

FEASIBILITY OF INTRODUCING 'ROONEY RULE' IN INDIAN SPORTS ADMINISTRATION

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Sports is perceived to be a unifying force that fosters meritocracy and transcends social divides. However, a close analysis of the backgrounds of individuals in the Indian sports administration reveals a stark underrepresentation of marginalised communities that demonstrates the existence of entrenched “unconscious bias” and “covert discrimination” within the Indian sporting landscape. In this paper, the author has shed light upon these harsh realities in the Indian sporting arena through an empirical analysis. In India, players and coaches attempt to actively conceal their caste identity, which poses a limitation to this analysis. The author has referred to the ‘Rooney Rule’ stemming from the American National Football League, which is applied to create ‘equal opportunity’ opportunities for underprivileged communities in coaching and administration roles. In this paper, the author has elucidated how Rooney Rule’s application for the position of coaching roles can improve marginalised communities’ representation in coaching roles. This will foster inclusivity and diversity in Indian sports, especially at the administration level, and will further bolster the quality of Indian sports when the pool of expertise and talent becomes ‘deep and diverse.’ The author has argued that the introduction of the Rooney Rule will be feasible in India as it is premised on the notion of ‘soft affirmative action’ and ‘equality in opportunity’ rather than ‘hard reservation’ and ‘equality in the outcome.’

I. INTRODUCTION

Sport is among the few unique social institutions that has the ability to command the collective vision of the entire nation and unite it.¹ It cuts across

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multiple social identities and makes society come together to believe in collective goals and aspirations, which have a tremendous capacity to be exploited. India is no exception to this phenomenon, as witnessed during the freedom movement where sport, on the one hand, was used to disclaim the superiority of colonial rulers² and bring together diverse communities. On the other hand, it was used as a communal tool to gather momentum for partition.³ Indeed, its power was such that it made one forget the previous boundaries imposed by sociological differences and gave the entire populace a chance to acquire a common identity.

This power to unite results in a unique problem that has plagued the sports arena worldwide by conceptualising it as a utopian realm, free from discrimination and assuming that it is governed by the principles of merit proven through fair competition.⁴ This is an illusory perception, and like all other institutions, sport is, but of course, a 'microcosm' of society.⁵ Discrimination on the grounds of gender, race, religion, and (more importantly in the Indian subcontinent context) caste remains a crucial factor in all aspects of sports, including membership, management, and ownership. While it is true that the old social practices that constituted formalised and overt discrimination have been tackled through both legal and social policies adopted by the state and society alike, it is emphasised that less obvious and covert forms of discrimination still persist,⁶ including within the Indian society, both at home⁷ and abroad.⁸ Thus, it is undeniable that these grounds of discrimination are "intertwined in the sports culture."⁹

In this context, this paper will look at the functions and effects of covert discrimination, especially the phenomenon of 'unconscious bias' in sports. Part II of the paper will highlight how the Rooney Rule came into existence and discuss its aims and goals in depth. Part III of the paper tries to analyse whether conditions leading to the birth of the Rooney Rule exist in Indian sports. However,

¹ Derek M Mercadal, 'St. Augustine v. LHSAA: Discrimination, Desegregation, and the State Action Doctrine' (1999) 6 Sports Law Journal 107, 108.

² Ronojoy Sen, *Nation at Play: A History of Sport in India* (Columbia University Press 2015) 94-112.

³ *ibid* 113-137.

⁴ Paul M Anderson, 'Racism in Sports: A Question of Ethics' (1996) 6 Marquette Sports Law Journal 357; N Jeremi Duru, 'Friday Night Lite: How De-Racialization in the Motion Picture Friday Night Lights Disserves the Movement to Eradicate Racial Discrimination from American Sport' (2007) 25 Cardozo Arts & Ent LJ 485.

⁵ Anderson (n 4) 365-66.

⁶ Jeremy Corapi, 'Red Card: Using the National Football League's Rooney Rule to Eject Race Discrimination from English Professional Soccer's Managerial and Executive Hiring Practices' (2012) 23 Fordham Intell Prop Media & Ent LJ 341, 343.

