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# "Cause I'm Young and I'm Black and My Hat's Real Low": Race, Hip-Hop, and Transformations in the NBA During the Late 1990s and Early 2000s

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**“‘CAUSE I’M YOUNG AND I’M BLACK AND MY HAT’S REAL LOW”: RACE, HIP-  
HOP, AND TRANSFORMATIONS IN THE NBA DURING THE LATE 1990s AND  
EARLY 2000s**

A Thesis

Presented to

The Academic Faculty

By

Christine DeBord

In Partial Fulfillment

Of the Requirements for the Degree

Master of Arts in American Studies

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## Literature Review

It could be stated without hyperbole that professional sports have become an area of fascination and utter obsession within American society. In the United States today, the Super Bowl is annually the highest-rated television program, athletes serve as cultural icons, and professional sports leagues are billion dollar, global industries. The combination of business, media, and cultural fascination, has made professional sports an important social institution in the U.S. Throughout history, the institution of sport has played a vital role in maintaining and deconstructing social norms, especially those regarding race. From the time of segregation to the current era of “new racism,” racial tensions have been deeply embedded in the industry of professional sport. When Jackie Robinson became the first black man to play Major League Baseball, the color line was clearly visible and highly contested. Yet, the end of segregation in professional sports has certainly not erased the color line entirely. Despite societal claims in the U.S. of not being able to “see race,” or being a “color-blind” society, the color line remains very much intact, and professional sport is no exception.<sup>1</sup>

One of the most prevailing myths regarding sports in the U.S.—a myth that current scholarly work seeks to challenge—is the notion that high levels of black participation in sport has led to racial transcendence. The idea that sports do not transcend race is perhaps the most obvious and recurring theme in academic work surrounding sports today. Despite its obviousness, the idea that sports in general—and athletes in particular—do not transcend race is a foundation concept in light of the constant media and public attention given it. Since 2013, countless examples of racism both from and geared towards professional athletes has received

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<sup>1</sup> David R. Roediger, “Hertz, Don’t It?” In *Colored White: Transcending the Racial Past*, 68–93. University of California Press, 2002.

copious media attention. Clippers owner Donald Sterling, Eagles receiver Riley Cooper, and Dolphins lineman Richie Incognito were all “caught on tape” making derogatory comments aimed at African Americans. Pejorative racial terms are still such an overwhelming concern in professional athletics that the National Football League (NFL) is considering placing a ban on the use of the “n” word. Despite these recurring instances of racism in professional sports, the National Basketball Association (NBA) and the NFL are consistently praised by the media and society for the racial and ethnic diversity of their players, and recurring racism within these organizations are portrayed by the media and viewed by society as “isolated incidents.” It is clear that the large number of black athletes in the NBA and NFL is not equivalent to racial transcendence.

In their comprehensive and well-written work *Commodified and Criminalized: New Racism and African Americans in Contemporary Sports*, Richard C. King and David J. Leonard take issue with the notion that sport has risen above racial issues. King and Leonard suggest:

At its core, *Commodified and Criminalized* challenges claims of racial transcendence within sporting culture, demonstrating the ways in which race infects the textual/representational utterances, the context of fan reception, media culture, and the larger social, cultural, and economic landscape.<sup>2</sup>

*Commodified and Criminalized* shows that despite the high salaries, public visibility, and iconic status that many black athletes have achieved blackness in sports is still pathologized and criminalized within public discourse. Using this frame, *Commodified and Criminalized* examines the simultaneous process of *marketing* athletes as living embodiments of the “American dream,” while still *marking* them as racially other, and therefore deviant.<sup>3</sup> The

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<sup>2</sup> David J. Leonard and C. Richard King, “Celebrities, Commodities, and Criminals: African American Athletes and the Racial Politics of Culture,” in *Commodified and Criminalized: New Racism and African Americans in Contemporary Sports* (Lanham, MD: Rowman & Littlefield Publishers, 2011), 4.

<sup>3</sup> Leonard and King, *Commodified and Criminalized*, 9.

authors support this claim by examining the public and media treatment of an array of contemporary athletes in various professional sports. Highly visible athletes like Tiger Woods, LeBron James, Kobe Bryant, the Williams sisters, Sheryl Swoops, and Allen Iverson are analyzed by King and Leonard to highlight the fact that the commercial success and popularity of these athletes has certainly not allowed them to transcend race. Further, the authors contend that the conditional societal acceptance of black stars like Michael Jordan and Oprah Winfrey has served to further reinforce racial transcendence in American society today—a notion the text seeks to dispel.

One way *Commodified and Criminalized* seeks to dispel the notion of racial transcendence in sports is by analyzing magazines featuring athletes like LeBron James. In 2008, James became the first black man ever to grace the cover of *Vogue*. Rather than being a landmark moment, the magazine cover created a sizeable controversy as James was depicted with a “hulking, raging visage, grabbing onto the lithe, smiling, and *white* figure of supermodel Gisele Bündchen, á la King Kong clutching Fay Wray.”<sup>4</sup> Speaking to the controversy of the image, the authors suggest:

Considering the long history in the United States of black men being depicted as apelike and animalistic, not to mention violent and a threat to white women in service to everything from selling household products to electing presidents to creating support for war strategies and unfair, dehumanizing laws, the criticism for the twenty-first century *Vogue* cover came as no surprise. And considering the equally long history in the United States of (white) Americans denying the significance of race to the fabric of the nation “by any means necessary”—the latest means being the rampant reliance on color-blind racism—the vehement counter critiques came as no surprise either.<sup>5</sup>

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<sup>4</sup> Ibid 122.

<sup>5</sup> Leonard and King, *Commodified and Criminalized*, 122.

Thus, marketing LeBron James as ape-like is but one example that evidences the lack of racial transcendence in sports today.

While *Commodified and Criminalized* focuses on the lack of racial transcendence of black athletes, Kenneth L. Shropshire's *In Black and White: Race and Sport in America* focuses on the lack of off-the-field positions available for African Americans in professional and college sports. Shropshire contends that the large number of former black athletes in both the college and professional arena has created a sizeable pool of highly qualified African American candidates for non-playing positions in athletics; however, black men and women continue to be overlooked for coaching, broadcast, and front office positions in sports. *In Black and White* provides an in-depth analysis of how race influences hiring for various positions in the sports industry, including: the lack of black ownership in modern sports leagues, affirmative action policies in sports, the shortage of black management and coaches, the absence of black sports agents, and the set of particular racial issues that exist at the university level. Through this analysis, Shropshire challenges claims of racial transcendence in sport, and suggests that "race is still, and will be some time to come, a major factor in the decision making process for off the field positions in professional and college sports."<sup>6</sup>

While both texts find that issues of race continue to plague sports in the U.S., *In Black and White* suggests—despite all the evidence to the contrary—that black athletes have transcended race, and that it is only after black athletes finish their on-the-field careers that racism in sport is an issue. While Shropshire's text offers an important look into the obstacles currently facing African Americans in the industry of sport, the repeated suggestion that athletes

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<sup>6</sup> Kenneth L. Shropshire, *In Black and White : Race and Sports in America* (New York: New York University Press, 1996): xv.

are somehow above race is a flaw of the text. *In Black and White* claims that “although some argue that the one the field percentages are an indicator of equality, equal achievement has not occurred in terms of success at the highest levels.”<sup>7</sup> Further, the text contends that “the sports success story, however, has not yet progressed much beyond playing the game.”<sup>8</sup> While Shropshire does argue that high levels of black participation in sport do not equal racial transcendence, he only suggests that applies to non-playing positions in the industry. Speaking to this, in the preface to *In Black and White*, former San Diego Chargers tight end Kellen Winslow states:

The truth of the matter was and is simply this: I am an African American male who had a special talent to play sports, in my case football. As long as I was on the field of play I was treated and viewed differently than most African American men in the country. Because of my physical abilities, society accepted and even catered to me. Race was not an issue. Then reality came calling. After a nine year career in the National Football League filled with honors and praises, I stepped into the real world and realized, in the words of Muhammad Ali, that I was “just another nigger.”<sup>9</sup>

Unlike *In Black and White*, David R. Roediger’s *Colored White: Transcending the Racial Past* argues that race was a factor in the treatment of former NFL star O.J. Simpson, even during the height of his popularity and seeming acceptance by the public. Roediger dedicates an entire chapter of *Colored White* to the lack of “colorblindness” in the marketing of O.J. Simpson, using Simpson’s highly public murder trial as evidence that the color line was always present in the public’s perception of the football star. Despite Simpson’s claims that he was able to “transcend race,” Roediger’s analysis shows that white society viewed Simpson’s race by “looking, overlooking, and then looking again.”<sup>10</sup> *Colored White* suggests that for many African American

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<sup>7</sup> Shropshire, *In Black and White*, 4.

<sup>8</sup> Ibid 9.

<sup>9</sup> Kellen Winslow, quoted in *In Black and White*, xi.

<sup>10</sup> David R. Roediger, “Hertz, Don’t It?” in *Colored White: Transcending the Racial Past*, (University of California Press, 2002): 68-93.

athletes, their conditional inclusion in white society results from the largely white audience's ability to identify with their "manliness." This conditional acceptance into white society is negated when athletes—like O.J. Simpson—fall from grace by *violating the trust the public placed in them*. This idea differs slightly from *Commodified and Criminalized* in that Leonard and King see the vilifying and criminalizing of blackness in sports regardless of player indiscretions.

Also concerned with the lack of racial transcendence in sports, in *Fame to Infamy: Race, Sport, and the Fall from Grace*, Joel Nathan Rosen and David C. Ogden examine the role of 'race' in the cases of athletes that have committed transgressions of some kind. In this edited collection of essays, the authors examine a number of former professional athletes that have 'fallen from grace,' and the extent to which race played a role in their falls. Ogden and Rosen state:

This volume takes up the notion of shifting reputations not only from the perspective of the sport-race conundrum but also from the paths of men who began their careers as lauded figures but who subsequently plunged into public disrepute, with the question of color in the American consciousness at the base of this journey.<sup>11</sup>

*Fame to Infamy* finds that black athletes 'fall from grace' through an unfortunate turn of phrase (Wilt Chamberlin), a supposition (Barry Bonds and Sammy Sosa), "or a transgression that garners the public's eye while taking over its imagination" (Kirby Puckett and O.J. Simpson).<sup>12</sup> According to Rosen and Ogden, Chamberlin's self-proclaimed sexual prowess and Puckett's arrest for domestic violence and accusations of sexual assault exacerbated their respective falls as lingering questions about black male sexuality filled the imaginations of white society.

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<sup>11</sup> Joel Nathan Rosen and David C. Ogden, "Thoughts on Fame and Infamy" in *Fame to Infamy: Race, Sport, and the Fall from Grace* (Jackson: University Press of Mississippi, 2010), 7.

<sup>12</sup> Rosen and Ogden, *Fame to Infamy*, 5.

Similarly, in their discussion of black male sexuality—centered on Tiger Woods’ fall from grace—Leonard and King suggest:

We would argue that part of the fascination with Tiger and the recent scandals surrounding it has been more than his intense celebrity. In part, it derives from how the white racial frame casts interracial sexuality and seizes on black masculinity both as a specter of terror and a space of fantasy.<sup>13</sup>

Like Roediger, Rosen and Ogden center their discussion of race and infamy on O.J. Simpson’s highly public murder trial. However, unlike Roediger, *Fame to Infamy* does not contend that race was a factor in Simpson’s seeming racial transcendence prior to falling from grace. In fact, Rosen and Ogden state:

Once a symbol of raceless acceptance (some might say acquiescence), he [Simpson] was quickly reconnected to his past gang affiliation, his youthful indiscretions in his native San Francisco, and the mass of secrets strategically hidden from view regarding his first marriage and his subsequent marriage to the woman he allegedly nearly decapitated in a fit of rage. In a word, this wholly American icon was racialized in such a way as to suggest that the darkening of O.J. Simpson was not the tale of a wayward celebrity sucked into the vagaries of fame but rather the logical outcome of a man who crossed a barrier for which he (and perhaps even we) were never fully prepared to cross.<sup>14</sup>

Where Roediger argues that Simpson never really transcended race, Rosen and Ogden suggest that he was able to cross the racial barrier, only to be racialized upon committing a transgression. While their arguments regarding the ‘fall from grace’ narrative may differ, both *Colored White* and *Fame to Infamy* suggest that such a narrative indicates a lack of racial transcendence in sports today.

