

Journal of Issues in **Intercollegiate Athletics**

Too Big to Fail: The Penn State Scandal and the Crisis of the Corporate University

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In the fall of 2011, the Pennsylvania State University campus was rocked by a sexual abuse scandal involving former football defensive coordinator Jerry Sandusky. Details of the crimes and the multiple cover-ups by university officials shocked the nation. In this article, we first argue that more attention needs to be paid to the institutional hegemony the Nittany Lion football program had over the university, the town, the state, the Big Ten Conference, and the NCAA. We argue that the increasing corporatization of higher education and college athletics, at least, partially contributed to an organizational culture in which multiple individual actors were compelled to ignore signs of rampant sexual abuse happening on and around campus. Finally, we discuss the ways in which Penn State crisis, as a crisis of accumulation, is imbricated within a broader spectacle of corporatization and commercialization in intercollegiate athletics; and in so doing point to the role the media played in the construction and subsequent disruption of the Nittany Lion football empire.

In his 2009 book *Too Big to Fail*, Andrew Ross Sorkin described a looming and critical economic paradox in which multinational financial institutions had at once extended their systematic reach to untenable ends and at the same time had grown so large that their failure would almost assuredly cause a financial collapse in the global economy. The ‘too big to fail’ label has subsequently been used to describe situations where economies are so dependent on a singular institution for survival, that extraordinary measures are taken to protect and maintain the institution as a way of protecting the system *writ large*.

In this paper we outline the ways in which the Pennsylvania State University (hereafter Penn State) Nittany Lion football program, led by iconic head coach Joe Paterno, had become integral to the economic and cultural well-being of multiple systems (e.g., Penn State University, State College, Pennsylvania, the Big Ten conference, etc.); evolving into a paradoxical position not dissimilar to those “too big to fail” financial institutions. We discuss the critical role the

program played within these broader systems, and point to how that essentiality influenced how and why university and community administrators dismissed, ignored, and covered up allegations and evidence of sexual abuse of young boys by Penn State defensive coordinator Jerry Sandusky. We argue that the actions of a few were not aberrations, but rather are symptomatic of broader cultures of fear, self-preservation, and the corporatized model of higher education and intercollegiate athletics.

In so doing, we agree with Proffitt and Corrigan (2012) that, “critical attention should be paid to the way in which officials’ (in)actions protected the Nittany Lion image (in the short term) and all it delivers for the university, including prestige and revenues” (p. 323). In this sense, we argue that Penn State and its football program should be viewed as corporately-governed institutions that are “concerned less with big ideas than with appealing to the pragmatic demands of the market, such as raising capital, streamlining resources, and separating learning from any viable understanding of social change” (Giroux & Searls Giroux, 2012, p. 271).

The Sandusky Scandal

Throughout the fall of 2011, Penn State became the focus of immense national media attention as a result of the Sandusky scandal. Pew Research Center statistics indicated the sex abuse investigation was the fourth most covered crime story since 2007, falling just behind the acquittal of Casey Anthony in 2011 (Parker, 2011).¹ As national and local media outlets devoted substantial resources to cover the scandal, the gravity and severity of the allegations swiftly came to public light.²

To give a brief overview, former Penn State defensive coordinator Jerry Sandusky was convicted of 45 counts related to sexual abuse in June of 2012. The abuse stemmed back as far as 1998 when a concerned mother contacted university police when her 11-year old son told her he took a shower with Sandusky and hugged him several times. No criminal charges were filed and Sandusky retired the next year. In 2000 and 2002, members of the University staff (a janitor and graduate assistant coach, respectively) witnessed Sandusky sexually assaulting young boys in the football facility showers. Head football coach Joe Paterno, the Athletic Director, and University President were told of the 2002 allegations but the police were never contacted.

Finally, on November 5, 2011 a grand jury investigation of Sandusky and two university administrators was made public. The two administrators were accused of making false statements and failing to report child abuse and were removed from their positions a day later. On November 9th, Paterno and President Graham Spanier were fired from their positions (Chappell, 2012). Spanier was terminated without cause and thus received \$1.2 million in severance pay (part of over \$3 million in total compensation he received in 2011 from Penn State) (Snyder & Roebuck, 2012). Further, he remained as a tenured faculty member as a professor in the Health and Human Development department (Rogers, 2011). It was later revealed in a University-commissioned investigation, popularly dubbed *The Freeh Report*, that:

Four of the most powerful people at The Pennsylvania State University – President Graham B. Spanier, Senior Vice President-Finance Gary C. Schultz, Athletic Director Timothy M. Curley and Head Football Coach Joseph V. Paterno – failed to protect against a child sexual predator harming children for over a decade” (Freeh, Sporkin, & Sullivan, 2012, p. 13)

The findings of *The Freeh Report* were the basis for unprecedented NCAA sanctions against the school, including a four-year postseason ban for the football program, a \$60 million fine, the loss of scholarships for eight years, and the vacation of all victories from 1998 to 2011. Further, the Big Ten conference fined Penn State \$13 million. NCAA president Mark Emmert stated the penalties were meant to send the message that “football will never again be placed ahead of educating, nurturing and protecting young people” (Thamel, 2012, para. 5).

The Public Outcry Against Individual Actors

Before, and especially after, the release of *The Freeh Report*, the public detritus against university officials—and particularly Paterno—was sweeping. As evidenced below, the vast majority of the media coverage focused on the individuals and their ethics, or lack thereof. In the immediate wake of the scandal, the culture in which those actors operated was sparsely discussed, and when the topic was broached the typical reaction was the author was “making excuses” for the individual actors. Below are selective selected passages from major news and sport media outlets³ highlighting the overall tenor of the media representations of the actions of those involved in the scandal.