⁷ Manaswini Bhalla and Manisha Goel, 'The Caste is Alive and Kicking in Corporate India' *Forbes India* (2019) <<https://www.forbesindia.com/article/iim-bangalore/the-caste-is-alive-and-kicking-in-corporate-india/53059/1>> accessed 7 October 2024.

⁸ Amrita Ghosh and Arun Kumar, 'Casteism Continues to Thrive Among Indians Abroad — Through Surnames' *Scroll* (2020) <<https://scroll.in/global/970262 casteism-continues-to-thrive-among-indians-abroad-through-surnames>> accessed 7 October 2024.

⁹ Anderson (n 4).

this analysis is severely limited to comparisons with anecdotal instances as extensive empirical data is sparsely available publicly, and the existing data is mired with limitations, as discussed below. Finally, Part IV concludes by recommending the Rooney Rule policy in India, which would benefit the entire sports ecosystem both in the short and long term.

II. ANALYSING ROONEY RULE'S ANATOMY

The area of sports in the popular perception remains to be limited to the playing field, but a lot happens behind the scenes to pull off large sporting competitions, especially those with commercial magnitudes such as the National Football League ('NFL') in the USA, the English Premier League ('EPL') in the UK or the Indian Premier League ('IPL') in India. One of the crucial aspects is the issue of diversity in the workplace of managerial leadership, also popularly known as the 'coaching staff' in the Indian context.

A team of three individuals, namely litigator Johnnie L. Cochran Jr., civil rights attorney Cyrus Mehri, and labor economist Dr. Janice Madden, came together to produce a detailed report¹⁰ on the NFL's hiring practices for coaching staff, which overwhelmingly led to the conclusion that despite better performance records than their white counterparts, black head coaches were not hired and additionally were fired at earlier stages, leading to difficulties in accessing the same opportunities as white coaching staff.¹¹ It is to be noted that this phenomenon occurred despite the fact that minority players had witnessed a gradual growth in the composition of the league teams.¹² This resulted in conversations between NFL representatives, the report's authors, and other individuals, who collectively came to be recognised as Fritz Pollard Alliance,¹³ which was named after the first African-American head coach. It aimed to remedy the league's collective failure in consideration and hiring practices regarding minority head coaching candidates.¹⁴

After multiple talks and constant pressure from the general public, including the threat of a potential Title VII challenge,¹⁵ the NFL reacted by

¹⁰ Johnnie L Cochran, Jr and Cyrus Mehri, *Black Coaches in the National Football League: Superior Performance, Inferior Opportunities* (Mehri & Skalet, PLLC 2002).

¹¹ *ibid*; Douglas C Proxmire, *Coaching Diversity: The Rooney Rule, its Application and Ideas for Expansion* American Constitution Society for Law and Policy (2009).

¹² Richard E Lapchick, *Think Beyond the Competition: 2009 Racial and Gender Report Card* (The Institution for Diversity & Ethics in Sport 2009) <https://www.tidesport.org/_files/ugd/7d86e5_648e1dc33a44ac59dbac9c86cc46598.pdf> 8-10 (stating that 39.6 per cent of MLB players, 82 per cent of NBA players, and 67 per cent of NFL players are of color).

¹³ Proxmire (n 11).

¹⁴ Proxmire (n 11).

¹⁵ Brian W Collins, 'Tackling Unconscious Bias in Hiring Practices: The Plight of the Rooney Rule' (2007) 82 NYU L Rev 870, 889.

constituting a committee on "workplace diversity" headed by an NFL franchise president, Dan Rooney. The recommendations of the committee were adopted and are now popularly known collectively as the 'Rooney Rule' which had ten components which are as follows –

"First, before beginning the interviewing process, the interviewing team should prepare a job description setting forth the qualities they were looking for in a head coach and defining the role of the head coach. Second, the interviewing team should put a search timeline in place indicating when key decisions must be made. Third, the team should also ensure that they identify a 'deep and diverse' pool of head coaching candidates. Fourth, the committee urged team owners to personally contact each candidate about the interview. Fifth, the committee informed teams that a request for an interview should comply with NFL anti-tampering rules. Sixth, invitations to interview for the position should be sent via letter from the club to the candidate. Seventh, the committee stated that interviews by telephone were inadequate and were discouraged. Eighth, the same individual was not required to interview each applicant. Ninth, if candidates refuse to interview for the position, that information should be sent to the Commissioner. Finally, the committee recommended no head coaching changes should occur during the NFL season. However, if a club chose to fire its coach during the season, it could hire from within the organisation without engaging in the formal interview process."¹⁶