Another related myth regarding race in sport, is that professional athletics presents an opportunity for impoverished, black youth to realize the “American Dream.” The “rags to riches” narrative regarding young black athletes is regularly reiterated by sports media, and has

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<sup>13</sup> Leonard and King, *Commodified and Criminalized*, 252.

<sup>14</sup> Rosen and Ogden, *Fame to Infamy*, 5.

been the subject of countless sports documentaries. Repeatedly retelling the story of impoverished black athletes that rise from humble beginnings to become sports stars positions these athletes as the beneficiaries of the “American Dream.” Further, Leonard and King note that commodification plays a role in the American Dream narrative, and claim that:

The commodification of black athletes is not simply about generating profit, but it also functions as an ideological and discursive commodity used to sell the American Dream and color blindness in post-civil rights America.<sup>15</sup>

While *Commodified and Criminalized* contends that the race of professional athletes is used to sell both the American Dream and racial equality to society, other work focuses on debunking the notion that sport is a means for young, inter-city athletes to “escape” poverty. In his critically acclaimed 1994 documentary *Hoop Dreams*, director Steve James brings issues of social disparity and race to center stage as he follows the lives of two young African-American basketball players from inter-city Chicago—William Gates and Arthur Agee.<sup>16</sup> James’ now famous documentary deconstructs the “American Dream” narrative, and shows the lengths so many young inter-city children go to in the hopes of escaping poverty through basketball. Both *Hoops Dreams* and *Commodified and Criminalized* show that this type of “rags to riches” narrative overlooks the seemingly insurmountable odds facing most young African Americans living in poverty. In *Hoop Dreams*, the role of drugs, crime, and poverty are pressing concerns in the lives of both players, and Arthur’s mother Sheila Agee says:

It’s just a real hard area to live in period. As far as raising kids, kids don’t even have a playground, a play area, or anything constructive to do in the neighborhood. You see why half of them become gangbangers, because there’s nothing constructive in the neighborhood for them.<sup>17</sup>

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<sup>15</sup> Leonard and King, *Commodified and Criminalized*, 9.

<sup>16</sup> *Hoop Dreams*. Directed by Steve James. New York, NY: Fine Line Features, 1994.

<sup>17</sup> Sheila Agee, quoted in *Hoop Dreams*.

This quote echoes the general sentiment of Gates and Agee who feel without basketball they have relatively few options for social and economic growth in their community.

In *Black Men Can't Shoot*, author Scott Brooks also focuses on the ways in which basketball is viewed as the gateway to the American Dream for inter-city, black youth. Like *Hoop Dreams*, *Black Men Can't Shoot* is an ethnographic study following the lives of two adolescent black basketball players—Ray and Jermaine.<sup>18</sup> Departing from the *Hoop Dreams* narrative—which focuses on the socioeconomic struggles of inter-city black youth on a micro level—Brooks is instead concerned with “the process some black athletes engage in to become a *known* player.”<sup>19</sup> While this approach certainly grants more agency to its subjects, it does not fully account for the ways in which the American Dream narrative is harmful both to the young athletes directly and to larger society in an indirect, ideological fashion; or—as *Commodified and Criminalized* suggests—the American Dream narrative “takes racism off the hook by implying that hard work in the realm of sports is all one needs to escape the ghetto.”<sup>20</sup>

In addition to the lack of racial transcendence in sport and the American Dream narrative, the notion of black criminality in sport has received considerable scholarly attention. This scholarly work directly challenges the countless media reports and numerous texts that perpetuate the idea of black criminality. While it is certainly true that athletes of a number of different racial and ethnic backgrounds have been found guilty of numerous crimes, a persistent link between blackness and crime in sport has been forged and remains intact today. In

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<sup>18</sup> Scott Brooks, *Black Men Can't Shoot* (Chicago: University of Chicago Press, 2009).

<sup>19</sup> Brooks, *Black Men Can't Shoot*, xi.

<sup>20</sup> Leonard and King, *Commodified and Criminalized*, 74.

*Condemnation of Blackness: Race, Crime, and the Making of Urban American*, Khalil Gibran

Muhammad suggests:

The link between race and crime is as enduring and influential in the twenty-first century as it has been in the past. Violent crime rates in the nation's biggest cities are generally understood as a reflection of the presence and behavior of the black men, women, and children who live there.<sup>21</sup>

Seeing the link between race and crime as a deeply embedded historical issue, Muhammad claims that “black criminality [became] the most significant and durable signifier of black inferiority in white people’s minds since the dawn of Jim Crow.”<sup>22</sup> As such, the criminalization and vilification of black athletes in sport today remains an important and unresolved issue. Further, when non-white athletes commit crimes or transgressions, the attention and scrutiny given them is far less severe than their black counterparts. According to Muhammad the problem of “racial criminalization” is certainly not a new phenomenon, and historically crime has been stigmatized as “black,” and crime among whites is masked as individual failure.<sup>23</sup>

Similarly, King and Leonard find that while black sports stars are commodified, they are also continually used to invoke fear, and any inequality these players face is seen—in the era of “new racism”—as the result of individual poor choices on the part of athletes.<sup>24</sup> *Commodified and Criminalized* contends that black sports stars are simultaneously constructed as fashionable (desirable and cool) and suspect (dangerous).<sup>25</sup> Thus, black athletes—despite whether or not they have committed a crime—are easily connected to criminality in the minds of white audiences that have historically associated blackness with criminality, danger, and deviance.

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<sup>21</sup> Khalil Gibran Muhammad, *Condemnation of Blackness: Race, Crime, and the Making of Urban America* (Cambridge: Harvard University Press, 2010): location 56. Kindle Edition.

<sup>22</sup> Muhammad, *Condemnation of Blackness*, location 112.

<sup>23</sup> Ibid location 98.

<sup>24</sup> Leonard and King, *Commodified and Criminalized*, 8-9.

<sup>25</sup> Ibid 10.

Also interested in the relationship between black athletes and criminality, *Under the Boards: The Cultural Revolution in Basketball* traces the transformation of the NBA over the past three decades. Author Jeffery Lane is less concerned with the ways in which blackness is marketed in the NBA than he is with the way the NBA, and its fans, has responded and managed the incontrovertible blackness of players over time. Lane compares the treatment of black athletes—most notably Latrell Sprewell, Allen Iverson, and Ron Artest—to that of white superstar, Larry Bird. While the league officially sanctioned and unofficially snubbed several black players for their appearance, dress, and demeanor, Larry Bird was supported and praised by both the NBA and its fans. Lane suggests that “whiteness is synonymous with the forces of good—hard work, tradition, sound fundamentals, morality,”<sup>26</sup> while blackness in the NBA is associated with hip hop culture and crime.<sup>27</sup> In his lengthy discussion of Allen Iverson, Lane states:

Precisely because many people reflexively associate both hip-hop fashion and Allen Iverson with unlawfulness, the National Basketball Association (NBA) no longer permits its players to dress in the way described above [hip-hop attire].<sup>28</sup>

While Lane suggests that sports audiences reflexively associate both hip-hop culture and black NBA players with criminality, he also contends that white nostalgia plays a role in the criminalization and vilification of black athletes in the NBA. This white nostalgia in sport in general—and basketball in particular—was forged as black participation grew, and white participation began to dwindle. When white Celtics’ star Larry Bird entered the NBA in 1979, the league was 70 percent black, and Lane contends that white fans flocked to Bird as a result of

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<sup>26</sup> Jeffery Lane, *Under the Boards: The Cultural Revolution in Basketball* (Lincoln: University of Nebraska Press, 2007), 115.

<sup>27</sup> Lane, *Under the Boards*, xi.

<sup>28</sup> *Ibid* xii.

white nostalgia.<sup>29</sup> *Under the Boards* suggests that this white nostalgia is destructive as it “posits whiteness as the antidote to blackness.”<sup>30</sup> Lane continues saying:

Fans and sportswriters often portray white athletes as sport’s saviors—those capable of recouping its purity and original purpose, which have been corrupted by the hot-dogging swagger, reckless behavior, and iconoclasm of black athletes like Charles Barkley and Allen Iverson.<sup>31</sup>

While Lane highlights how blackness is linked to criminality in the minds of the media and viewing public, other works focus on how black athletes are treated by the government and the criminal justice system. These works seek to deconstruct the notion of black criminality via case studies. In the film, *No Crossover: The Trial of Allen Iverson*, director Steve James explores the 1993 trial of Virginia high school basketball star, Allen Iverson. Like Iverson, James is also a native of Hampton, Virginia, and he seeks to further explore the case that divided the city along racial lines. The incident that led to the arrest of Iverson occurred at a local bowling alley on February 14, 1993. Iverson was with a group of black friends who got into a fight with a group of young, white patrons at the bowling alley.<sup>32</sup> Iverson and his group of friends claimed the brawl began when one of the white patrons used a racial epithet, while the white patrons claimed they were provoked by Allen Iverson. The only non-contested point was that the fight was racially motivated. Despite the disagreement over what caused the fight, the only participants arrested were Iverson and three of his friends. According to James:

I believe they wanted to do more than hold him [Iverson] accountable. They tried him as an adult for a felony, and made sure he got prison time. It’s hard for me to believe that a white athlete of his stature would be sentenced to five years, with 15 years probation.<sup>33</sup>

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<sup>29</sup> Ibid 114.

<sup>30</sup> Ibid 115.

<sup>31</sup> Ibid 115-116.

<sup>32</sup> *No Crossover: The Trial of Allen Iverson*. Directed by Steve James. Chicago, IL: Kartemquin Films, 2010.

<sup>33</sup> *No Crossover*.

For James, Iverson's race was the primary factor in his arrest, trial, and sentencing.

In *Unforgivable Blackness: The Rise and Fall of Jack Johnson*, author Geoffrey C. Ward also contends that race was the primary factor in the arrest, trial, and conviction of turn-of-the-century heavyweight boxer, Jack Johnson. In 1908 Jack Johnson made history when he became the first recognized black heavyweight champion of the world, one of the highest and most coveted prizes in sports. Despite achieving this landmark success, Johnson's life, both in and out of the ring, received public scrutiny and loathing. Thousands of newspaper articles and headlines using a vast array of pejorative terms and racialized caricatures depicted Johnson as a heathen champion and a threat to predominantly white society. As the most famous and recognizable black man in the United States during this era, newspaper reporters endlessly ridiculed and scorned Jack Johnson.<sup>34</sup> Immediately following Johnson's 1908 victory over Tommy Burns for the heavyweight title, newspaper headlines called Johnson everything from "unsuitably cocky" to a "threat to all white men everywhere."<sup>35</sup> According to Ward, fans and casual observers did not wish to see a black man as the prominent figure in any arena of American life, and from that point forward every opponent Johnson faced was coined "The Great White Hope."<sup>36</sup> When Johnson successfully defended his heavyweight title against Jim Jeffries in 1910, white society realized they would need a venue outside of the boxing ring to bring down the black champion. Against a backdrop of rising "new" immigration, black migration, and "white slavery," Jack Johnson's repeated romantic involvement with white women made him an easy target for arrest under the newly passed Mann Act. The Mann Act or the White Slave Trade Act of 1910 banned

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<sup>34</sup> Geoffrey C. Ward, *Unforgivable Blackness: The Rise and Fall of Jack Johnson* (New York: Vintage Books, 2006), Kindle edition.