With regard to Paterno, most media accounts focused on his autonomy within and purview over the operations of the football program at Penn State:

Let's use a reasonable amount of skepticism here. A man with Paterno's power doesn't just relinquish control. Not with something like this. Not when the allegations against Sandusky were so awful and incomprehensible that they could level all those years of goodwill and honor Paterno had built. Although Curley and Schultz are facing perjury charges, there is a sense now that maybe Paterno was let off the hook. – Jemele Hill, *ESPN*, July 2, 2012

Joe Paterno was a liar, there's no doubt about that now. He was also a cover-up artist. If the Freeh report is correct in its summary of the Penn State child molestation scandal, the public Paterno of the last few years was a work of fiction. In his place is a hubristic, indictable hypocrite. – Sally Jenkins, *The Washington Post*, July 12, 2012⁴

About the graduate assistant, Mike McQueary, who witnessed the 2002 rape of a then 10-year old boy, most narratives focused on his sense of morality and ethics within the context of his role within the University and its football program:

It would appear to be the rare case of a pedophile caught in the act, and you'd think a graduate student would know enough to stop the rape and call the police. – Maureen Dowd, *The New York Times*, November 8, 2011

McQueary came under fire by those disgusted by the scandal, but now that Paterno is out and McQueary remains on the Penn State coaching roster, he's becoming the most hated man (after Sandusky, of course) in the scandal – Dino Grandoni, *The Atlantic*, November 10, 2011⁵

Regarding President Spanier, Athletic Director Tim Curley, and Vice President Gary Schultz, the media narratives tended to focus on their lack of oversight in regulating the activities of the team

and taking action against the accused, portraying each individual as ethically inept or morally corrupt:

(Curley and Schultz will) get their day in court, and unless they have O.J.-level defense attorneys, they'll be convicted and imprisoned. Hopefully, they'll never work again. They deserve much, much worse.... The image-obsessed Spanier now will be remembered as the leader who presided over one of the most despicable cover-ups in the history of American higher education. Hopefully, he'll also go to jail. How big of a scumbag is Spanier? When the men decided in 2001 that they wouldn't report Sandusky to any law enforcement agency, Spanier praised Curley's bravery..." Andy Staples, *Sports Illustrated*, July 12, 2012⁶

Some media accounts went even further, laying blame on the broader State College community. These commentators tended to lay blame on law enforcement agencies, child services groups, and other members of the town's legal infrastructure:⁷

From Centre County Children and Youth Services investigators to police officers, judges, a parole officer and high school administrators and coaches to district attorneys and detectives, a cadre of bystanders failed to act with the urgency that a child's cry of this magnitude should elicit. – Ivey DeJesus, *The Patriot-News*, July 1, 2012

All of these narratives share a common theme: the authors tended to condemn the individuals' actions, or inactions, as if they occurred in a vacuum, free from the outside influence of the culture in which they were located. Restated, the environment in which the individual actors operated in here as elsewhere was rarely discussed or considered. Instead, it is assumed each individual had the ability to act freely. "How did the janitor not run to the police? I definitely would have!" and "McQueary was a grown man, how did he not stop what he saw in the shower?" were popular talking points in the immediate aftermath of the scandal. Further, the overwhelming public sentiment was and is that if any of the individuals had reported the allegations to the police they would have been celebrated and continued on in their careers.

For example, many believed that graduate assistant Mike McQueary would have been applauded and revered for reporting the 2002 incident to the police.⁸ This line of thinking assumes that institutional oversight is primarily bound to a singular justice logic: one that aligns with humanistic moral and ethical imperatives. That belief has proved to be a bit naïve. In the past, scandalous behavior in intercollegiate athletics has been uncovered or brought to light by good intentioned whistleblowers who have ultimately been punished for their actions. For example, former Tennessee men's basketball coach Bruce Pearl was branded an "NCAA snitch" (Forde, 2008, para. 10) after he, as an assistant coach at Iowa, recorded conversations with a recruit who admitted another coach offered him cash and cars to play basketball at the University of Illinois. Forde (2008) explained Pearl had the support of the Iowa head coach and athletic administrators to partake in those actions and the NCAA ultimately levied penalties against Illinois based on the information provided by Pearl. Still, Pearl was perceived to have broken "basketball's bizarre outlaw street code" (Forde, 2008, para. 10). Even though *Basketball Weekly* named him one of the top assistant coaches in the college game, Pearl could only find work at the Division II level as a head coach for nearly a decade. Forde (2008) noted that other top

assistants in the Big Ten conference had landed big-time head coaching jobs but that the stigma attached to Pearl, because he had broken “the code,” prevented him from doing the same.

