

Journal of Issues in ***Intercollegiate Athletics***

Equal Play: Title IX and Social Change

By Nancy Hogshead-Makar and Andrew Zimbalist. Published 2007 by Temple University Press, Philadelphia, PA

Reviewed by

Dr. Ellen J. Staurowsky,

Professor and Chair Graduate Program, Sport Management and Media, Ithaca College

Each semester, I teach a course called Gender Issues in Sport which is a requirement for all sport management and sport media majors at Ithaca College. Upon learning the course included a unit on Title IX of the Education Amendments of 1972, a student early in the spring, 2007 semester asked if an opportunity would be made available for students to express their opinions about what they thought of Title IX. In response, I explained we would first learn what Title IX was and what the requirements were under Title IX, and then the floor would be opened for students to voice their opinions. Before exiting our discussion, however, I shared with the class an observation from the distinguished politician and sociologist, Daniel Patrick Moynihan who said, "Everyone is entitled to his own opinion, but not his own facts."

Within a few days, while watching an ABC video from a few years ago on girls wrestling boys, a video in which broadcaster John Stassel wrongly reported that Title IX required that girls be permitted to wrestle on boys' teams, I paused the tape, turned to the class, and said, "Everyone is entitled to their own opinion, not to their own facts" and that, in point of fact, Title IX did not require this due to something called the "contact sports exception."¹ We then

¹ Video on file with author.

explored how, if the tape had not been stopped and information shared, most of the students viewing the tape would have been left with a false impression about Title IX's requirements.²

One of the challenges of learning about Title IX, whether you are a student aspiring to run a college or high school athletic program upon graduation, a lawyer seeking to represent the interests of a client, an athlete exploring avenues to better understand your rights, a journalist writing about the subject, or an average citizen trying to make informed decisions, is discerning how best to evaluate the information available on any given subject in a media age. As is the case with other subjects, there is a fair amount of misinformation and disinformation in the public domain about Title IX that affects the quality of our collective discourse.

For those seeking a ready reference that provides reliable information about Title IX, *Equal Play: Title IX and Social Change* (hereafter referred to as *Equal Play*) should be a book of choice. The book itself reflects the significant credentials of its editors, Nancy Hogshead-Makar, an accomplished Olympic athlete and leading expert in the area of Title IX and its impact on girls and women's sport and Andrew Zimbalist, an economist whose work in the area of college sport is widely recognized for its quality and insight.

According to Hogshead-Makar and Zimbalist (2007), the mission behind their collaborative effort was to "...explore the governmental processes that form and continue to shape all public policy, including Title IX" (p. 2). Recognizing that social change does not take place simply by the passage of laws but must be played out in ongoing attempts to respond to those laws and to live up to the values behind them, the editors seek to equip readers with a thorough grounding to understand the intersections between public policy, legislation, and provisions for equitable treatment within the nation's schools and school-based athletic departments.

A particular strength of this collection is its strategic reliance on primary source materials, government documents, scholarly analyses, and contemporary writings to tell the story of Title IX's impact on women's sport and American society overall. Organized into five parts roughly paralleling the time period before the passage of Title IX and then the subsequent four decades following, each part is preceded by an introduction that identifies the overarching issues and considerations that arose during each of these timeframe. The book begins with a historical overview of women's sports prior to Title IX, critical for creating an appreciation among present day readers about societal attitudes and beliefs that offered few encouragements for women to participate in sport.

With women's sport history as a backdrop, the second section of the book provides insight as to the consciousness raising that occurred in recognizing that women in the 1970s were still being treated as second class citizens in many areas around the country, most specifically in

² Some argue that the contact sports exception has outlasted its usefulness in terms of providing appropriate guidance to school administrators in their attempts to run equitable and fair athletic programs. Discussions on this topic can be found in Acosta and Carpenter (2006); Blake (2007); and McDonagh & Pappano (2008).

the country's classrooms. Importantly, the inclusion in this section of Senator Birch Bayh's speech to the New York Women's Political Caucus in 1975, offers a powerful testament to the challenges presented in obtaining commitments to enforce civil rights law. Noting that "the history of all movements for social progress in the United States is not a narrative of uninterrupted success," he went on to detail the lack of governmental commitment to oversight and enforcement of not just Title IX but an array of civil rights laws. He closed with the stirring words, "The struggle for the equality of women in America is not a hobby or a fad which can be used for political aggrandizement; it is not a political ruse; it is not a spasm of sympathy which lasts only one moment....It lies in the heart as a vital principle" (p. 58).

Despite Senator Bayh's eloquence regarding the moral directive behind Title IX, the three and a half decades following passage have been marked with progress and also setbacks. As a consequence, Part II through Part V present a picture of social change that has occurred sometimes gracefully, sometimes in a pattern of fits and starts, with reversals and setbacks along the way. When read as a whole, the book serves as a reminder that the rights of citizens should never be taken for granted and the process of living up to the democratic ideals of equality and fairness are not easily achieved. Just as Title IX was contested in 1972 at the time of its passage, so too is it contested today.

For those considering this book for course adoption either as a required text or supplemental reading, careful consideration should be given to how the book might be used. For example, materials in the book provide ample opportunity to structure debates and student reaction papers. As a case in point, one of the most effective parts of the book is found in the juxtaposition of an excerpt from Jessica Gavora's (2002) *Tilting the Playing Field: Schools, Sports, Sex, and Title IX* with Hogshead-Makar's (2003) critique of the book. This pairing provides an interesting and useful vehicle to prepare students to sort through the myths surrounding Title IX.

Although extensive in its coverage of Title IX and its relationship to school sponsored sport, the book focuses primarily on issues associated with participation at the college and university level. Thus, for those wishing to examine the array of issues that fall under Title IX (i.e., coach retaliation, sexual harassment, high school sports) other resources will be required.

References

- Acosta, V., & Carpenter, L. (2004). *Title IX*. Champaign, IL: Human Kinetics.
- Furman, B. (2007). Gender equality in high school sports: Why there is a contact sports exception, eliminating it and a proposal for the future. 17 *Fordham Intell. Prop. Media & Ent. L.J.* 1169.
- McDonagh, E. & Pappano, L. (2008). *Playing with the boys: Why separate is not equal*. New York: Oxford University Press.