The essence of the Rooney Rule is process-based, which is not contingent upon a quota or proportionality of workforce like traditional affirmative action such as reservation. It merely provides a means for a minority candidate to access the opportunity to get considered for the position available.¹⁷ Whereas quotas generally refer to mandatory hiring on the basis of a group identity, the Rooney Rule requires only that an interview position be set aside for a minority candidate. Unlike a quota, the minority candidate does not gain an advantage when it comes to determining the appointment for a position. Instead, he or she must still compete with all other qualified applicants for the position. This is because the remaining candidates are not automatically excluded from consideration as they would under a quota system. Therefore, the goal of the Rooney Rule is to provide for 'exposure and opportunity',¹⁸ and the aim is to encourage good hiring

¹⁶ Patrick K Thornton, 'The Increased Opportunity for Minorities in the National Football League Coaching Ranks: The Initial Success of the NFL's Rooney Rule' (2009) 6 *Willamette Sports L J* 45, 51.

¹⁷ Bram A Maravent, 'Is the Rooney Rule Affirmative Action — Analyzing the NFL's Mandate to its Clubs Regarding Coaching and Front Office Hires' (2006) 13 *Sports Law J* 233, 268-269.

¹⁸ Justin Pike, 'From the Rooney Rule to the Robinson Rule: NCAA Football and the Quest for Equal Opportunity in Head Coaching' (2011) 3 *Widener J L Econ & Race* 26, 49.

practices through an inclusive interview, which opens doors to ‘equal opportunity’¹⁹. It is to be noted that the NFL, till now, hasn’t specified an end date for this policy.

Like all affirmative action programmes, it has faced immense public criticism which merits discussion and needs to be analysed. On one side, some believe that the Rooney Rule can now be removed without any harmful consequences as it has achieved the goal of hiring minority coaches who have further proved their mettle by putting in successful performances.²⁰ While on the other hand, some attack the basis of the Rooney Rule by equating it with ‘reverse discrimination’ and advancing the argument that it merely impedes equality by promoting the culture of sham interviews wherein compliance remains the only objective in order to avoid monetary fines.²¹ The fallacy of both sides lies in the fact that they measure the success or performance of the Rooney Rule by equating it with a ‘hard’ affirmative action program which ensures ‘equality in outcome’ such as through reservation quotas.²² Another example of a ‘hard’ affirmative action program that has an impact on the outcome is South Africa’s often-debated Transformation Charter’s application in the arena of sports. Though the charter itself does not explicitly set out such numerical targets, it notes that the quota system still plays a role in transforming South African sports culture. Using this, the concerned ministry have set up race-based quotas in the selection of professional sports teams in South Africa for the sports administration bodies. Failure to comply with the same can result in severe financial or administrative sanctions²³ which can effectively cripple the sporting bodies. Hence, compliance becomes necessary through a sanction-based approach, and a suitable outcome in terms of representation is ensured. In contrast Rooney Rule is a ‘soft’ affirmative action program that encompasses outreach attempts like minority recruitment and counselling and hence only concerned with ensuring ‘equality in opportunity.’²⁴ The only ‘hard’ aspect of the Rooney Rule is that it merely ensures a place on the interview table for a minority candidate, which should be considered merely as ‘quasi quota’²⁵ or a “consideration-forcing mechanism lying at some point between

¹⁹ *ibid.*

²⁰ Corapi (n 6) 367-371.

²¹ Ron S Hochbaum, ‘And it Only Took Them 307 Years: Ruminations on Legal and Non-Legal Approaches to Diversifying Head Coaching in College Football’ (2010) 17 *Vill Sports & Ent L J* 161, 183-185.

²² Collins (n 15).

²³ Fikile Mbalula, ‘Sports Codes will be Punished for Missing Race Targets’ *PoliticsWeb* (2016) <https://www.politicsweb.co.za/news-and-analysis/fikile-mbalula-punishes-sports-codes-for-missing-r#google_vignette> accessed 29 December 2024.