It is also worth considering the Baylor University basketball murder scandal of 2003. That year, Baylor basketball player Patrick Dennehy was murdered by teammate Carlton Dotson. During the investigation, assistant coach Abar Rouse, unwilling to go along with the deceit perpetrated by his boss, secretly recorded a conversation with head coach Dave Bliss in which Bliss stated he planned to “paint Dennehy, the murder victim, as a drug dealer in order to cover up Bliss’ NCAA-violating payment to Dennehy” (O’Neil, 2008, para. 6). As *ESPN* writer Dana O’Neil noted, the basketball program has fully recovered from the scandal and is an annual NCAA tournament participant and Bliss landed on his feet as a coach for Athletes in Action and was even a speaker at the Final Four coaches’ convention. In 2010, he was named Dean of Students, Athletic Director, and boy’s basketball coach at a high school in Texas. As for Rouse, O’Neil (2008) described his life in 2008:

Every night it's the same. He leaves his one-bedroom apartment, hops in his 10-year-old car and clocks in to work at the factory in Wichita Falls, Texas. For eight hours, from 11 p.m. to 7 a.m., he makes airplane parts. When his shift is over, he gets back in his beat-up Toyota Corolla and goes back to his depressing apartment. He sleeps until 2 p.m. and in the afternoon, he might drop a few more résumés in the mail. He is beyond broke. His credit cards are maxed out, his credit ruined. He has humbled himself and borrowed from his mother, tapping her out almost as badly as himself. Desperately in need of overtime pay, he has not taken more than two days off in a month since the fall. This was not Abar Rouse's plan. For six years after graduating from Baylor University, he chased his dream of becoming a top-level college basketball coach. He lived in the tiny outposts necessary to climb the coaching ladder before landing at his alma mater, finally an assistant coach at a Division I university. Three months later, it was over (para. 1-4).

While Bliss is a head basketball coach again and Baylor plays regularly on national television, Rouse is a “basketball pariah.” He has been blackballed from college basketball and coaches such as Jim Boeheim and Mike Krzyzewski have condemned his actions (O’Neil, 2008). Despite being an assistant at a major Division I university, Rouse had only one basketball job after Baylor, a graduate assistant position at Division II Midwestern State University with an annual salary of \$8,000. The other two assistants, who were seemingly willing to go along with the cover up, were given show-cause orders by the NCAA for recruiting violations but both had jobs in basketball as of 2008 (O’Neil, 2008). In essence, every actor in the Baylor scandal besides Rouse has recovered nicely. The message sent is that covering up a crime is not nearly as bad as reporting the crime and harming the brand of the head coach, athletic department, and the university. Put differently, in this context humanistic responsibility was trumped by institutional responsibility.

The same would have likely been true for McQueary. In 2002, Sandusky was only three years removed from his tenure as one of the most revered assistant coaches in all of college football. Reporting the crime, no matter how heinous the nature, may have ended McQueary’s coaching career and caused him and his family to be pariahs in the Penn State and State College community in which they lived and worked. In the eyes of many coaches and administrators, McQueary has shown he can be a ‘good organizational citizen’ who is loyal to the brand, understands the chain of command, and keeps problems in-house.

The universal condemnation of the individuals who knowingly ignored evidence that Sandusky was sexually abusing young boys is warranted and just. We do not aim here to justify their inaction; instead, we believe it is equally important to turn the klieg light toward the institutional culture present within the football program, Penn State, and the NCAA that facilitated and often encouraged the ‘football above all else’ attitude that allowed the Sandusky abuses to continue for decades longer than they should have. We argue that in many ways, the Penn State football program, as a significant commercial and institutional modality, was allowed to grow so large and powerful that its’ collapse would have wide reaching financial and cultural implications within the university, the community, the state, the Big Ten conference, and the NCAA. While shocking when taken at face value, the cover up was almost inevitable. As Ben Heineman (2011) of *The Atlantic* wrote, “the issues that are tearing Penn State apart stem from a fundamental, recurring issue in institutional scandals: a culture of silence that puts protection of the university (or the corporation or the church or the governmental department) ahead of doing justice in individual cases and preventing injury in future ones” (para. 1). In this way, we argue that inaction was itself a form of institutional action; an utilitarian act toward preserving the Penn State brand and the confluence commercial and cultural interests captured therein.

Penn State as Corporate University

The commercial qualities Penn State possessed are not unique to State College. Instead, they are indicative of an overall reconfiguration of the way that colleges and universities operate. Scholars have examined the ongoing shift in higher education and college athletics toward a more business-like approach to the institution’s operations, budgets, and marketing.⁹ Such a marketization of higher education writ large is manifested in many ways, but perhaps most significantly in how once deeply democratic public institutions have adopted the operational, structural, and logistical precepts of the for-profit corporation. This “corporatization” has come in many forms, from turning campuses into veritable shopping malls to changing the operating structures of education institutions to align more with private sector corporations. In *The University in Chains*, Henry Giroux stated anyone who spends time on a college campus cannot help but notice how the culture and polity of higher education is changing. Specifically, Giroux (2007) believes universities are becoming increasingly *corporatized*. Professors are now expected to be “academic entrepreneurs” where the money and prestige they bring the university is more important than their ability to educate the students (Giroux, 2007). Further, Ohmann (2002) posited corporate universities operate like profit-generating organizations in that they are becoming less concerned with their contribution to the social good, or toward fulfilling an obligation of humanistic and democratic progress, and more concerned with their revenue generating ability. Bok (2003, p. 3) listed the factors contributing to this commercialization of higher education:

1. The influence of economic forces on universities (e.g., the growth of computer science majors and departments)
2. The influence of the surrounding corporate culture (e.g., the increased use on campuses of terms such as CEO, bottom line, or brand name)

3. The influence of student career interests on the curriculum (e.g., more vocational courses)
4. Efforts to economize the in university expenditures (hiring more adjunct teachers) or to use administrative methods adapted from business
5. Attempts to quantify matters within the university that are not truly quantifiable, such as trying to express matters of value in monetary terms rather than qualitatively