<sup>35</sup> Geoffrey Ward, *Johnson*, 159-164.

<sup>36</sup> Geoffrey Ward, *Johnson*, 166-222.

the transportation of white women in interstate or foreign commerce “for the purpose of prostitution or debauchery, or for other immoral purposes.”<sup>37</sup>

The popular indignation towards Johnson’s relationships with white women eventually caused both the Chicago police and the federal government to file charges against him for abduction in violation of the Mann Act. In the days leading up to Johnson’s trial, both the federal and municipal government had admittedly little evidence, yet were fervent in their continued pursuit of bringing Johnson to “justice.” With less than two hours of deliberation, the all-white jury found Jack Johnson guilty of violating the Mann Act, and he was later sentenced to one year and one day in prison and a \$1000 fine. Johnson would later flee the country, but in September of 1920 he returned to the United States and began serving his sentence at Leavenworth prison in Kansas. For Ward, the criminalization of Jack Johnson was based solely on his race. In the era of “new racism,” rarely is the criminalization of blackness as obviously racially motivated as it was in the case of Jack Johnson; however, Ward’s analysis provides a solid historical foundation for the ways in which blackness is criminalized, vilified, and pathologized within the popular discourse of sports in the U.S.

Another prevailing theme regarding race in sports is the particular ways in which blackness is commodified. Leonard and King suggest that ghettocentrism is a particularly important aspect of the commodification of black athletes. Ghettocentrism is such an important idea because it shows the way the media—in this case advertisers—played a significant role in “normalizing—to the extent of essentializing—the relationship between race (African American)

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<sup>37</sup>Ward, *Johnson*, 297.

and space (urban) in the eyes of the viewing public.”<sup>38</sup> While King and Leonard contend that there are specific ways black athletes at the professional level are commodified that work to produce difference, other works focus on the ways in which unpaid, black collegiate athletes are commodified.

In *Beyond the Cheers: Race as Spectacle in College Sport*, authors C. Richard King and Charles Fruehling Springwood investigate the commodification of race in collegiate athletics. King and Springwood find that collegiate sport in the United States is based on an ideology of white supremacy. *Beyond the Cheers* contends that race—as a meaningful social category—has been trivialized, and the “ritualization and representation of racial difference associated with intercollegiate athletics, from mascots and half-time shows to media coverage and popular narratives, have long offered the clearest illustrations of this pattern.”<sup>39</sup> Moving away from a black and white dichotomy, King and Springwood analyze not only blackness and whiteness at the collegiate level, but redness—or Native American—commodification as well. For King and Springwood, redness is most obviously commodified in sports via team mascots, and the authors include an in-depth analysis of the Florida State Seminoles and the University of Illinois Fighting Illini. Further, *Beyond the Cheers* examines racial integration in collegiate sports, and finds that black participation in collegiate athletics can be traced to a desire to make money and win more games—as opposed to the desire to rid social inequality. King and Springwood further contend

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<sup>38</sup> David L. Andrews, Ronald L. Mower, Michael L. Silk, “Ghettocentrism and the Essentialized Black Male Athlete” in *Commodified and Criminalized*, 77.

<sup>39</sup> C. Richard King and Charles Fruehling Springwood, *Beyond the Cheers: Race as Spectacle in College Sport* (Albany: State University of New York Press, 2001): 1.

that racial stratification is present in higher education, when comparing the drastic overrepresentation of black athletes to the general student body.

In the film *The Fab Five*, director Jason Hehir also broaches issues of commodification in college athletics by examining the 1992 all black, all freshmen starting five at the University of Michigan. According to Hehir, in the early 1990s hip-hop was permeating popular culture, but college basketball lagged behind. The five young, black players from Michigan introduced a new hip-hop aesthetic and attitude to college basketball, and as a result they were simultaneously vilified and commodified. This new aesthetic included baggy shorts, black socks, bald heads, tattoos, and piercing. In response, letters poured in by the dozen from irate Michigan alumni that did not condone the behavior or appearance of these young black athletes. Steve Fisher—head coach of the 1992 Michigan men’s basketball team—says, “I got many letters that were very racist in tone and made reference to the five guys, using the ‘n-word’ more than once, and proudly saying they were Michigan graduates.”<sup>40</sup>

One such letter reads, “what do you expect from a bunch of dumb, stupid, ignorant, crazy, undisciplined, niggers?”<sup>41</sup> The media also criticized the players for their look, their music, and their signature trash talk. NBA star turned analyst, Bill Walton claimed that the fab five epitomized what was wrong with a lot of basketball players during that era. Speaking to the vilification of the fab five, sportswriter Bryan Burwell says:

It was all generational and cultural. If you were young and black, you were like those are my boys. That’s who I am. That’s me. If you were old and white, you were going oh my God, the criminals are taking over our sports, and they’re influencing our children. Get them away from the TV.<sup>42</sup>

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<sup>40</sup> *The Fab Five*. Directed by Jason Hehir. JMH Films, 2011.

<sup>41</sup> *The Fab Five*.

<sup>42</sup> *The Fab Five*.

Despite the overwhelmingly negative public reaction to the Michigan fab five, the unique look and style of the players was appropriated by Nike and the University of Michigan to make millions. After the fab five's freshmen year, Nike came out with five five shoes and socks. Speaking to this, Jaylen Rose—a member of the fab five—says, “that’s when you realize that having your own shoe doesn’t necessarily put money in your pocket.”<sup>43</sup> The University of Michigan also took the opportunity to cash in on the uniqueness of the fab five by selling everything from baggy shorts to t-shirts to trading cards. In 1990, the University of Michigan’s merchandise royalties totaled \$1.6 million. By 1993, the year following the fab five’s first season, merchandise royalties skyrocketed to \$10.5 million. Business was booming for everyone except the fab five themselves who were eating cereal and hotdogs, and claimed they had to borrow money just to put gas in their broken down cars. Regarding the commodification of his image, Jaylen Rose says:

I didn’t feel like a college kid anymore. I felt like a professional athlete that wasn’t getting paid... When we started realizing that everything we wore people were selling, we started to protest. And one of our silent protests was wearing plain blue shirts, that didn’t say Michigan, that didn’t say Nike, that didn’t say anything. That was our silent protest.<sup>44</sup>

The commodification of the fab five was effectively used to sell a unique and authentic hip-hop image that was permeating American culture at the time. Speaking to this blatantly racialized commodification of black athletes, in their discussion of Tiger Woods Leonard and King suggest:

No longer America’s son, Tiger Woods still exposes and validates the ideological workings of race and power during an era in which branding, consumption, and spectacle

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<sup>43</sup> Ibid.

<sup>44</sup> *The Fab Five*.

ease the denial of racism and reiterate the central preoccupations and anxieties of the white racial frame.<sup>45</sup>

Taken together, all of these texts work to expand our understanding of blackness in sports in the era of new racism. From the lack of racial transcendence both on and off the field, to social inequality as it relates to the “American Dream,” to the simultaneous process of criminalization and commodification of blackness, these works understand the importance of both sport and race in American society today.

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<sup>45</sup> Leonard and King, *Commodified and Criminalized*, 253.

## Thesis Introduction

Race and racial tensions have long been pressing concerns in professional athletics in the United States. Issues of race have been of particular importance to the National Basketball Association (NBA) since African Americans comprise 77 percent of the league's players.<sup>46</sup> As such, this work examines the ways in which the media and the NBA responded to and managed the new generation of black players during the late 1990s and early 2000s while marketing to primarily white audiences. This time period is important in that it was unapologetically coined the 'thug era' by sports media and basketball fans alike, and the 'thug' label was used almost exclusively to describe young, black athletes who didn't fit the traditional 'black star athlete' mold. During this period, the NBA took several steps to ensure that players returned to being "model" black athletes. By imposing a dress code, levying fines and suspensions, selectively leaving certain players off of Olympic rosters, and creating NBA Cares, league officials asserted what they felt a "respectable" star black athlete should look like. Further, by posing black athletes as role models and questioning their morals, the media presented black athletes in the NBA as a threat to traditional family values. Thus, this research explores the vilification of the new generation of black NBA stars that were coined 'thugs' in the 1990s and early 2000s.

The term thug itself has recently sparked societal debate because of its nearly unilateral use towards African Americans. In 2014 Richard Sherman, a young, black cornerback for the Seattle Seahawks, said "thug is the new n-word," and according to the *National Review* author Charles C.W. Cooke, "from Trayvon Martin to Richard Sherman to President Obama, the use of the word 'thug' has become the right wing's not-so-subtle way of insulting African

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<sup>46</sup> Katherine L. Lavelle, "A Critical Discourse of Black Masculinity in NBA Game Commentary," *The Howard Journal of Communication* 21 (2010): 294.

Americans.”<sup>47</sup> The same was true in the late 1990s and early 2000s when the ‘thug’ label was applied to players like Allen Iverson and Latrell Sprewell. These players were often directly compared to “model” black athletes like Julius Irvin, Magic Johnson, and Michael Jordan, who was perhaps the most notable “socially acceptable” black celebrity in the NBA during the late 1990s and early 2000s. In addition to having the undeniable talent to win six NBA championships during the decade, Jordan also became a global cultural icon in short order. As a spokesperson for such global corporate enterprises as Nike, Gatorade, and McDonalds—and the star of Warner Brother’s film *Space Jam*—Jordan had the talent, look, and cultural appeal to captivate the NBA, media, and sporting audiences alike. With his even keeled demeanor and charismatic personality, Michael Jordan exemplified how white audiences felt black athletes in the era should behave. Jordan had the talent to be sure, but it was not talent alone that made Michael Jordan the most marketable sports star in history; instead, the combination of talent, appearance, behavior, and diction made Michael Jordan a “model” black celebrity during the late 1990s. According to the NBA:

Although, a summary of his [Jordan’s] basketball career and influence on the game inevitably fails to do it justice, as a phenomenal athlete with a unique combination of fundamental soundness, grace, speed, power, artistry, improvisational ability and an unquenchable competitive desire, Jordan single-handedly redefined the NBA superstar.<sup>48</sup>

While Michael Jordan typifies the model star black athlete, several other young, black stars began entering the NBA during this same era that were met with far less enthusiasm and acceptance than was ‘His Airness.’ While Jordan’s fellow players were saying, “there’s Michael

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<sup>47</sup> Charles C.W. Cooke, “‘Thugs,’ Politicians, and Race,” *National Review*, January 27, 2014, <http://www.nationalreview.com/corner/369514/thugs-politicians-and-race-charles-c-w-cooke>.

<sup>48</sup> “NBA Encyclopedia Playoff Edition,” NBA Media Ventures LLC, accessed October 7, 2014, [http://www.nba.com/history/players/jordan\\_bio.html](http://www.nba.com/history/players/jordan_bio.html).

Jordan and then there's the rest of us,"<sup>49</sup> and calling him "God disguised as Michael Jordan,"<sup>50</sup> players like Allen Iverson, Latrell Sprewell, and Dennis Rodman received far less favorable treatment from league executives. While Michael Jordan did receive public scrutiny during his playing days for gambling—and rumors that he left the NBA for professional baseball during the 1993-1994 season as a result of a suspension for gambling—the way he was viewed and treated by the league still differed greatly from the new generation of young, black players. Jordan also incurred criticism from the media during his induction into the basketball Hall of Fame in 2009. After his induction speech—in which he criticized a number of people including Jeff Van Gundy, Bryon Russell, Magic Johnson, and Isiah Thomas—the media called Jordan a "bully tripping nerds with lunch trays in the school cafeteria," and said "he [Jordan] had a responsibility to his standing in history, to players past and present, and he let everyone down."<sup>51</sup> Like Jordan, the new generation of young, black NBA stars were certainly vilified for their transgressions; however, unlike with Jordan, the NBA and media backlash went far beyond criticizing the hip-hop generation for their perceived—and actual—wrong doing. These players were criticized for everything from their hair to their clothing to the way they spoke, and were time and again officially sanctioned and unofficially snubbed by league officials. Speaking to this, in a 2003 article, *Orlando Sentinel* writer Mike Bianchi said:

Too many players [are] gun-toting, pot-smoking, coach-choking malcontents and miscreants... We didn't like Allen Iverson's tattooed arms. Or Latrell Sprewell's braided hair. Or Rasheed Wallace's scowling face.<sup>52</sup>

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<sup>49</sup> Magic Johnson quoted in "NBA Encyclopedia Playoff Edition."