²⁴ Cynthia DuBois, ‘The Impact of “Soft” Affirmative Action Policies on Minority Hiring in Executive Leadership: The Case of the NFL’s Rooney Rule’ (2016) 18(1) *American Law and Economics* 208, 212.

²⁵ Collins (n 15) 898; Ian Ayres, ‘Narrow Tailoring’ (1996) 43 *UCLA L Rev* 1781, 1812.

the 'soft' and 'hard' polar extremes."²⁶ Its essential feature is that no one is entitled to a position and all candidates compete equally with each other.

At the bedrock of this fallacious thinking lies the firm belief that any diversity initiative or affirmative action program should only target overt discriminatory action, and the previously noted, overarching utopian belief that changes in broader society automatically get integrated into making sports free from discrimination. In practice, discrimination worldwide has become more subtle than before and is often subconscious.²⁷ When confronted with such an opinion, the existing power structures, including those of sports, respond with fierce denials, deeming the practice of unconscious bias as unfounded, inaccurate, and even offensive.²⁸

The general opinion that discrimination on grounds of race, caste, or gender has vanished, especially in the arena of sports, is largely based on ill-founded assumptions as only overt discriminative practices have disappeared. In contrast, covert discriminative practices have been embedded within our social structures.²⁹ This "subconscious bias combines with institutional complexity,"³⁰ which deprives minority populations of accessing opportunities despite equal relative qualifications.³¹ It is a "result of categorisation and stereotyping that serves to perpetuate discrimination despite the intent and awareness of the decision-maker."³²

In the arena of sports, one of the most prominent ways to enforce stereotypes is through mass media, especially televised sports.³³ In the context of race in the American scenario, fans are socialised to colourblind discourses wherein they are conditioned to accept a discrimination-free utopia using the strong identification one has with the respective sport.³⁴ Minority athletes, mostly of African descent, were presented in a prejudiced manner and continue to be victimised

²⁶ Collins (n 15).

²⁷ N Jeremi Duru, 'The Fritz Pollard Alliance, the Rooney Rule, and the Quest to Level the Playing Field in the National Football League' (2008) 7 Va Sports & Ent LJ 179, 188.

²⁸ *ibid*; Rajdeep Sardesai, 'Sports Knows No Caste. But its Talent Needs Enabling, Not Walls of Privilege' (*DailyO* 2018) <<https://www.dailyo.in/sports/cricket-football-zidane-mbappe-world-cup-hina-das/story/1/25511.html>> accessed 7 October 2024.

²⁹ Andrew C Billings, 'Talking Around Race: Stereotypes, Media, and the Twenty-First Century Collegiate Athlete' (2012) 2 Wake Forest J L & Pol'y 199, 200.

³⁰ Timothy Davis, 'Foreword to Symposium Issue, Losing to Win: Discussions of Race and Intercollegiate Athletics' (2012) 2 Wake Forest J L & Pol'y 1, 7.

³¹ Robert E Thomas and Bruce Louis Rich, 'Under the Radar: The Resistance of Promotion Biases to Market Economic Forces' (2005) 55 Syracuse Law Review 301, 318.

³² Hochbaum (n 21) 169; Collins (n 15); Jacquelyn Bridgeman, 'The Thrill of Victory and the Agony of Defeat: What Sports Tell Us About Achieving Equality in America' (2008) 7 Virginia Sports and Entertainment Law Journal 248, 256.

³³ Jimmy Sanderson, 'Weighing in on the Coaching Decision: Discussing Sports and Race Online' in Chris Lamb (ed), *From Jack Johnson to LeBron James: Sports, Media, and the Color Line*, (University of Nebraska Press) 555.