Giroux (2007) argues that universities increasingly adopting the logics and practices of corporations in their everyday activities can also serve as evidence of commercialization; whereby institutions now sell off anything they can to private corporations in order to increase their bottom line. Private corporations that pay the university for access to their students are increasingly running bookstores, housing services, and dining halls on college campuses. Universities now broker their students' information to marketing firms and credit card companies. Giroux compared the atmosphere of selling on a college campus to a local shopping mall: "Universities and colleges compound this marriage of commercial and educational values by signing exclusive contracts with Pepsi, Nike, and other contractors, further blurring the distinction between student and consumer" (Giroux, 2007, p. 105 & 106). In this vein, Twitchell (2004) stated that during his tenure, the University of Florida Student Union had come to resemble a department store. Today, university students are consistently surrounded by corporate entities who pay for the right to have a store in the heavily trafficked union area. Sauntson and Morrish (2011) stated, "campus bookstores have been turned over to chains such as Borders...and food services and halls of residence have been privatized. This has had the effect of blurring the boundary between public and private space" (p. 74).

David Kirp (2003) referred to this shift in priorities on college campuses as "The New U" (p. 1). In *Shakespeare, Einstein, and the Bottom Line: The Marketing of Higher Education*, Kirp (2003) argued higher education is being "transformed by both the power and the ethic of the marketplace" (p. 2). He surmised famed institutions like the University of Chicago were beginning to look more and more like Hamburger University, McDonald's corporate training program:

To speak of McDonald's and the University of Chicago in the same breath is blasphemy, at least in Hyde Park. But the rise to prominence of schools like Hamburger U – not your father's higher education, certainly, but an accredited institution nonetheless – as well as the hard choices that confront a quintessential academy of higher learning like Chicago illustrate a much larger phenomenon (Kirp, 2003, p. 1).

In a similar vein, Slaughter and Rhoades (2004) suggested university administrators were changing their focus from a public good learning regime to a capitalist model. The authors stated "changed expectations reshape student identity from that of learner to that of consumer" (Slaughter & Rhoades, 2004, p. 8).

Further, Kirp (2003) believed that the role of the university president had been altered in the corporate university model. Previously, presidents were expected to exhibit strong leadership skills while overseeing the daily operations of university. Now, they had less presence within the

institution because they are “consumed with the never-ending task of raising money” (Kirp, 2003, p. 4). Similarly, Bok (2003) posited:

The obvious culprits (to blame for the commercialization of higher education) were university presidents and their entourage of bureaucratic helpers. Intent upon accumulating money to expand the size and reputation of the institution, campus administrators were forever forcing the methods of the marketplace on a reluctant community of scholars (p. 4).

The revenue-generating model of higher education also transformed the classes students were required to take obtain a degree. Instead of “molding students into citizens of the republic” (Kirp, 2003, p. 258), universities are increasingly allowing students to specialize and only take the courses they want or (believe they) need. Kirp (2003) surmised:

In most schools...the common core has been abandoned in favor of innocuous “distribution requirements” that turn higher education into a shopping mall. Much like Swiss watchmakers, today’s liberal arts professors offer what is widely regarded as a luxury item to a shrinking clientele...Career-minded graduates have shifted their allegiance to the ‘practical arts’ (p. 258-259).

Moreover, students are now subjected to curricula designed by privately-run “industry advisory boards” who mandate training modules set to meet “industry and workforce needs.”

Many researchers have similarly argued that much like the broader university structure, athletic departments are becoming increasingly commercialized and corporatized. Bok (2003) called college athletics “the oldest form of commercialization in American higher education” (p. 35) while Tsitsos and Nixon (2012) stated the “commercial athletic marketplace has evolved into the 21st century. We now refer to ‘big time’ intercollegiate athletics involving investments of many millions of dollars in the operations, staffing, facilities, and student athletes in college sports” (p. 69). Similarly, Smith (2012) argued administrative titles in athletic departments now mirror those seen in the business world with schools often having a Chief Financial Officer and an extensive fundraising staff. In this vein, Giroux and Searls Giroux (2012) stated high profile athletic departments “engage in a number of interlocking campus relationships with private sector corporations” (p. 3). They continued:

Lucrative deals that generate massive revenue are made through media contracts involving television broadcasts, video games, and Internet programming. Substantial profits flow in from merchandizing football goods, signing advertising contracts, and selling an endless number of commodities from toys to alcoholic beverages and fast food at the stadium, tailgating parties and sports bars. (Giroux & Searls Giroux, p. 3)

Media commentators have also highlighted the corporatization and commercialization of intercollegiate athletics. In his essay *The Shame of College Athletics*, Taylor Branch stated “corporations offer money so they can profit from the glory of college athletes, and the universities grab it” (2011, p. 2). Athletic departments have replaced iconic, intimate facilities with spacious, hyper-commercialized arenas in the name of revenue generation.¹⁰ Similarly, athletic departments are increasingly entering into exclusive apparel licensing agreements with

clothing, equipment, and footwear companies and selling their marketing rights to mega corporations like IMG.¹¹ Marketing executive Sonny Vaccaro, who signed Michael Jordan to his first footwear endorsement deal, spoke to the “money grab” he believed universities were engaged in when he testified in front of the Knight Commission on Intercollegiate Athletics:

‘I’m not hiding,’ Vaccaro told a closed hearing at the Willard Hotel in Washington, D.C., in 2001. ‘We want to put our materials on the bodies of your athletes, and the best way to do that is buy your school. Or buy your coach.’ ... ‘Why,’ asked Bryce Jordan, the president emeritus of Penn State, ‘should a university be an advertising medium for your industry?’ Vaccaro did not blink. ‘They shouldn’t sir,’ he replied. ‘You sold your souls, and you’re going to continue selling them. You can be very moral and righteous in asking me that question, sir,’ Vaccaro added with irrepressible good cheer, ‘but there’s not one of you in this room that’s going to turn down any of our money. You’re going to take it. I can only offer it.’ (Branch, 2011, p. 2)

By following the chain of money, it is evident athletic success is ultimately leading to profits for private corporations through, among other things, postseason tournaments and bowl games, sponsorship agreements, broadcast rights, and commercial advertising.