<sup>50</sup> Larry Bird quoted in "NBA Encyclopedia Playoff Edition."

<sup>51</sup> Adam Wojnarowski, "Jordan's night to remember turns petty, *Yahoo! Sports*, September 12, 2009, <http://sports.yahoo.com/news/jordans-night-remember-turns-petty-075600787--nba.html>.

<sup>52</sup> Mike Bianchi, "Role models? We want thugs," *Chicago Tribune*, June 17, 2003.

Discussing Latrell Sprewell's image specifically, author Katherine L. Lavelle notes:

Although Sprewell was fined for his actions [choking his coach]...part of the reason that this incident received so much negative press is because Sprewell's image was threatening to a conservative audience. Sprewell was depicted as an angry Black man who lashed out at a White authority figure, not the fan-friendly image that the league want[ed] to project.<sup>53</sup>

The Sprewells and Iversons of the late 1990s presented a challenge for the NBA that was unseen when Julius Irving, Magic Johnson, and Michael Jordan were the league's predominant black stars. The new lot of black stars of the late 1990s openly identified with hip-hop culture—which was both anti-establishment and anti-white authority—and as such, NBA executives and the media took numerous and varied steps to attempt to control the look and demeanor of black players during this era while still using hip-hop culture to market to white audiences.

For both the powers that be in the NBA and white sporting audiences the fact that the new generation of young black players identified with rap music and hip-hop culture presented a problem. During the 1990s, rap music created a moral panic in the minds of much of middle-class white society as rap came to serve as a symbol for the inner city and criminality broadly, and for black youth specifically. According to Robin D. G. Kelley, author of *Your Mama's Disfunktional!: Fighting the Culture Wars in Urban America*, rap music as an art form has been both pathologized and trivialized. Speaking to the ways in which rap has been pathologized, Kelley notes that many social scientists and policy makers have held rap “responsible for heightening aggression” and violence in urban areas.<sup>54</sup> Further, Kelley suggests:

The assumption that rappers are merely street journalists does not allow for the playfulness and storytelling that is so central to Hip Hop specifically, and black

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<sup>53</sup> Lavelle, “A Critical Discourse Analysis.”

<sup>54</sup> Robin D. G. Kelley, *Your Mama's Disfunktional!: Fighting the Culture Wars in Urban America* (Boston: Beacon Press, 1997): 36.

vernacular culture generally. For example, violent lyrics in rap music are rarely meant to be literal. Rather, they are more often than not metaphors to challenge competitors on the microphone....They are not meant as literal descriptions of violence and aggression, but connote the playful use of language itself.<sup>55</sup>

Despite Kelley's assertion that rap and hip-hop are art forms that playfully use language and not a literal portrayal of inner city life, panic surrounding hip-hop culture grew during the 1990s. In addition to concerns about black, urban violence that was expressed in rap music, the moral panic surrounding the art form was exacerbated by the fact that white young people were increasingly drawn to hip-hop—especially gangsta rap—during the 1990s. Kelley claims that “hip hop, particularly gangsta rap, also attract[ed] listeners for whom the "ghetto" [was] a place of adventure, unbridled violence, erotic fantasy, and/or an imaginary alternative to suburban boredom,” and as such rap and urban environments became sites of both dysfunctionality and fascination in the minds of much of white society.<sup>56</sup> In light of the panic surrounding both rap music and urban black youth culture, it comes as little surprise that the new generation of black NBA stars were vilified for openly identifying with rap music and hip hop culture. Conversely, NBA higher-ups used rap music and hip-hop culture as a means to market to white audiences who were simultaneously fearful of and fascinated by inner city black culture.

In addition to the moral panic surrounding inner city black youth and rap music during the 1990s, the “eruption” in the 1980s and 1990s of “a national obsession with the family (its “values” its “dysfunction” its purported “crisis” etc.)”<sup>57</sup> caused both the NBA and the media to react to young, black athletes unfavorably because of their perceived disconnect from these “values.” The national obsession with family values was but one result of the shift in American

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<sup>55</sup> Kelley, *Yo Mama's Disfunktional*, 38.

<sup>56</sup> *Ibid* 39.

<sup>57</sup> Peck, *The Age of Oprah*, 7.

society to neoliberal practices and policies. David Harvey, author of *A Brief History of Neoliberalism*, contends that neoliberalism “seeks to bring all human action into the domain of the market.”<sup>58</sup> Harvey further suggests that:

The process of neoliberalization has, however, entailed much ‘creative destruction’, not only of prior institutional frameworks and powers (even challenging traditional forms of state sovereignty) but also of divisions of labor, social relations, welfare provisions, technological mixes, ways of life and thought, reproductive activities, attachments of land and habits of the heart...It holds that social good will be maximized by maximizing the reach and frequency of market transactions...<sup>59</sup>

Simply put, neoliberal economic practices have produced a number of social norms that are now deeply embedded within American society, and these norms work to produce consent for free market capitalism.

Neoliberal American society during the 1980s and 90s centered on the principles of the free market. While neoliberalism produced several different norms and employed many different techniques to manage these norms, the chief neoliberal principle has always been freedom. Freedom is an important concept in neoliberal economic theory because it applies to both markets free from governmental regulation as well as to free and autonomous individuals. Neoliberalism requires both free markets and autonomous individuals in order to properly function, achieve its financial goals, and to construct consent for neoliberal practices. On the surface individual freedom sounds like a worthwhile objective; however, the ways in which neoliberal policies actually enact and employ freedom are far more coercive than they initially appear. Rather than promoting the pursuit of personal freedoms such as speech and religion, neoliberalism hinges on freedom of choice and the freedom to pursue property and other material

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<sup>58</sup>David Harvey, *A Brief History of Neoliberalism* (Oxford: Oxford University Press, 2011): 3.

<sup>59</sup> Harvey, *A Brief History of Neoliberalism*, 3.

goods. As Nikolas Rose, author of *Inventing Our Selves: Psychology, Power, and Personhood*, suggests:

Today, the therapeutic culture of the self and its experts of subjectivity offer a different freedom, a freedom to realize our potential and our dreams through reshaping the style in which we conduct our secular existence.<sup>60</sup>

Additionally, within the culture of neoliberalism, notions of freedom hold people accountable for things outside of their control. According to Rose:

The modern liberal self is ‘obligated to be free’, to construe aspects of its life as the outcome of choices made among a number of options. Each attribute of the person is to be realized through decisions, and justified in terms of motives, needs, and aspirations of the self.<sup>61</sup>

This notion—that every individual should be held personally responsible for his or her economic success and failure—fails to account for the degree to which marginalized groups often make choices from a limited number of options. As Harvey notes:

Individual success or failure are interpreted in terms of entrepreneurial virtues or personal failings (such as not investing significantly enough in one’s own human capital through education) rather than being attributed to any systematic property (such as the class exclusions usually attributed to capitalism).<sup>62</sup>

The idea of freedom of choice within neoliberal American society takes systemic inequality off the hook by blaming individuals for their own poor economic conditions. Blaming individuals for social issues—like poverty and inequality—becomes particularly evident when examining the ways the media, the NBA, and society responded to the appearance and actions of member of

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<sup>60</sup> Nikolas Rose, *Inventing Our Selves: Psychology, Power, and Personhood* (New York: Cambridge University Press, 1998): 164.

<sup>61</sup> Rose, *Inventing Our Selves*, 100.

<sup>62</sup> Harvey, *A Brief History of Neoliberalism*, 65-66.

the new ‘hip-hop’ generation—many of whom came from impoverished backgrounds—in the NBA during the late 1990s and early 2000s.

Further, according to Rose, freedom and autonomy make individuals both knowable and calculable. Rose states:

Calculability [has] become central not only in projects for the domination of nature, but also in relation to human beings. We have entered, it appears, the age of the calculable person, the person whose individuality is no longer ineffable, unique, and beyond knowledge, but can be known, mapped, calibrated, evaluated, quantified, predicted, and managed.<sup>63</sup>

For Rose, the ability to know, quantify, and calculate people makes it possible to exercise authority over them. Perhaps more than any other norm that neoliberalism promotes, the changing notions of authority under neoliberal rule during the 1980s and 90s directly influenced the ways in which league executives, the media, and neoliberal American society viewed and treated the new generation of young, black stars in professional basketball. During this era, NBA officials handed out harsher punishments with more frequency than they had in any previous era of professional basketball. Punishing and vilifying black NBA players for identifying with urban hip-hop culture while simultaneously using that very same culture to sell tickets and merchandise is but one way these now wealthy stars were continuously blamed for the conditions in which they grew up.

Further speaking to the relationship between authority and freedom in neoliberal society, Rose contends that:

To rule citizens democratically means ruling them through their freedoms, their choices, and their solidarities rather than despite these. It means turning subjects, their

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<sup>63</sup> Rose, *Inventing Our Selves*, 88.

motivations and interrelations, from potential sites of resistance to rule, into allies of rule.<sup>64</sup>

New forms of policing, militarization, imprisonment and disciplining took shape under neoliberal rule during the 1980s. According to Harvey, the neoliberal state must “set up those military, defense, police, and legal structures and functions required to secure private property rights and to guarantee, by force if need be, the proper functioning of markets.”<sup>65</sup> Simply put, one way to win consent for increased policing, military presence, and the prison industrial complex was through the rhetoric of freedom and the protection of private property rights. Speaking to the ways in which neoliberal authorities responded to crime and indiscretions generally, Harvey contends that “redistribution through criminal violence became one of the few serious options for the poor [and] authorities responded by criminalizing whole communities of impoverished and marginalized populations.”<sup>66</sup> As such, it is little surprise that when the new generation of young, black athletes entered the NBA in the late 1990s and early 2000s, the ways of discussing and disciplining their actions and indiscretions became much harsher and more punitive in nature than they had been with the earlier generation.

Another neoliberal principle that directly relates to the way the new generation of black NBA stars were viewed and treated is the idea of competition. According to Harvey:

Competition—between individuals, between firms, between territorial entities (cities, regions, nations, regional grouping)—is held to be a primary virtue [of neoliberalism]. The ground-rules for market competition must be properly observed, of course.

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<sup>64</sup> Rose, *Inventing Our Selves*, 117.

<sup>65</sup> Harvey *A Brief History of Neoliberalism*, 2.

<sup>66</sup> *Ibid* 48.

Competition is not only a primary virtue in neoliberalism, it is also of utmost importance in professional athletics. However, as with capitalism, the ground-rules for competition must be observed in professional sports. While competition in sports is praised, being overly competitive or aggressive is not only frowned upon, it's regulated and punished, and sportsmanship is promoted as a necessity. The idea of sportsmanship in the NBA became a murky concept in light of the fact that players like Iverson and Sprewell were punished for being 'overly aggressive,' 'thugs,' and 'unsportsman-like' while "model" black athletes like Jordan and white athletes like Larry Bird were simply viewed and discussed as being 'passionate' for engaging in similar behavior.

