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Court Justice: The Inside Story of My Battle against the NCAA

By Ed O'Bannon and Michael McCann. Published 2018 by Diversion Books, New York (274 pages).

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In *Court Justice*, Ed O'Bannon shares his experience as the lead plaintiff in the landmark court case *O'Bannon v. NCAA*, in which Judge Claudia Wilken found that NCAA rules regarding player compensation violate antitrust law. O'Bannon's purpose is to describe his perspective on various aspects of the case. Throughout the book, he heavily criticizes the NCAA's defenses of amateurism, including their argument that athletes would no longer be normal students without their rules against receiving compensation (p. 123). He also advocates for the rights of players to receive financial benefits beyond the cost of attendance and for increasing their role in the governing of college athletics. One way he recommends increasing the role of athletes is by allowing them to play a role in determining who serves as the NCAA's president (p. 250). O'Bannon and McCann provide an entertaining first person narrative of the lawsuit by explaining how the case progressed, sharing opinions about current issues in college sport, and adding life stories about O'Bannon, like why he agreed to be the lead plaintiff. They conclude by suggesting twelve reforms to improve college sport.

For the most part, the story-like approach strengthens the book by making it more appealing to a wide audience. O'Bannon goes into great detail when describing his thoughts on legal strategies in the case, such as his attorney's recommendation to expand the lawsuit to include current, as well as former, college athletes (p. 32). He also shares his impression of NCAA witnesses and attorneys. By including his perspective on the legal strategies in the case through describing his personal experience, he makes it easy for the reader to gain a better understanding of his experience as the lead plaintiff. Details in these stories are also likely to provide insight on the case that the reader may not have been aware of, like when he recounts why he wanted a jury instead of a judge to preside over the case (pp. 59-60), but realized it would be more practical to have a judge.

His story-telling format also gives O'Bannon the opportunity to display his sense of humor. While sharing some past experiences of his life, he mixes in a few one-liners, like the sarcastic claim that NBA draft expert Adrian Wojnarowski knows who will be selected in the draft before the teams themselves (p. 46). He also uses humor to badger the NCAA. For example, he refers to one NCAA witness's testimony, in which he basically claimed that an athlete receiving \$5,000 per year would not violate amateurism, as "amateur hour," (p. 176). O'Bannon's use of humor helps keep the reader's attention. This is important because the book was published by a trade press, not an academic one, so many of his readers probably expect to be entertained while being informed about his court case.

Another positive aspect of the book is that O'Bannon provides context to his arguments by discussing recent events related to the case. For example, he analyzes the FBI's investigation into bribes involving college basketball coaches and employees of Adidas. He also criticizes the NCAA's decision to rule Central Florida kicker Donald De La Haye ineligible for accepting money for producing YouTube videos related to his experience with athletics, as well as the inability of gold medalist Katie Ledecky to accept endorsement deals while swimming for Stanford, despite the fact that she received money from the United States Olympic Committee for her performance in the 2016 Olympics (p. 215). O'Bannon's interpretation of these events strengthens his criticisms of amateurism, and make his arguments more relatable to readers who have not followed his case in great detail, but are aware of these other occurrences.

There are times where O'Bannon goes extremely, perhaps excessively, in depth when describing life experiences not directly related to the court case. In one case, O'Bannon spends fourteen pages discussing his experience of attending the NBA draft (pp. 40-54). He details the positive and negative emotions from that night, such as his concern over when he would be drafted and how he enjoyed meeting other top prospects. He ties this story into the trial by describing how on draft day "anxiety had turned to elation," and how he used that experience to psychologically prepare himself to testify in the trial (p. 54). Whether these types of stories improve the book depends on the reader's motives. His draft day story undoubtedly help the reader understand his emotions on the day he testified. A person reading the book to gain insight on the court case may perceive many of the details like the rationale behind his style of clothes that he wore to the draft as unrelated to the main purpose of the book (pp. 44-45). On the other hand, someone who is reading to learn as much as possible about O'Bannon as a person, or the perspective of a former athlete on anything related to sports, could appreciate the great detail into which he goes.

O'Bannon did seem somewhat ambivalent when discussing whether or not college sport is, and whether it should be, a big business. On page 34, he shares that "The more I learned about the economics of college sports and the real intentions of NCAA rules, the more I realized there is no line. College sports have become pro sports, just dressed up as something different." On page 158, however, he counters the testimony of an NCAA witness by asserting that "Many college sports fans like the idea of college sports being separate from pro sports. I'm one of them, actually... We weren't trying to turn college sports into pro sports." He clearly views the use of an athlete's image by NCAA institutions without compensation as exploitative (p. 34). Yet, he describes watching his son pitch at a college baseball game as "...a couple of hundred people sitting in the ballpark. I bet not one of them was thinking very much about money in

college sports...This was life in an American ballpark and college sports in its truest form,” which implies that the truest form of college sport does not involve commercialism such as the NCAA televising games or athletes who could receive endorsement deals, the latter being something for which he advocates (p. 254). For most of the book, O’Bannon is very clear about his philosophy towards college sport, and what reforms he would like to see. A few quotes, such as the ones previously mentioned, do leave the reader wondering how businesslike O’Bannon believes that college sport should be. His ambivalence may be explained in his view on amateurism, when he proclaims “I want to believe in it. But it isn’t true, at all” (160).

Those who advocate for a free market in college sport could also raise some criticisms of O’Bannon. While these reformers will applaud his suggestion that athletes be allowed to benefit from their own likenesses (p. 209), some could question his assertion that all athletes should be paid the same regardless of sport (p. 92). His reasoning is that player compensation should be focused on helping athletes live normal lives as college students (p. 93). Critics could simply argue supply and demand, meaning that players who generate more revenue deserve higher pay. Considering that O’Bannon was a college basketball player, it does make his argument more compelling since basketball players like himself generate more revenue than athletes in almost every other college sport, and therefore could make less money under the system that he suggests.

Overall, O’Bannon provides an enjoyable book to read which fulfilled his purpose of providing insight on his landmark court case against the NCAA. He describes his experience as lead plaintiff clearly, and discusses many of the contemporary, controversial issues in college sport insightfully. Some readers may find the personal details that O’Bannon describes as excessive, but this does not derail the purpose of the text. Since there is an abundant amount of criticism of the NCAA, those who agree with his views may appreciate the book more and be willing to overlook minor flaws.

The book could certainly be useful in an academic setting. Since the book is easy to read, the book is definitely appropriate for a course related to current issues in college sport or sport ethics at the undergraduate level. One challenge of teaching the book is supplementing it with defenses of the NCAA, since the book highly criticizes the organization. Certain excerpts would also be beneficial for many sport studies courses. For example, the portion of the book where he describes his testimony could be used in a sport law class. It will also be an essential primary source for the historians who will write about O’Bannon’s court case. Despite previously discussed criticisms of the book, the positives definitely outweigh the negatives. *Court Justice* is a valuable contribution to the field of sport studies.