For example, in 2011-2012 the student athletic fees at the University of Cincinnati supported programs that were ultimately used by adidas to promote and sell its shoes and apparel, corporate bowl games sponsors to sell advertising and television rights¹², and The Big East Conference to sell sponsorship packages.¹³

For Penn State and its dependent entities, the financial implications of the Sandusky scandal were large and wide reaching and are further evidence of the ‘too big to fail’ mantra. Along with the aforementioned fines, Bass, Newman, and Giardina (2012) cited media pundits who believed the scandal “would create significant financial hardship for the institution in the coming years” (p. 302). Alumni donation decreases by as much as 25% (6 to 8 million dollars annually), decreased enrollment, and lost job opportunities for Penn State graduates were all surmised to be potential consequences of the Sandusky scandal (Bass et al., 2012). After the NCAA sanctions were released, Alicia Jessop (2012) of *Forbes* stated the fines would likely cause Penn State to eliminate or delay any facility projects and reduce their recruiting budgets for all sports. Further, the school is expected to take a major hit to revenues from licensing and merchandising, tourism revenue for State College will almost certainly be impacted, and ticket sales and booster contributions will decrease over the next decade (Jessop, 2012). For example, a sports financial analyst reported Penn State merchandise sales declined by \$15 million after the scandal, around a 25% decrease (Zeitlin, 2012).

The financial impact does not end there. As Giroux and Searls Giroux (2012) noted, Penn State football generated over \$50 million in profits during 2010, compensating for the rest of the department that operated at a \$30 million deficit. Further, the program had mutually beneficial financial relationships with media organizations, merchandisers, advertisers, and countless other entities who sign agreements with the athletic department in hopes of profiting off their association with Penn State football. They all stood to be financially impaired by the scandal as their association will carry less weight with consumers and be seen by fewer fans. The decision by Penn State—as is the case with all institutions with big-time athletic programs—to operate under a corporate model has shifted the priorities within the institution from protecting the

student to protecting the brand. Our point here is that Penn State administrators had, and will continue to have, little or no other choice than to operate in that capacity.

As evidenced above, too much money is on the line and too many stakeholders are invested in the success of the football program for morals and good judgment to be at the forefront of any major institutional decisions. Consider the implications a scandal of this nature, once uncovered, would hold for those institutions and organizations outside the university who have aligned themselves with Penn State. For State College, Pennsylvania the Penn State football program is the top tourist attraction and a key cog in the financial success of many businesses and individuals within the community. The town has a population of around 40,000 but on Saturdays, when Penn State football plays at home, the population of the city rises to 120,000; making it the *third* largest city in Pennsylvania on that day (Zeitlin, 2012). Matthew Zeitlin (2012) stated a collapse of the Penn State football program would result in an “economic and financial reckoning for ...the entire State College economy” (para 1). The author noted hotel room prices tripled and sometimes quadrupled on game weekends; and visitors were required to fill out an application to even get a hotel room with a minimum two-night stay. For games against popular opponents such as Ohio State, the rates and night minimum can get even larger. In essence, at least part of the economic and cultural survival of State College is dependent on the Penn State football program. Further, the amount of the people the program attracts to State College to be permanent residents has not been quantified but is assuredly significant. As Zeitlin (2012) described, the “community (is) excited for the first season under new head coach Bill O'Brien, even wearing shirts inscribed with the word ‘Billieve.’ State College’s businesses and the rest of Penn State are believing too. They have to” (para. 12).

Consider yet another of Penn State’s institutional alignments: The Big Ten Conference. If Penn State football would have been suspended for a year or more, a punishment many argued for, the Big Ten Conference would have had a hole in their league schedule each week to fill. Most likely, Big Ten teams would have been forced to play another non-conference opponent in the short term, an opponent that would most assuredly be from a smaller conference, attract less fans than playing Penn State would have, and likely have to be paid a guarantee (an amount that has been upwards of a million dollars). For example, if the program would have been suspended, eight Big Ten schools would have been forced to find emergency opponents for the 2012 season and would have lost out of the increased revenue that comes from playing a prestigious program at home as long as the program was suspended.¹⁴ The conference alignment is also impacted by the sanctions. The Big Ten was split into two divisions in hopes of equally distributing the football powers. With the competitive disadvantages that Penn State has to deal with over the next ten years the distribution is no longer equal.

Moreover, every school in the conference would have likely lost bowl distribution revenue. The Nittany Lions are traditional participants in major bowl games, participating in the Fiesta Bowl (twice), Rose Bowl (twice), and Orange Bowl since 1990. Since bowl distributions are pooled and divvied between Conference schools it is in the best financial interest of all the schools for Penn State football to continue to be a national power. Finally, the national brand of the Big Ten and ability to profit off of the Penn State program through media contracts is impacted by the scandal. Penn State and Paterno were so synonymous with the Big Ten that the football championship trophy originally was called the Stag-Paterno Championship Trophy until Paterno’s name was removed after the scandal broke.