In addition to ideals of freedom, the necessity of authority, and competition, neoliberalism has also cultivated several self-regulatory practices that stem from religious ideals and notions of morality. Morality, particularly Christian morality, became a large part of the ways in which neoliberalism constructed consent for free market practices among working class Americans in the 1980s and 90s. In the late 1970s and early 1980s, the Republican Party sought an alliance with a group that had not been politically active until that point: the Christian right, and by the 1980s, "the Republican Party had its Christian base."<sup>67</sup> According to Harvey:

It also appealed to the cultural nationalism of white working classes and their besieged sense of moral righteousness (besieged because this class lived under conditions of chronic economic insecurity and felt excluded from many of the benefits that were being distributed through affirmative action and other state programs). This political base could be mobilized through the positives of religion and cultural nationalism and negatively through coded, if not blatant, racism, homophobia, and anti-feminism.<sup>68</sup>

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<sup>67</sup> Ibid 49-50.

<sup>68</sup> Ibid 50.

Harvey suggests that the Christian right and Republican Party agenda, “in no way depart[s] from the neoliberal agenda of a construction or restoration of dominant class power.”<sup>69</sup> In fact, “they [neoconservatives] seek legitimacy for the power, as well as social control through construction of a climate around a coherent set of moral values.”<sup>70</sup> The particular type of moral values that neoliberalism promotes include “cultural nationalism, moral righteousness, Christianity (of a certain evangelical sort), family values, and right-to-life issues.”<sup>71</sup>

Family values were chief among these moral values that were used to vilify the new generation of NBA players. As Rose notes, private spaces, like the family, “are construed as having vital consequences for national wealth, health, and tranquility.”<sup>72</sup> For Rose, the family or ‘familialization’ has been used for “social ends” including “eliminating legality, curbing inebriety and restricting promiscuity, imposing restrictions on the unbridled sensualities of adults and inculcating morality into children.”<sup>73</sup> Rose’s notion of how the family—or rather the malfunctioning family—became a central concern within neoliberal society, is illuminated when examining the ways in which the media and society responded to children being fathered out-of-wedlock by some of the members of the new generation of young, black stars in the NBA during the 1990s and early 2000s.

### **Fines and Suspensions**

One of the initial steps taken by NBA officials to ‘manage’ the new lot of young, black star athletes was levying heavy fines and suspensions when players behaved in ways deemed

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<sup>69</sup> Ibid 83.

<sup>70</sup> Ibid 83-84.

<sup>71</sup> Ibid 84.

<sup>72</sup> Rose, *Inventing Our Selves*, 100.

<sup>73</sup> Ibid 163.

inappropriate by fans, the media, and league executive. This method of dealing with player indiscretions is not surprising considering the ‘tough on crime’ stance taken by many politicians—and much of society—during and leading up to the 1990s. Tackling crime became a major issue during the 1970s and 80s and despite a decrease in actual crime numbers by the 1980s, incarceration numbers soared. Between 1965 and 2000, the prison population rose by 600 percent, and today the U.S. “incarcerates a greater portion of its citizenry than any other [country], about 1 out of every 100 adults.”<sup>74</sup> During this same period, prison sentences grew longer and early releases became increasingly rare. Some 2.4 million people currently occupy prisons in the U.S., and “there are more than eighteen hundred separate prisons in operation across the country—not counting local jails, juvenile lockups, and immigration facilities.”<sup>75</sup> Additionally, prisons and policing became a major industry during this era. Law enforcement, prisons, and courts employ over 2.4 million people—more than Walmart and McDonalds combined—and “the criminal justice system consumes \$212 billion a year.”<sup>76</sup>

During the 1980s and 1990s, prisons became “catchall solutions to social problems.”<sup>77</sup> Policing and the number of prisons beds skyrocketed, but sheer numbers of prisons and law enforcers were not the only factors that led to the rise of mass incarceration during the 1980s and 1990s. Mandatory minimum penalties in the Federal criminal justice system were created by Congress during the 1980s, and in 1984 President Ronald Reagan signed the Comprehensive Crime Control Act into law. The Comprehensive Crime Control Act not only increased penalties for selling, cultivating, and possessing marijuana, but also included the Sentencing Reform Act

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<sup>74</sup> Perkinson, *Texas Tough*, 6, 1.

<sup>75</sup> *Ibid* 2.

<sup>76</sup> *Ibid* 2.

<sup>77</sup> Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007): 5.

which established mandatory minimums. Upon Congress passing mandatory minimums for drug crimes, the federal prison population grew from 24,000 to 214,000.<sup>78</sup> Additionally “three strikes” laws were passed across the country which in many cases “imposed a life sentence for almost any crime, no matter how minor, if the defendant had two prior convictions for crimes defined as serious or violent.”<sup>79</sup> For certain offenders of California’s three strikes law this meant receiving a life sentence for offenses as minor as “stealing one dollar in loose change from a parked car, possessing less than a gram of narcotics, and attempting to break into a soup kitchen.”<sup>80</sup>

The “three strikes and you’re out” or habitual offender law was first passed by Washington state in 1993, and then later passed in California in 1994 in response to the tragic deaths of Kimber Reynolds and Polly Klaas.<sup>81</sup> Many states followed suit, and today 24 states have some form of “three strikes” or habitual offender legislation. Support for this type of “tough on crime” legislation was garnered by stoking a sense of public crisis and suggesting that “law-abiding citizens [were] under siege.”<sup>82</sup> In addition to three strikes laws, several states added a number of offenses to the list of violent crimes, and “expanded the opportunities to impose LWOP (life without parole) sentences.”<sup>83</sup>

This culture of “tough on crime” attitudes and actions was applied unevenly and all too often the unbalanced application of tough on crime ordinances influenced African American and

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<sup>78</sup> “Prison Size and Growth,” Families Against Mandatory Minimums, accessed May 2, 2015, <http://famm.org/the-facts-with-sources/>.

<sup>79</sup> “Stanford Three Strikes Project,” Stanford Law School, accessed March 10, 2015, <https://www.law.stanford.edu/organizations/programs-and-centers/stanford-three-strikes-project/three-strikes-basics>.

<sup>80</sup> “Stanford Three Strikes Project.”

<sup>81</sup> Perkinson, *Texas Tough*, 330-31.

<sup>82</sup> *Ibid* 330-331.

<sup>83</sup> Marie Gottschalk, “No Way Out?” in *Life without Parole: America’s New Death Penalty?*, ed. Charles J. Ogletree Jr. and Austin Sarat, (New York: New York University Press, 2012): 238.

Latino communities much more than their white counterparts. According to Robert Perkinson, author of *Texas Tough: The Rise of America's Prison Empire*:

In middle-and upper-income, predominantly white neighborhoods, prison remains a rare and shocking experience. According to the federal Bureau of Justice Statistics, only one in thirty-nine white men has ever gone to prison, with the odds plummeting in higher income brackets. Along the margins of society, however—in poverty-blighted rural areas and struggling urban cores—imprisonment has become commonplace. One out of every six African American men has spent time in prison, one out of every thirteen Hispanics.<sup>84</sup>

Perkinson also contends in regards to incarceration, conditions have actually worsened for African Americans since the civil rights movement. Prior to the 1960s, black people were incarcerated at four times the rate of white people, but “today, a generation after the triumphs of the civil rights movement, African Americans are incarcerated at seven times the rate of whites, nearly double the disparity measured before desegregation.”<sup>85</sup> In California, African Americans and Latinos make up two-thirds of the state’s prisoners,<sup>86</sup> and nationwide 58 percent of all prisoners are African American and Hispanic despite only comprising about a quarter of the U.S. population.<sup>87</sup>

While it is certainly true that athletes of a number of different racial and ethnic backgrounds have been found guilty of numerous crimes, a persistent link between blackness and crime in sport has been forged and remains intact today. The criminalization and vilification of black athletes in sport today remains an important and unresolved issue. When white athletes commit crimes or transgressions, the attention and scrutiny given them is far less severe than

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<sup>84</sup> Ibid 2.

<sup>85</sup> Ibid 3.

<sup>86</sup> Gilmore, *Golden Gulag*, 7.

<sup>87</sup> “Criminal Justice Fact Sheet,” NAACP, accessed March 10, 2015, <http://www.naacp.org/pages/criminal-justice-fact-sheet>.

their black counterparts. In *Condemnation of Blackness: Race, Crime, and the Making of Urban American*, Khalil Gibran Muhammad suggests:

The link between race and crime is as enduring and influential in the twenty-first century as it has been in the past. Violent crime rates in the nation's biggest cities are generally understood as a reflection of the presence and behavior of the black men, women, and children who live there.<sup>88</sup>

Seeing the link between race and crime as a deeply embedded historical issue, Muhammad claims that “black criminality [became] the most significant and durable signifier of black inferiority in white people’s minds since the dawn of Jim Crow.”<sup>89</sup> According to Muhammad the problem of “racial criminalization” is certainly not a new phenomenon, and historically crime has been stigmatized as “black.”<sup>90</sup> Race and crime in basketball does not depart from this norm; in fact, because both crime and basketball have been stigmatized as “black,” the way transgressions are viewed and treated when committed by a black athlete are much harsher than when committed by a white athlete.

There is certainly a long history of black athletes being vilified, arrested, and imprisoned for both actual and perceived transgressions against American society. Dating back to the turn of the twentieth century, heavy weight boxer Jack Johnson was sentenced to a year in federal prison in 1913 for consorting with a white woman. Since then, hundreds of black athletes—including Muhammad Ali, LeBron James, and Tiger Woods—have been vilified and punished for their perceived, and at times actual, transgressions against American society. Continuing with the tradition of punishing black athletes, between 1995 and 2004, several black NBA players

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<sup>88</sup> Khalil Gibran Muhammad, *Condemnation of Blackness: Race, Crime, and the Making of Urban America* (Cambridge: Harvard University Press, 2010): location 56. Kindle Edition.

<sup>89</sup> Muhammad, *Condemnation of Blackness*, location 112.

<sup>90</sup> *Ibid* location 98.

received suspensions ranging from 6 to 86 games from then NBA commissioner David Stern.<sup>91</sup> The majority of the suspensions were for fighting with players, fans, or referees, while a few received minor suspensions for violating the leagues' banned substance policy. This trend of lengthy suspensions is important, because in the 20 years prior to this era, only one multi-game suspension was issued in the NBA. This is not to say that there were not fights and drug policy violations prior to this time period, but the way these issues were handled by the powers that be in the NBA changed drastically during the late 1990s.

The event that began the NBA's new policy of lengthy suspensions for black players who didn't fit the 'model' star black athlete mold occurred on February 6, 1995 when Houston Rockets' starting shooting guard Vernon Maxwell entered the stands in Portland and punched a heckler during the game.<sup>92</sup> Maxwell was then suspended for 10 games, incurred a \$20,000 fine, and was forced to meet with league personnel after the tenth game of the suspension to determine whether he would be allowed to return to active status.<sup>93</sup> The league also imposed additional sanctions that cost Maxwell \$20,732 for each game he missed while on suspension. The event ended up costing the Rockets star more than \$200,000 total, and was "one of the stiffest penalties in sports history."<sup>94</sup>

Another player who typified the NBA's changing stance toward discretions during this era was Dennis Rodman. On March 18, 1996, Dennis Rodman head-butted white NBA referee

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<sup>91</sup> "Suspensions without pay, won't be staggered," *ESPN.com news services*, November 22, 2004, accessed October 17, 2014.

<sup>92</sup> "PRO BASKETBALL; Maxwell Suspended And Is Fined \$20,000," *The New York Times*, February 9, 1995, accessed October 18, 2014.

<sup>93</sup> "PRO BASKETBALL; Maxwell Suspended And Is Fined \$20,000."

<sup>94</sup> Eddie Sefko, "League Suspends Maxwell," *Houston Chronicle*, February 9, 1995.

