

Time for a Change: Why Rule Based Ethics Are Problematic for Sport Managers

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Throughout the NCAA's history there have been several ethical dilemmas where the organization had to enforce rules that some deemed unfair. A prime example occurred in 2004 when an NCAA football player challenged the National football League's (NFL) draft policy by declaring early for the draft. At the time, the NFL draft policy stated that players must be at least three years removed from high school before they could declare for the draft. Nonetheless, when the NFL draft policy was challenged in court, the player won the case and was allowed to enter the draft (Rovell, 2004). Moreover, another underclassman chose to declare for the draft after the verdict. Even so, the NFL quickly began gathering their resources to appeal the court's decision. In addition, Whiteside and Wieberg (2004) stated that the NCAA filed a brief at the time in support of the NFL, urging the court not to allow younger players into the draft. Eventually, in a higher court, the NFL won their appeal and the previous ruling was overturned. When the NFL won their appeal, the second player who had entered the draft after the initial court's decision, chose to try and reenter the NCAA. Though the NCAA did not have an issue with the player declaring for the draft, they did have an issue with the player's decision to hire an agent. NCAA rule 12.1.1 (NCAA Regulation, 2008), states an individual loses amateur status and thus shall not be eligible for intercollegiate competition in a particular sport if the individual enters into an agreement with an agent. Though this player had signed with an agent, he ended this relationship once the NFL won their appeal and even repaid the agent for the services he had been provided. Nonetheless, the NCAA still rejected his appeal to return to college football since he had signed with an agent. In ethical terms, this obscure case was decided by rule deontological reasoning. William Frankena (1973) states that rule deontology insists that rules are valid independently of whether or not they promote the greater good: the rule is the rule. For instance, rule deontology contends that the rules are basic, and are not derived by induction from particular cases. Ross (1930) uses promise keeping as an example to explain rule deontology. We believe it is our duty to keep promises, however, by doing so, it may not produce the best possible consequences. With a rule deontology approach, we would keep the promise regardless of the positive or negative outcome. That is, promise-keeping is right because it is promise keeping, and a rule is a rule.

Stoll (2008) suggests that the philosophy of rule deontology often causes conflict within organizations. Frankena (1973) uses Plato's Dialogue as an example of how individuals should examine rules. Plato stated that for rules to be followed, individuals need to value the rules, understand the rules, and live by the rules. However, the NCAA's decisions in the NFL draft policy case have led to several individuals questioning the NCAA's approach in governance. This session will discuss how a mixed deontological ethics' approach is a more practical method for the NCAA and other sport management organizations. This approach is similar to the current deontological rule method, but it permits governing bodies to be more flexible with rules and standards in dealing with situations like the NFL draft policy example. The current rule deontology philosophy utilized by the NCAA and other organizations generally leads to ethical dilemmas being resolved in court. When this occurs, ethics become legalized and become classified in yes or no terms. However, ethics generally concerns a what if area, which is what transpired in the NFL draft policy example above.

With a mixed deontological ethics approach, situations such as the NFL draft policy case would allow the NCAA to be more flexible in their examination process. Rudd and Mondello (2006) and Rudd (2007) argued that few sport managers have studied a conceptual approach to ethics or as theory to application. Rather, if they studied ethics, it was generally by case study or rule based ethics. This presentation will concern the importance of mixed deontological ethics education and how it can impact sport management organizations and the NCAA. More importantly, this session will 1) emphasize the importance of a conceptual ethics' education, 2) examine current sport management education practices relating to ethics, 3) and offer suggestions for improving the current ethics education philosophy in sport management programs.