Along with the aforementioned importance of Penn State to the Big Ten, it could have safely been labeled as one of the flagship institutions of the entire NCAA. *ESPN* writer Tim

Keown (2012) opined the NCAA penalties were in part motivated by the fact that “Jerry Sandusky and Penn State embarrassed and disgusted the hell out of the NCAA, the Big Ten and just about everybody who ever uttered the phrase “success with honor” within a 200-mile radius of Happy Valley” (para. 2). Penn State and Joe Paterno were the flag bearers for the term “student-athlete” and “doing things the right way.”

Athletics in the Corporate University

Within the corporate university structure, athletic departments serve as a main economic and marketing engine. As detailed above, the failure of the athletic department at any major university would have wide reaching consequences for the corporate university. In his book *Branded Nation*, James Twitchell (2004) wrote athletic departments are often seen as a university’s “window to the world” (p. 116). Twitchell outlined how, during his time as a professor at the University of Florida, the athletic department quickly became the brand for the entire university. He stated most Floridians either love or hate the Gators and the athletic department was an “easy identification” for fans. Moreover, he noted that outside of the university foundation building “where a statue of some illustrious donor or beloved professor would stand at an elite school, is a bronze statue of the athletic department’s trademarked mascots, Albert and Alberta Alligator” (Twitchell, 2004, p. 115).

Similarly, in December of 2011 Colorado State University President Tony Frank gave a speech addressing the role of athletics in the university setting. Frank (2011) outlined what he perceived were the benefits athletics provides, namely in the forms of entertainment, alumni connections, and student life. In explaining a position commonly held by university administrators, he encouraged people to consider the role athletics play in the reputation of the university and attracting students to enroll in the school. Frank (2011) ended his speech by stating, “so, at the end of the day...I wind up thinking (Colorado State), including its reputation, needs successful athletic programs” (p. 3). Even a group of Cal-Berkeley faculty members who were campaigning against university support of the athletic department acknowledged the role a well-managed athletics department can play in the university atmosphere. The group conceded athletics likely plays a significant role in academic fundraising numbers and “adds to campus spirit and unity, provides free advertising for the campus, helps in branding, and provides a link and outreach to alumni” (quoted in Berkowitz, Upton, McCarthy, & Gillum, 2010, para. 10). Similarly, Rutgers President Richard McCormick stated Rutgers athletics provided “positive branding, exposure and visibility for our university and the State of New Jersey” (quoted by Eichelberger & Young, 2012, p. 3).

As Branch (2011) described, college athletics are “deeply inscribed in the culture of our nation. Half a million (people) play competitive intercollegiate sports...millions of spectators flock into football stadiums each Saturday in the fall, and tens of millions more watch on television” (p. 3). Many university administrators fundamentally believe a successful athletic department provides a significant competitive advantage and gives universities a sense of legitimacy, positive press and exposure to a group of prospective students and boosters that may never know about their university without the athletic department.

Interestingly, credit agencies also believe athletic departments can improve the overall health of the university. Moody’s Investor Services stated they consider the success of athletic programs when setting the credit score and interest rates universities receive. Weaver (2011) stated Moody’s believed “a carefully managed, successful intercollegiate Division I athletics

program can have a positive credit impact on a university” (p. 5). The author stated athletic departments often rely on these ratings to secure low-interest loans to finance various projects (e.g., stadium renovations) that are paid off over decades. The crossover between university and athletic department comes when the athletic department leverages university assets to secure lower interest rates for athletic projects (Weaver, 2011).

There is evidence to suggest that university administrators believe the prestige and benefits of having a successful athletic program increase if the university participates at the Division I level. Based on this premise, and even with small Division I schools struggling to make ends meet, Weaver (2011) noted there is still a long list of schools attempting to make the jump to the highest division. Weaver used the term “mission creep” to describe the desire of smaller schools to use athletics to enhance their status through association with larger schools. She stated Division I is being increasingly infiltrated by schools with less than 5,000 students like Lehigh and Saint Joseph’s University. In fact, Presbyterian College, home of 1,200 students, transitioned to Division I in 2007-2008. That year, their men’s basketball team was forced to play 25 road games to attract Division I opponents. Weaver (2011) believed Presbyterian was simply trying to keep pace with the schools located around them that had Division I status and prestige.

So many schools applied for Division I membership that the NCAA issued a four-year moratorium on new membership that was in effect until August 2011. In a press release, the NCAA stated the moratorium was to review the requirements needed to be a Division I institution (Copeland, 2007). It was implied that new standards needed to be set to curb the mass migration of aspiring Division II schools to the Division I ranks.