Ted Bernhardt after being ejected for receiving his second technical foul of the game.<sup>95</sup> Rodman immediately received the mandatory \$1,000 fine for being kicked out of a game, but the penalties did not end there. After the game, Rodman criticized David Stern, the NBA's commissioner, and Rod Thorn, the NBA's vice president of operations, and claimed the league was singling him out for punishment.<sup>96</sup> Immediately following the head-butting incident and Rodman's harsh words about the NBA's executives, those same executive suspended Rodman for six games, fined him \$20,000, and an additional \$30,000 for each of the six games he missed. In all, the suspension cost Rodman more than \$200,000.<sup>97</sup> This suspension was unique in that "the only stiffer penalties for on-court violations were suspensions of 26 games to Kermit Washington in 1977 for punching Rudy Tomjanovich"<sup>98</sup> and the previously mentioned 10 game suspension of Vernon Maxwell in 1995. Rodman would receive another lengthy suspension, 11 games with a \$25,000 fine, the following year for kicking a cameraman he tripped over during a game against the Minnesota Timberwolves. He would later also agree to pay the cameraman \$200,000.<sup>99</sup> The suspensions of Rodman and Maxwell marked the beginning of the NBA's new policy of lengthy suspension for players who were viewed as a threat to the image of the NBA.

Like Maxwell and Rodman, Los Angeles Lakers' point guard Nick Van Exel also received a lengthy suspension for getting into a physical altercation with a white man during an NBA game. Frank Litsky of *The New York Times* said of the suspension:

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<sup>95</sup> Clifton Brown, "PRO BASKETBALL; Rodman's Suspension Could Cost Bulls, Too," *The New York Times*, March 19, 1996.

<sup>96</sup> Brown, "Rodman Suspension Could Cost Bulls, Too."

<sup>97</sup> Ibid.

<sup>98</sup> Ibid.

<sup>99</sup> "Rodman to Pay Cameraman," *The New York Times*, January 21, 1997, accessed October 18, 2014.

The wrath of the National Basketball Association and his team descended yesterday on Nick Van Exel, hours after the Los Angeles Lakers' point guard shoved a referee during a game. The league suspended him for the last seven games of the regular season and fined him \$25,000, an N.B.A. record. He also drew an automatic \$1,000 fine for ejection, and the suspension will cost him \$161,000 of his \$1.9 million annual salary.<sup>100</sup>

When Latrell Sprewell of the Golden State Warriors choked Coach P.J. Carlesmo during a December 1, 1997 practice, both the NBA's executives and the sporting media were understandably horrified by the situation. Both David Stern and the Warriors organization acted swiftly; the Warriors promptly terminated the star forward's 32 million dollar contract and shortly after Stern suspended Sprewell for an entire season.<sup>101</sup> After being released and suspended, Sprewell lost his shoe deal with Converse as well. Rather than being treated as an isolated incident, the 'choking episode' brought many important issues in the NBA to the forefront. Recognizing the issues underpinning the NBA's reaction to Latrell Sprewell, Phil Taylor of *Sports Illustrated* said:

There is a sense that the league was trying to do more than send a message that attacking a coach is unpardonable, that by punishing Sprewell so severely it was also trying to send a message to the public that the NBA it knows and loves was not becoming too dangerous, "too black."<sup>102</sup>

According to Taylor, one of the NBA's most important feats in the decades leading up to the Sprewell choking incident was its ability to 'sell' a league that was 80 percent African-American to white fans and corporations alike by "embracing the culture—urban, inner-city, whatever code

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<sup>100</sup> Frank Litsky, PRO BASKETBALL; Van Exel Receives 7-Game Suspension," *The New York Times*, April 11, 1996.

<sup>101</sup> Phil Taylor, "The Race Card," *Sports Illustrated*, December 15, 1997, 70.

<sup>102</sup> Taylor, "The Race Card," 70

words for black you prefer—in which many of its player grew up [sic].”<sup>103</sup> However, unlike the NBA stars of the 70s, 80s, and early 90s, the group of star black players in the late 90s did not feel they had a “stake in the image of the NBA,” and consequently Taylor suggests “the NBA will have a difficult time continuing to package itself so attractively now that it has so many players who feel no obligation to fit the package.”<sup>104</sup>

Clearly, lengthy suspensions and heavy fines became one of the primary ways the NBA chose to deal with black player indiscretions during the late 1990s, and when Rodman suggested that he was being “singled out” for punishment by the NBA during his first suspension in 1996, he was likely correct. The types of fines and suspensions that Rodman incurred vastly differed from what white players, ‘model’ black stars, and players of the previous generation received for similar indiscretions. In 1984, when prominent white star, Larry Bird and “model” black star, Julius Erving got into a fist fight during an exhibition game in Boston, the punishments they received from the league were far less severe than those incurred by the new generation of young, black stars in the 1990s. Bird and Erving were both fined for the fight, but the \$7,500<sup>105</sup> it cost each player involved pales in comparison to the \$200,000 Rodman incurred for a similar incident. Further, unlike the players previously mentioned neither Bird nor Erving received a suspension as a result of the fight.

Moreover, in 1987 during game three of the Eastern Conference Finals, Bird got into yet another fight, this time with Pistons’ center Bill Laimbeer, a white star with a penchant for fighting and a dirty reputation. The fight began when Laimbeer tackled Bird midair, and in

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<sup>103</sup> Ibid 70.

<sup>104</sup> Ibid 70.

<sup>105</sup> Joel Mathis, “WATCH: 30<sup>th</sup> Anniversary Video of Dr. J Punching Larry Bird,” *Philadelphia Magazine*, November 10, 2014, accessed November 24, 2014.

response, “Bird rolled over and began slugging Laimbeer.”<sup>106</sup> Both benches then cleared, and Bird threw the ball at Laimbeer. The Pistons’ center then pushed Celtics coach K.C. Jones trying to get to Bird. As a result of the fight, both Laimbeer and Bird were ejected from the game, but neither incurred a suspension nor a fine as a result of the fight.<sup>107</sup> While these white players were not suspended or fined for instances of physical violence on the court, the new generation of young black players in the NBA during the late 1990s and early 2000s were regularly punished and vilified for fighting during games. This is not to say that the actions of Sprewell, Maxwell, Rodman, or Van Exel, were in any way appropriate; however, physical altercations in all major professional sports in the U.S. have been commonplace since their inception; bench clearing fights in baseball, and brawls in hockey and football are weekly occurrences. There always have been—and sadly probably always will be—physical altercations in professional sports, but the way the NBA chose to handle the physical altercations involving the new generation of black players during the late 1990s and early 2000s is telling.

Additionally, when Michael Jordan punched Pacers star Reggie Miller during a 1993 Bulls-Pacers game, the Bulls superstar was not ejected or even given a foul.<sup>108</sup> He was later suspended for one game, and NBA VP of Operations, Rod Thorn said, “Michael threw a punch that connected and that’s an automatic one-game suspension. In looking at tapes, in my mind, Michael was the aggressor in the whole incident.”<sup>109</sup> The one game suspension Jordan received for punching another player in the face pales in comparison to Sprewell’s 68 game suspension for choking his coach. Additionally, unlike Van Exel and Rodman, Jordan received only a one

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<sup>106</sup> Bob Sakamoto, “Bird and Celtics Go Down Fighting,” *Chicago Tribune*, May 24, 1987.

<sup>107</sup> Sakamoto, “Bird and Celtics Go Down Fighting.”

<sup>108</sup> Clifton Brown, “BASKETBALL; Late Call: Jordan Suspended and Fined,” *The New York Times*, February 13, 1993.

<sup>109</sup> Brown, “Late Call: Jordan Suspended and Fined.”

game suspension in 1992 for pushing a referee during a game.<sup>110</sup> By punishing the hop-hop generation of black players more harshly than both white players and “model” black stars, it is likely that the NBA’s executives were less concerned with the actions of players like Sprewell, Maxwell, Rodman, and Van Exel than they were with the way fans and the media perceived these young, black athletes. According to the Huffington Post, the NBA “imposed a series of public relations alterations” as a result of these and other incidents.<sup>111</sup>

Perhaps the most notable use of lengthy suspensions by the NBA as a way to control and manage the new generation of young, black players came as a result of the now infamous 2004 Pistons-Pacers ‘brawl.’ On November 20, 2004, Ron Artest of the Indiana Pacers fouled Ben Wallace of the Detroit Pistons as Wallace was going in for a lay-up in front of a Pistons home crowd. In response, Wallace immediately shoved Artest, and chaos ensued. Both benches cleared, and a Detroit fan named John Green threw a beverage at Artest who was sitting on the scorer’s table, soaking the Pacer’s forward.<sup>112</sup> Artest then went into the stands—followed by several of his teammates—to confront the man he thought was responsible for throwing the beverage, and ended up hitting the wrong man.<sup>113</sup> The clash ended with fans on the court, players in the stands, and once the Pacers’ players did make their way off the court, they were showered with beer being thrown by Pistons fans. Once again, the NBA and its fans were understandably unsettled by the Pacers-Pistons fight, but the NBA’s reaction to the fight in Detroit is notable. As journalist Ben Mathis-Lilley put it, “rather than acknowledge that the brawl was a freak

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<sup>110</sup> Ibid.

<sup>111</sup> Eric Marmon, “How David Stern’s Dress Code Transformed the Modern NBA Star,” Huffington Post, April 19, 2015, [http://www.huffingtonpost.com/eric-marmon/how-david-sterns-dress-co\\_b\\_6687904.html](http://www.huffingtonpost.com/eric-marmon/how-david-sterns-dress-co_b_6687904.html).

<sup>112</sup> “Fan details strides made since brawl,” *ESPN.com news services*, November 20, 2009, accessed October 19, 2014.

<sup>113</sup> “Artest, Jackson charge Palace stands,” *ESPN.com news services*, November 21, 2004, accessed October 19, 2014.

occurrence—and a funny one to boot—the sports commentariat [sic] have heralded the apocalypse and rapturously praised NBA Commissioner David Stern's predictably harsh suspensions.”<sup>114</sup>

Stern's punishments were certainly harsh, and nine players were suspended for a total of 146 games as the result of the now infamous melee in Detroit.<sup>115</sup> Four Indiana players received multiple game suspensions as a result of the fight: Artest was suspended for 86 games, which was the remainder of the 2004-2005 season and the playoffs, Stephen Jackson received a 30 game suspension, Jermaine O'Neal was suspended for 25, and Anthony Johnson received a five game suspension. Detroit's Ben Wallace, who by shoving Artest set the brawl in to motion, received six games. Further, Reggie Miller of the Pacers, and Detroit's Chauncey Billups, Elden Campbell, and Derrick Coleman received one game suspensions for leaving the bench during the initial fighting. All nine players were suspended without pay, which cost Artest nearly \$5 million in salary, O'Neal over \$4 million, and Jackson \$1.7 million.<sup>116</sup> Artest's suspension remains the sternest ever imposed in professional basketball. Reacting to the suspension, Artest said “I respect David Stern, but I don't think that he has been fair with me in this situation.”<sup>117</sup> To which Stern replied “I did not strike from my mind the fact that Ron Artest had been suspended on previous conditions for loss of self-control.”<sup>118</sup> Arn Tellem, O'Neal's agent, blamed the NBA for not considering players' fear for their safety during the fight and said “the NBA has singled

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<sup>114</sup> Ben Mathis-Lilley, “Fight! Fight! Fight! Why we need more NBA brawls,” *Slate.com*, November 23, 2004, accessed November 8, 2014.

<sup>115</sup> Spike Eskin, “Stephen Jackson On Malice At The Palace: ‘It Felt Good To Hit A Fan,’” *CBS Philly*, June 14, 2013, accessed November 8, 2014.

<sup>116</sup> “Suspensions without pay, won't be staggered,” *ESPN.com news services*, November 22, 2004, accessed November 8, 2014.

<sup>117</sup> “Suspensions without pay,” *ESPN.com news services*.

<sup>118</sup> *Ibid.*

out Jermaine O'Neal in an arbitrary and capricious way.”<sup>119</sup> Further, Herb Simon, co-owner of the Pacers said “we believe that there was a rush to judgment and not enough opportunity for all sides to be heard. We will vigorously support our players in any available appeal process.”<sup>120</sup> However, as Stern was the only person to hear appeals, all of the suspensions and fines stood.

