thing*, March 15. <http://leastthing.blogspot.com/2012/03/accuracy-and-skill-in-predicting.html>

Pielke, Jr., R. 2012. Skill in prediction: Olympic medals edition, *The Least Thing*, July 30. <http://leastthing.blogspot.com/2012/07/skill-in-prediction-olympic-medals.html>

Theory and context

Stekler, H. O. D. Sendor and R. Verlander, 2010. Issues in sports forecasting, *International Journal of Forecasting*, **26**: 606-621.

Pielke, Jr. R. A. 2009. United States hurricane landfalls and damages: Can one- to five-year predictions beat climatology? *Environmental Hazards* **8**:187-200.

Optional for a deep dive: M. Mauboussin, 2012. [The Success Equation: Untangling Skill and Luck in Business, Sports, and Investing**](#), Harvard University Press.

Week 10: 03-18-14 In-Class Mid-Term Exam

Week 11: 03-24-14 NO CLASS Spring Break

Week 12: 04-01-14 Sport and Sexism

To watch: Venus VS. ESPN IX for IX

Anderson, P. M. 2012. Title IX at Forty: An Introduction and Historical Review of Forty Legal Developments that Shaped Gender Equity Law, *Marquette Sports Law Review*, **22**:325-393. Available at: <http://scholarship.law.marquette.edu/sportslaw/vol22/iss2/2>

Guy, M. E. 2013. Inch by Inch: Gender Equity Since the Civil Rights Act of 1964. APSA 2013 Annual Meeting Paper. Available at SSRN: <http://ssrn.com/abstract=2300429>

Week 13: 04-08-14 Sport as a Laboratory 2 – How We Make Decisions

Pope, D. G. and M. E. Schweitz, 2011. Is Tiger Woods Loss Averse? Persistent Bias in the Face of Experience, Competition, and High Stakes, *American Economic Review* **101**:129-157.

Parsons, C. A., J. Sulaeman, M. C. Yates, and D. S. Hamermesh, 2011. Strike Three: Discrimination, Incentives, and Evaluation, *American Economic Review* **101**:1410-1435.

Pope, D., J. Price and J. Wolfers, 2013. Awareness Reduces Racial Bias, preliminary draft: http://www.iza.org/conference_files/ETHN2011/price_j3639.pdf

Massey, C. and Thaler, R. H., 2012. The Loser's Curse: Decision Making & Market Efficiency in the National Football League Draft (September 4, 2012). Available at SSRN: <http://ssrn.com/abstract=697121> or <http://dx.doi.org/10.2139/ssrn.697121>

**Optional for a deep dive: M. Mauboussin, 2012. [The Success Equation: Untangling Skill and Luck in Business, Sports, and Investing](#), Harvard University Press.

Week 14: 04-15-14 NCAA 1

Smith, R. K. 2001. A Brief History of the National Collegiate Athletic Association's Role in Regulating Intercollegiate Athletics, *Marquette Sports Law Review*, **11**:9-22.

McCormick, R. A. and A. C. McCormick, 2006. The Myth of the Student-Athlete: The College Athlete as Employee, *Washington Law Review*, **81**:71-157.

Week 15: 04-22-14 NCAA 2

Branch, T. 2011. The Shame of College Sports, *The Atlantic*, October. http://www.theatlantic.com/magazine/archive/2011/10/the-shame-of-college-sports/308643/?single_page=true

Davis, S. 2011. Should college athletes be paid? Why, they already are, ESPN Hoop Thoughts, September 21. http://sportsillustrated.cnn.com/2011/writers/seth_davis/09/21/Branch.rebuttal/index.html

Moody's, 2013. Eye on the Ball: Big-Time Sports Pose Growing Risks for Universities, Moody's Investors Services, 10 October. http://www.insidehighered.com/sites/default/server_files/files/Sports%20Pose%20Growing%20ORisk%20for%20Universities.pdf

Dennie, C. 2012. Changing the Game: The Litigation That May Be the Catalyst for Change in Intercollegiate Athletics. *Syracuse Law Review* 62:15-53.

Week 16: 04-29-14 Course Wrap Up

FINAL EXAM: 05-03-14 1:30-4:00 PM