Since 1986, 47 institutions have reclassified from Division II to Division I, including three institutions that completed the reclassification process and achieved active membership this year. Another 18 former Division II institutions currently are at various stages of the reclassification process — including six that officially are entering exploratory membership this year. Five institutions are entering Year 1 of provisional membership, two are entering Year 2, three are entering Year 3 and two are entering Year 4 — the final phase before gaining active membership. Two institutions currently are joining Division I from outside the NCAA. One is beginning exploratory membership this year; the other is in the fifth year of a six-year provisional membership. (Copeland, 2007, para. 13 & 14)

Some universities have even chosen to openly invest heavily in the athletic department in hopes of raising the school’s national profile. The administration at Western Kentucky University provided the athletic department with \$14 million of the \$19 million they needed to operate in 2010; money which came from directly from the general operating budget of the university. This followed the football team joining Division I in 2009. University spokesperson Bob Skipper believed the athletics program brought much needed attention to the entire university:

WKU’s appearance in the 2012 NCAA men’s basketball tournament and WKU’s football success last season has brought national exposure to the university that cannot be purchased. The exposure has resulted in increased interest by prospective students,

instilled a renewed sense of pride in the university, and has elevated general awareness of WKU at the state and national level. (as quoted by Blackford, 2012, p. 2)

Professor Murray Sperber, an outspoken critic on the over-commercialization of college athletics, called the belief that athletic success leads to university recognition “The Flutie Factor.” Sperber stated applications to Boston College University went up by 25 percent after quarterback Doug Flutie completed a Hail Mary pass to beat the University of Miami in 1984. The game was nationally televised on Thanksgiving Day and Boston College was a massive underdog to the Hurricanes. It has been posited that the game put the small Catholic college “on the map” and that the school enjoyed increased application numbers in the years after the game (Sperber, 2000).

Sperber (2000) further observed university administrators turned “The Flutie Factor” concept into “mission-driven” athletics. He stated this mission meant schools promoted their big-time sports programs no matter the cost because athletics were an essential part of the university mission. In fact, Sperber (2000) found that prospective students were often equating athletic success to academic prestige of the university. Students with higher standardized test scores that apply to weaker academic schools because of the athletic department were coined the “Flutie Cohort.” Further, he found 88 percent of males and 51 percent of females were “well informed” of the football and/or men’s basketball team when they decided to enroll in a Division I university. Conversely, males and females both answered negatively over 50 percent of the time to the question, “When applying to colleges for admission, how well informed were you about the undergraduate education programs of the schools to which you applied?” (Sperber, 2000, p. 62).

The actual presence of a “Flutie Factor” is perhaps less important than the extent to which university administrators act upon, and create organizational cultural practices around, this unbending pursuit of elite intercollegiate athletics programs. For many administrators, doing what’s best for the athletics program is akin to doing what is best for the institution as a whole. Worse yet, and much like executives in the global financial sector, to not grow the university through athletics is increasingly seen (by alumni, boosters, students, state legislatures, etc.) to be a lack of institutional foresight (and oversight). In cases where university administrators have scaled back funding for athletics, or sought to de-emphasize sport programs in favor of expanded academic programming, administrators have been publically chided and in some cases terminated (see the University of New Orleans moving to Division III to avoid a reliance on university funding and Vanderbilt changing the structure of their athletic department and folding it into the student life division) (Bechtel, 2003). Problematically, this creates a symbiosis of two potentially corrosive ethics: a proliferation of a win-at-all-costs ethos in big-time college athletics and the systemization of a hyper-competitive, self-regulating institutional hegemony.

Conclusion

We have argued above that the Penn State football program and head coach Joe Paterno had in many ways become ‘too big to fail’; that their symbiotic essentiality to Penn State University, State College, the Big Ten Conference, and the NCAA provided impetus for, if not determined individual action to, the cover up of the Sandusky scandal. In some ways, individual and institutional actions were inextricably and dialectically bound to an overarching system of

capital accumulation (and its ancillary logics of brand management, corporatization, and overall economic well-being of the University and its stakeholders).

This point is perhaps best exemplified in one final episode from the months following the Penn State Scandal. Following the forced resignation of President Graham Spanier in November of 2011, and the release of the University-sanctioned *Freeh Report* seven months later, the Penn State Board of Trustees set out to being the search process for a new President—a figurehead who lead the University out of these trouble times. In the months that followed, those involved offered public commentary on the direction the Board should take in pursuing the “best person for the job.” Many University stakeholders and board members publicly suggested that the board should “consider going nontraditional, such as someone from the corporate world” (Murphy, 2012, para. 28). In an interview with the *Pittsburgh Post-Gazette*, for example, senior scientist and professor of education at the Penn State Center for the Study of Higher Education Don Heller suggested that the board was “obviously going to look for someone who has a reputation for being able to rebuild or build the reputation of an institution, a university” (quoted in Balingit, 2011). In the commentary that followed, Heller and fellow Penn State faculty member John Cheslock made clear what was expected in terms of “rebuilding” the University: “In an era of declining state financial support, the new president will have to be an effective fundraiser,” Cheslock said, “and will have to be skilled at rebuilding trust among donors and boosters—quickly” (quoted in Balingit, 2011). Cheslock continued, “People want to believe in Penn State. . . How quickly can you give them reason to believe in Penn State?” (Balingit, 2011).

Indeed, this impetus to rebuild the university by rebuilding the Penn State brand is not a discourse limited to the two faculty members. Consider further the directive given to the Penn State Presidential Selection Council—a body which includes no full-time faculty members and no members of the recently-commissioned University Ethics Committee, but rather is comprised of one graduate student and eleven members from the private sector (e.g., current and former CEOs of corporations such as Hintz Capital Management, Pfizer, Pennrose Properties, Eat’n Park Hospitality, Sterman Masser, etc.). In a Board of Trustees meeting in September 2012, Board Chairwoman Karen Peertz declared that the new Presidential hire would be part of broader, systematic changes within the institution. She exclaimed to the Selection Council members: “we are totally revamping, upgrading and enhancing our management team and our infrastructure. The investments made to core functions are necessary... and will pay solid dividends for the future” (“Penn State Presidential Search to Begin in November,” 2012). Such a declaration, embedded with corporate jargon and business argot, was carried forward in Peertz’s own validation as a successful businesswoman: “I have spent most of my adult life in business, finance to be specific. I can tell you unequivocally that the reputation Penn State graduates carry with them into business—or any other sector for that matter—is one of intelligence, hard work and integrity” (“Penn State Presidential Search to Begin in November,” 2012).