While the players involved in the melee, agents, players union, owners, and select media members all believed the suspensions were too severe, David Stern felt justified in levying such swift and stark punishments. Speaking to the punishments, Stern said:

To watch the out-of-control fans in the stands was disgusting, but it doesn't excuse our players going into the stands. We have to do everything possible to redefine the covenant between players and fans, and between fans and fans, and make sure we can play our games in very welcoming and peaceful settings.<sup>121</sup>

Despite Stern's words about the “out of control fans,” little was said or done beyond that to improve fan culture in the NBA. Perhaps the lack of action regarding fan behavior stems from the fact that the NBA had so skillfully marketed a sport with predominately young, black participants to a largely middle-age, white audience. Instead of working to restore the relationship between fans and players, Stern focused solely on restoring the image of the league's young, black stars. In order to ‘restore’ the NBA's image after the ‘Malice at the Palace,’ Stern embarked on a mission to rebrand the NBA through numerous and varied measures. In addition to the lofty suspensions issued as a result of the Pistons-Pacers brawl, the NBA immediately instituted a dress code, created NBA Cares, and also “introduced a series of housecleaning reforms for players—including random in season drug tests, age limits and

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<sup>119</sup> Ibid.

<sup>120</sup> Ibid.

<sup>121</sup> Ibid.

mandatory etiquette workshops during the preseason.”<sup>122</sup> As prominent sports columnist and ESPN analyst Michael Wilbon noted:

Not everything that ails the NBA is solved by the rest-of-the-season suspension of the Indiana Pacers' Ron Artest... there have been signs of an increasing disconnect between people who identify themselves as basketball fans and the players they pay to see perform. And not all the league's problems can be attributed to the players. League and club executives decided to marry the NBA to hip-hop, and clearly didn't know what they were getting into.<sup>123</sup>

Once again, league executives simultaneously punished players for aligning themselves with hip-hop culture and dress, while using this same culture to market to white audiences.

### **Dress Code**

Agreeing with Wilbon and believing there to be a connection between hip-hop culture, crime, and the actions of the league's players during and leading up to the skirmish in Detroit, the NBA implemented a dress code that banned 'hip-hop attire.' In addition to the melee in Detroit, the actions of the 2004 Olympic team were said to have sparked the implementation of the dress code as well. According to the *Washington Post*, in 2004 several team USA members—including Allen Iverson, Carmello Anthony, and LeBron James—attended a dinner in their honor in Belgrade, Serbia. The article also noted that “Iverson and some of his fellow National Basketball Association professionals arrived wearing an assortment of sweat suits, oversize jeans, shimmering diamond earrings and platinum chains.”<sup>124</sup> Larry Brown, the 2004 team USA coach, said that he was “appalled and embarrassed” by the attire the players chose to

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<sup>122</sup> Jeffery Lane, *Under the Boards: The Cultural Revolution in Basketball* (Lincoln: University of Nebraska Press, 2007), xii.

<sup>123</sup> Michael Wilbon, “Hip-Hop Culture Contributes to NBA's Bad Rap,” *Washington Post*, November 25, 2004.

<sup>124</sup> Mike Wise, “Opinions on the NBA's Dress Code Are Far From Uniform,” *The Washington Post*, October 23, 2005.

wear, and said he “thought about sending some of the worst-dressed players back to the team hotel.”<sup>125</sup>

As a result of the Olympic ‘embarrassment’ and the fight in Detroit, Commissioner Stern announced a ‘business casual’ dress code for all NBA players prior to the start of the 2005-2006 season. This dress code excluded players from wearing jeans and required them to wear slacks and a sports coat to the arena, during post-game interviews, when traveling to away games, and to any and all NBA or team events.<sup>126</sup> In addition to business casual attire, the new dress code also specifically banned “shorts, T-shirts, jerseys, sneakers, flip-flops, headgear such as 'do-rags, and chains, [and] pendants and medallions worn outside clothing.”<sup>127</sup> Wearing sunglasses and headphones indoors was also banned,<sup>128</sup> and violations were met with heavy fines. Speaking to the reasoning for the dress code, author Jeffrey Lane said that according to the logic of NBA executives:

Clothes were part of the problem. [They] therefore needed to ban all banable symbols of hip-hop (prohibiting tattoos would certainly prove more difficult) because [by the NBA’s estimation] there was something treacherous about these items that was either impelling wearers to behave like criminals or impelling spectators to see the items as symptoms of a broader disorder and destructiveness.<sup>129</sup>

Echoing the sentiment of the NBA, former Los Angeles Lakers coach Phil Jackson said, “the players have been dressing in prison garb the last five or six years ... all the stuff that goes on, it's like gangsta, thuggery stuff.”<sup>130</sup>

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<sup>125</sup> Wise, “Opinion of the NBA’s Dress Code.”

<sup>126</sup> “Proposed dress code doesn’t suit some NBA players,” *ESPN.com news service*, October 5, 2005, accessed November 10, 2014.

<sup>127</sup> Wise, “Opinions on the NBA’s Dress Code.”

<sup>128</sup> Jamie Wilson, “NBA’s ‘no bling’ dress code prompts racism accusations,” *The Guardian*, October 30, 2005.

<sup>129</sup> Lane, *Under the Boards*, xii.

<sup>130</sup> Wilson, “NBA’s ‘no bling’ dress code.”

This feeling of Jackson and NBA executives—that clothes and hip-hop culture were part of the problem—sparked a rather contentious discussion about race and fashion and “called attention to a generational chasm between modern professional athletes, many of whom are black, and their mostly white paying customers.”<sup>131</sup> A number of NBA players, hip-hop moguls, and even franchise owners spoke out against the newly implemented dress code, and saw it as a way for NBA executives to assert what they felt a respectable star black athlete should look like. “I really do have a problem with it...it’s just not right,”<sup>132</sup> said Sixers star Allen Iverson. “They’re targeting my generation—the hip hop generation.”<sup>133</sup> Elliott Wilson, the editor-in-chief of hip-hop magazine XXL said “it sort of allows the men in charge to think that they have reclaimed the NBA’s value system -- and they now have a league that reflects their taste and what they believe in.”<sup>134</sup> Further, Dallas Maverick’s owner Mark Cuban suggested that:

Some in the NBA want things to work purely in a way they are comfortable with rather than understanding players, communicating with them and understanding how the players can bring added value by dressing to fit the customer, rather than dressing to fit senior management.<sup>135</sup>

## **NBA Cares**

While the implementation of the dress code did bring generational and racial issues in the NBA to the fore, the league’s attempts to manage the image of its young, black athletes continued. In addition to levying fines, doling out suspensions, and banning ‘hip-hop’ attire, the league created NBA Cares as a way to manage its image. Like the dress code, NBA Cares was created in the wake of the Pacers-Pistons fight in Detroit. Created in October of 2005—at the

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<sup>131</sup> Wise, “Opinions on the NBA’s Dress Code.”

<sup>132</sup> “Proposed dress code doesn’t suit some NBA players.”

<sup>133</sup> Ibid.

<sup>134</sup> Wise, “Opinions of the NBA’s Dress Code.”

<sup>135</sup> Ibid.

same time the dress code was implemented—NBA Cares is defined by the league as a “global community outreach initiative that addresses important social issues such as education, youth and family development, and health and wellness.”<sup>136</sup> According to the league’s website, the mission of NBA cares is to “demonstrate leadership in social responsibility.” NBA Cares includes: NBA/WNBA Fit, a health and wellness program, NBA Green which works towards environmental responsibility, Hoops for Troops, Community Assist which is an award honoring players for giving back to their community, and Basketball without Borders, camps that bring together top young basketball players to be trained by NBA players and coaches.<sup>137</sup> While NBA Cares has raised more than \$242 million for charity, and provided over 3 million hours of community service,<sup>138</sup> its origins are reactive in nature.

After the fight in Detroit, there was a predictably unforgiving and racialized backlash from many sports fans and members of the media. Talk show host Rush Limbaugh called the incident “gang behavior on parade minus the guns. That’s the culture that the NBA has become.”<sup>139</sup> Similarly, columnist Clarence Page said, “the jaw-dropping footage has aired over and over again like an ad for some sort of a 'Negroes Gone Wild' video.”<sup>140</sup> In response to the backlash, Stern implemented NBA Cares as a way to augment the increasingly deteriorating image of the league’s new generation of black star athletes. According to Terry Lefton of the *Sports Business Journal*:

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<sup>136</sup> “NBA Cares. Bigger than basketball,” National Basketball Association, accessed November 10, 2014, [http://www.nba.com/cares/cares\\_overview.html](http://www.nba.com/cares/cares_overview.html).

<sup>137</sup> “NBA Cares. Bigger than basketball.”

<sup>138</sup> “NBA Cares. Bigger than basketball,” National Basketball Association.

<sup>139</sup> Michael Lee, “NBA Fights to Regain Image,” *The Washington Post*, November 19, 2005.

<sup>140</sup> Lee, “NBA Fights to Regain Image.”

Coming after a season when Kobe Bryant's sexual assault case and the fight between the Detroit Pistons and Indiana Pacers gave the NBA twin black eyes, NBA Cares could be seen as an effort in image repair.<sup>141</sup>

NBA Cares, not only could but should be seen as an effort set forth by the league to repair its increasingly tarnished image. According to Commissioner Stern himself, "image [enhancement] will be a byproduct of this."<sup>142</sup> As such, both the NBA Cares and the dress code can be read as a reaction by the league to the perceived disconnect between the league's new lot of young, black stars and white fans.

### **Code of Conduct**

In addition to suspensions, the dress code, and NBA Cares, the league also attempted to manage its young, black athletes through mandatory preseason etiquette classes and media training. As part of the 2005 collective bargaining agreement between the NBA and the players union, several mandatory programs were added to the player code of conduct. These programs were designated "educational and life skills" programs and included substance abuse awareness, HIV awareness, and gambling awareness classes.<sup>143</sup> In addition to these educational programs, mandatory media training sessions and business of basketball programs were added to the player code of conduct. While the code of conduct does not explicitly specify what these programs entail, David Ebner of the *Globe and Mail* called the business of basketball course "the NBA's push to increase revenues," and according to the code of conduct players failing to attend the course incurred a \$5,000 fine, and those missing the media training session were fined

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<sup>141</sup> Terry Lefton, "NBA Cares' sets \$100M charitable goal," *Sports Business Journal*, October 17, 2005.

<sup>142</sup> Lefton, "NBA Cares' sets \$100M charitable goal."

<sup>143</sup> "Article VI-Player Conduct," NBA Players United, accessed November 14, 2014, <http://www.nbpa.org/sites/default/files/Article%20VI.pdf>.

\$20,000.<sup>144</sup> By adding these programs, league officials once again attempted to manage the image of the newer generation of black star athletes by ensuring they would speak and behave in ways deemed acceptable by the NBA and its fans during media interviews and promotional appearances.

### **Olympic Rosters**

Finally, the NBA managed its image by selectively leaving certain star black athletes off Olympic rosters during the late 1990s and early 2000s in an attempt to allow only ‘acceptable’ black stars to represent the NBA—and the U.S.—on a global stage. Perhaps the most glaring example of selectively leaving certain black players off of Olympic rosters occurred in 2000 when Allen Iverson—in the prime of his career—did not make the ‘Dream Team’ roster for the Sydney games. Selected in place of Iverson, who was “the quickest and probably the most exciting player in NBA” at the time, were several less talented and less captivating athletes. Or, as author Jeffery Lane states:

[Iverson was snubbed in favor of] Tom Gugliotta, a requisite white athlete with mediocre talent, Tim Hardaway, an overly ripened point guard with no legs left; and Vin Baker, an overweight, depressed, alcoholic forward.<sup>145</sup>

Looking for a team of older, less brazen players, league officials did not select one of its foremost young stars for the 2000 team because they feared the image they would convey to the rest of the world if they allowed the young, bold Iverson to participate. Ironically, while league executives punished individual players for identifying with hip-hop culture, they used these same

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<sup>144</sup> “Article VI-Player Conduct.”

<sup>145</sup> Lane, *Under the Boards*, 52.

players to exhaustively market an “authentic” hip-hop culture to overwhelmingly white audiences.

### **Where’s Daddy?**

In addition to being managed and punished by league executives, the new generation of black NBA players received negative responses from the the media and sporting audiences. While the media frequently referred to the league’s black stars as thugs and judged players for things as trivial as clothing, tattoos, and hairstyles, they also criticized these young, black athletes for not adhering to the norms and values of predominately white American society. In particular, the media often disparaged the NBA’s black stars during this era for their departure from traditional family values. In a 1998 *Sports Illustrated* cover story with the tagline “Where’s Daddy?” Grant Wahl and L. Jon Wertheim criticized NBA players for fathering children out-of-wedlock. The paternity of the athletes featured in the *SI* article would perhaps have been an issue worth reporting if these men were not meeting their financial obligations or were breaking any laws in the process of fathering children, but neither were true. Instead, the mostly young, black NBA players featured in the *Sports Illustrated* cover story were all paying child support and many had relationships with their out-of-wedlock children. The only ‘crime’ these athletes committed was breaking with the norm of family values in neoliberal American society.

While the players featured in the “Where’s Daddy?” story did not commit crimes associated with their fathering of children out-of-wedlock, they were certainly vilified for both their sexuality and perceived lack of parenting skills in the article. The *SI* feature described the athletes as being part of a “societal epidemic” and called their behavior—fathering children

outside of marriage—everything from immature to apathetic to irresponsible.<sup>146</sup> Further, while the article did suggest that white athletes have fathered children out-of-wedlock as well, only Celtics star Larry Bird and Hall of Fame Pitcher Jim Palmer were briefly cited as examples, and the remainder of the article focused overwhelmingly on young, black NBA players. The authors of the *Sports Illustrated* feature even went as far as to say:

A much thornier issue is race. It's no secret that the NBA has a higher proportion of black players (80%) than football (67%) or baseball (17%). Nor is it news that out-of-wedlock births are a persistent problem in the African American community. According to the most recent study by the National Center for Health Statistics, 70% of black children nationwide are born to unmarried mothers, compared with 21% for whites and 41% for Hispanics.<sup>147</sup>

While the numbers provided by *Sports Illustrated* do suggest that many more black children were born to unmarried mothers than were children of other races, suggesting that such a phenomenon is a “persistent problem” and a “thorny issue” is problematic in and of itself. Essentially, the writers of this *SI* article contended that both marriage and a heteronormative, two-parent family structure were the correct approach to family building, and anything else was a “problem,” an “issue,” or even a “societal epidemic.”<sup>148</sup> Through this type of discourse, the sports media marked the new generation of black athletes in the NBA in the late 1990s as deviant and irresponsible because of their sexual behavior and connected this behavior to racial theories of pathological black family culture. In fact, the article goes as far as to suggest that this type of sexual behavior should be regulated and calls for players to practice safe sex. Far from

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<sup>146</sup> Grant Wahl and L. Jon Wertheim, “Paternity Ward: Fathering out-of-wedlock kids has become commonplace among athletes, many of whom seem oblivious to the legal, financial and emotional consequences,” *Sports Illustrated*, May 4, 1998, accessed November 18, 2014, <http://www.si.com/vault/1998/05/04/242554/paternity-ward-fathering-out-of-wedlock-kids-has-become-commonplace-among-athletes-many-of-whom-seem-oblivious-to-the-legal-financial-and-emotional-consequences>.

<sup>147</sup> Wahl and Wertheim, “Paternity Ward.”

<sup>148</sup> Wahl and Wertheim, “Paternity Ward.”

suggesting that safe sex should be practiced by NBA players to aid in the prevention of disease,

Wahl and Wertheim claim:

Of course, athletes wouldn't be fending off so many paternity suits if they practiced safe sex. They can't claim ignorance...before every season the NBA [conducts] rookie-orientation programs designed to help players with occupational hazards of being an athletes. Topics include making sound investments, working with the media and dealing with women.<sup>149</sup>

The article goes on to quote former NBA player Jim McMillian who claimed that players “get enough information from the league that it's crazy for guys to have unprotected sex.”<sup>150</sup>

Suggesting that NBA players who fathered children outside of marriage should have practiced safe sex implies both that these pregnancies were unwanted and that fathering children out-of-wedlock is a problem that needs to be put to a stop. What the “Where's Daddy?” article—and many others like it that appeared in the same era—was really attempting to do was to impose a particular morality on the new generation of black NBA stars that many members of the sporting press saw as deviant. Moreover, in a 2002 article about Allen Iverson in the *Philadelphia Daily Mail* writer Elmer Smith suggested:

I think he's [Iverson] suffering from a classic conflict of image. Many young men want families but haven't matured to where they are willing to be defined by them. Allen Iverson is a family man. That's who he is whether he's comfortable with it or not...But his thug-life image is still too real.<sup>151</sup>

Here again, the media asserts that Iverson lacks maturity and that he is not an ideal father—or “family man”—because of his “thug-life”—or ‘hip-hop’—image. Through articles like these, it becomes clear that the neoliberal “obsession” with the family contributed to the way audiences

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<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

<sup>151</sup> Elmer Smith, “Allen Iverson needs to put his family first,” *Philadelphia Daily Mail*, July 17, 2002.

and the media reacted to Iverson and other black athletes of the ‘hip-hip’ generation in less than favorable and predictably racialized ways.

### **Role Models**

In addition to suggesting that the sexual behavior of black NBA stars during this era was deviant and amoral, the media also criticized these athletes for the influence they wielded on America’s youth—a view that was shared by NBA executives as well. Athletes like Iverson and Sprewell were regularly disparaged by both the media and the NBA for not being ‘responsible’ role models. Perhaps more than any other single player, Allen Iverson serves as a symbol of everything NBA executives and sports media detested about the new generation of young, black athletes that dominated the league during the late 1990s and early 2000s. Stern was among the most vocal opponents of Iverson’s dress, style, and demeanor, and when Iverson was scheduled to release a rap album entitled “Non-Fiction” in 2000, Stern released a statement saying:

The lyrics that have been attributed to Allen Iverson’s soon-to-be-released rap CD are coarse, offensive and anti-social. Notwithstanding the music’s wide popularity, Allen, by even recording his lyrics, has done a disservice to himself, the Philadelphia 76ers, his teammates and perhaps all NBA players. However, I do not believe that the NBA should be in the business of regulating artistic expression, no matter how repugnant.<sup>152</sup>

Despite Stern’s assertion that the NBA was not in the business of censorship, he later said, “I have the power . . . to disqualify players who engage in offensive conduct - including inappropriate speech.”<sup>153</sup> After meeting with Iverson, Stern said that the 76ers star agreed to “take steps to eliminate from the final version of his CD those lyrics that many have found to be

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<sup>152</sup> Chris Sheridan, “NBA’s Iverson to Change Offensive Rap Lyrics,” ABC News, October 13, 2000, accessed October 17, 2014.

<sup>153</sup> Ashley McGeachy, “Stern Elects Not To Discipline Iverson Over Lyrics. The Commissioner Chatted With The 76ers Star. He Later Expressed His Disapproval But Did Not Exercise His Power.,” *Philadelphia Inquirer*, October 13, 2000.

so offensive.”<sup>154</sup> Iverson’s debut single “40 bars” did include homophobic and misogynistic lyrics such as “Come to me with faggot tendencies/You’ll be sleeping where the maggots be,” and “Everybody stay fly get money kill and fuck bitches;” however, as noted by Kelley in *Yo Mama’s Disfunktional!*, rappers are not merely street journalists, and many of Iverson’s other lyrics discuss things like growing up in an impoverished community and learning to deal with fame.<sup>155</sup>

In addition to the hardline stance taken by Stern against Iverson’s off-the-court activities, the sporting media was also eager to show their contempt for the Sixers star’s album. On October 5, 2000, the *Philadelphia Inquirer* boldly stated:

Allen Iverson may have started out as his own worst enemy-his problem. Now he's ours because he's in position to co-opt our children through music that is as insensitive as it is insidious...Sixers fans, basketball fans had entrusted this young man with access to a precious, fragile commodity: Our impressionable youth. Our kids formed a sizable army of tiny Allen Iverson wannabes, buying the sneakers their hero endorses, wearing his 76ers jerseys and trademark do-rags as if all were government issue. Now Iverson is past wanting into our children's clothes closets and shoe racks. He wants into their heads, using the language and an art form they relate to more than any others. This influence, Philadelphia and the Sixers never bargained for and have every right to reject.<sup>156</sup>

While Iverson’s lyrics are certainly polarizing to say the least, suggesting that the Sixers’ star is “our worst enemy” because children are fans is an incredibly extreme—but all too common—reaction.

Further, in a 2002 *Basketball Digest* article about Sprewell, Tom Kertes notes that Sprewell “claims no hero or role model status.” The author then asks “is he [Sprewell] some kind of threatening thug we should all fear, something he became in many eyes after the P.J.

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<sup>154</sup> McGeachy, “Stern Elects Not To Discipline Iverson Over Lyrics.”

<sup>155</sup> Allen Iverson aka Jewelz, “40 Bars,” *Non-Fiction*, 2000.

<sup>156</sup> Claire Smith, “There is no excuse for Allen Iverson’s wayward ways,” *Philadelphia Inquirer*, October 5, 2000.

incident?”<sup>157</sup> Many members of the media answered yes to this question, and felt it was dangerous for this new generation of young, black stars to be looked up to as role models by the nation’s youth. One such news article argues that the ‘problem’ of having athletes like Latrell Sprewell serve as role models is more damaging to black children than to white. The article notes:

They [black athletes and the companies that market them] are encouraging all the boys and the young men who idolize the[se] sports superstars to believe in a world where to be a success means not having to obey the rules: study hard, learn manners, live within the law, get a job, don’t strangle the boss... It’s not such a disaster for white kids to believe this lie; white society, which is still relatively protective of its young, will save them in the end. But for black kids, its [sic] the passport to a life where the best job they will ever get involves a bicycle, a burger or a Xerox machine.<sup>158</sup>

This statement is particularly problematic for two reasons. First, it suggests that young, black children only have basketball players to look up to as role models, and second it suggests that these young, black athletes have an obligation to look and act in ways deemed appropriate by society for the ‘good of the children.’ Attributing role model status to these young, black athletes and then holding them in contempt for not falling in line with this attributed status, is but another example of the vilification of athletes on the basis of race.

In light of all of the various actions of the both the NBA and the media during the late 1990s and early 2000s, it becomes clear that the ‘hip-hop’ generation of black stars in the NBA was viewed as a threat to predominantly white, neoliberal society. In response to the perceived ‘threat’ of this generation of black stars, both league executives and the media time and again officially sanctioned and unofficially snubbed these young athletes. While a number of black athletes fell from grace prior to the hip-hop generation in the NBA, the way these athletes were

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<sup>157</sup> Tom Kertes, “ALL’S WELL THAT ENDS WELL,” *Basketball Digest* 29 (2002): 20.

<sup>158</sup> Michael Kelly, “Superstar Thugs Make Lousy Role Models,” *National Journal*, December 10, 1997.

vilified and punished differed greatly. By imposing a dress code, levying fines and suspensions, selectively leaving certain players off of Olympic rosters, creating NBA Cares, and questioning the morals and sexual behavior of these young, black athletes, league executives and the media asserted that these young players were not “acceptable” black celebrities for neoliberal America.

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