From these passages and the various other elements presented here, we can begin to see the logic which underpins ‘business’ at Penn State, whereby alumni are positioned as stakeholders, students as consumers, leaders as those who possess business acumen, and the brand is above all else the most critical of all aspects of the institutional operations. In this way, high profile college athletics plays—at least for many institutional intermediaries—an important role in actualizing the business plan set out by those in control. The football team, in this regard, is the gateway to capital and investment; to growing the Penn State brand and its commercial ancillaries.

Hence, while the popular narratives from recognized media members with national audiences surrounded the failure of the individual actors (Paterno, McQueary, etc.), and neglected discussing the culture in which those individuals were situated, in closing we argue that the organizational cultures at Penn State were not only symptomatic of the broader corporatization of higher education (and its' sporting ancillaries) but of the taken-for-granted framings of those institutions. Rarely, prior to or since, the release of *The Freeh Report*—a systematic investigation headed by the former director of the FBI—has the corporate culture of Penn State been called into question within the public discourse. Even more, when financials were cited they were only discussed as outcomes of the scandal and not as drivers of the cover-up. But what is it like to live within such a performance- and profit-driven institution? Should the economic actor, the employee within such a corporate structure, be expected to transcend the economic utilitarianism *doxa* that seemingly trickles down from the top administrators and Board of Directors? Perhaps.

However, one specific element of *The Freeh Report* is worth revisiting as we consider this agency-based conundrum. The janitor who observed the 2000 rape stated he would not report the incident to the police because “they’ll get rid of all of us” (Freeh, Sporkin, & Sullivan, 2012, p. 65). A fellow janitor believed reporting the rape “would have been like going against the President of the United States in my eyes. I know Paterno has so much power, if he wanted to get rid of someone, I would have been gone” (p. 65). In some ways, these two quotes and the indirect testimony of Mike McQueary suggest that as employees, these witnesses to what outside this context are clearly grave criminal acts were subjected to the will not only of power elites, but of the organizing market *pathos* which gave these elites such status within the institution. More to the point, the very act of witnessing was always already articulated to the culture of brand protectionism prevalent within the Athletic Department at Penn State. As Louis Freeh stated during the report press conference, “if that’s the culture at the bottom, God help the culture at the top.”

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Notes

1. From November 7th to November 13th, 2011 seventeen percent of the news coverage was devoted to the Sandusky scandal.
2. For a complete overview, see the work of Sara Ganim, a former reporter for *The Patriot-News*, who won a 2012 Pulitzer Prize in local reporting for her investigation of the scandal.
3. Our empirical strategy in selecting texts for this study entailed monitoring online news media outlets utilizing Google Alerts. From November 11, 2011 until the release of the Freeh Report on July 12, 2012, we used Google Alerts to monitor news media texts, using the keyword filters “Paterno,” “Penn State,” and “Sandusky.”
4. Columnist Eugene Robinson (2012) of The Seattle Times and the Minneapolis Star Tribune newspaper editorial staff also questioned the actions of Paterno.
5. Further commentaries included Gil Spencer of the Delaware County (PA) Daily Times stating McQueary “got off easily” in the Freeh Report and Rod Dreher of The American Conservative writing “Don’t be like the coward Mike McQueary.”
6. CBS Sports columnist Gregg Doyel stated Curley and Schultz “should face reckoning” and ESPN columnist Rick Reilly wrote he hoped they went to jail.
7. An Associated Press report suggested the CEO of the Second Mile charity was partially to blame while FOX Sports columnist Dan Wolken surmised the culture of State College allowed the cover-ups to happen.
8. Pete Lieber and Dan Wetzel are two examples of two national columnists who suggested this. Further, a brief check of the comments sections on any McQueary story showcases people who believe McQueary missed a chance to perform a heroic action.
9. For example, see Murray Sperber’s *College Sports Inc.* in 1990 and *Beer and Circus* in 2000, Henry Giroux’s *The University in Chains: Confronting the Military-Industrial-Academic Complex in 2007*, and James Twitchell’s *Branded Nation* in 2004.
10. See the University of Louisville’s construction of the KFC Yum! Center to replace Freedom Hall, an arena the men’s basketball teams had competed in for 54 years while ranking in the top five for attendance for the last 29 years
11. Further, the University of Texas signed an agreement with ESPN to start its own television network, “The Longhorn Network.” Under the terms of the deal, the University of Texas will be paid \$11 million annually for 20 years.

12. The football team played in the Autozone Liberty Bowl, a game broadcast on ESPN that was sponsored by corporations such as AutoZone, FedEx, and Quaker State.

13. The Big East Conference has numerous corporate sponsors, including American Eagle, Geico, and Reese's.

14. Recently, Florida State was forced to find an opponent on short notice after West Virginia backed out of a scheduling agreement. The Seminoles paid Savannah State \$475,000 to play in Tallahassee and only 71,126 fans were attendance. Two weeks later, over 83,000 fans attended a game against Clemson, a school comparable to West Virginia in terms of fan interest. At an average face value of \$45, that is \$544,725 in lost revenue on top of the fee of \$475,000 paid to Savannah State.