³⁴ *ibid* 558.

through stereotypes developed in the past by the media, which depict them as lacking in mental or leadership skills.³⁵ Hence, one is unconsciously adapted to discount a minority candidate's intellectual ability, and the candidacy ends well before the interview takes place. An example in the Indian context is the character named Kachra who is depicted as an ex-untouchable in the famous movie *Lagaan* as a talented but intellectually deficient player.³⁶ These constructions of stereotypes constitute "unconscious perceptions, which could be categorised as "inferential racism" which are founded on the framework of collective memories and historical power structures.³⁷ Consequently, "inferential racism" (common-sense assumptions and stereotypes) leads to "institutional racism" (under-representation in managerial positions).³⁸

This stereotyping feature of subconscious bias further creates a disadvantage in the case of coaching positions in sports, which are limited in number and exclusive in nature. One such immediate impact of this disadvantage is created through 'old boy' networks, which are distinctive to sports.³⁹ Unlike other managerial positions where applications are invited publicly, coaching positions are based on the existence of prior relationships, wherein potential candidates must be close to these networks. These networks then kowtow to existing power structures and thus effectively end up denying outsiders access to these opportunities.⁴⁰ Another impact that manifests when stereotypes are promoted over long periods is a phenomenon known as 'customer discrimination', wherein the general public, including fans and owners (in the case of professional leagues)⁴¹ or wealthy donors (in the case of collegiate sports)⁴² perpetuate prejudice against individuals from minority communities largely through market choices.

To summarise, discrimination is embedded to such an extent that it functions both on a societal as well as individual level.⁴³ Hence, even if we somehow magically eradicate the concept of race or caste from everyone's consciousness, these grounds of discrimination would still continue to "marginalise, exclude and

³⁵ Kevin B Blackistone, 'The Whitening of Sports Media and the Coloring of Black Athletes' Images' (2012) 2 Wake Forest J L & Pol'y 215, 221.

³⁶ See Boria Majumdar, 'Politics of Leisure in Colonial India' (2001) 36(35) Economic and Political Weekly 3399.

³⁷ S Bradbury, 'Institutional Racism, Whiteness and the under-Representation of Minorities in Leadership Positions in Football in Europe' (2013) 14(3) Soccer and Society 296, 310.

³⁸ *ibid.*

³⁹ Collins (n 15) 875-877.

⁴⁰ Collins (n 15).

⁴¹ N Jeremi Duru, 'Friday Night Lite: How De-Racialization in the Motion Picture Friday Night Lights Disserves the Movement to Eradicate Racial Discrimination from American Sport' (2007) 25 Cardozo Arts & Ent L J 485.

⁴² Hochbaum (n 21) 164.

⁴³ See J Feagin, *Systemic Racism: A Theory of Oppression* (1st edn, New York: Routledge 2006).

oppress” minority ethnic communities.⁴⁴ Hence, affirmative action programs such as the Rooney Rule acts as a mechanism that addresses some “residual patterns of institutional closure.”⁴⁵ It requires a franchise to take minority status into consideration when choosing candidates for interviews and, as a consequence, act as social pressure to promote diversity in hiring.⁴⁶ Most importantly, it allows a franchise to overcome its unconscious bias, as after being forced to interview a minority candidate, the franchise acknowledges its bias and recognises that the minority candidate is best suited for the position.⁴⁷ This is how, theoretically, Rooney Rule fights covert discrimination, particularly, the problem of “unconscious bias” in employment. While policy experts highly debate its effectiveness in practice,⁴⁸ it is to be noted that multiple sports and some professions, such as US law firms⁴⁹ have adopted variations of the Rooney Rule. For example the Football Association, which is the governing body of association football in England had adopted a policy to interview BAME (Black, Asian, Minority ethnic) candidates for positions, akin to Rooney Rule,⁵⁰ albeit with limited success.⁵¹

III. EVALUATING INDIAN SPORTS AND DIVERSITY

Discrimination in the Indian society is still widely prevalent both in overt and covert forms, which also includes the phenomenon of “unconscious bias” as discussed above. Similar to the American context, it is to be noted that discrimination on the grounds of gender⁵² or caste⁵³ is effectuated at the workplace⁵⁴ which is further reinforced by media outlets⁵⁵ in India. Indian sports is no dif-

⁴⁴ Daniel Kilvington, ‘Does English Football Warrant the Rooney Rule? Assessing the Thoughts of British Asian Coaches’ (2019) 22(3) Sport in Society 432, 442.

⁴⁵ Bradbury (n 37) 309.

⁴⁶ DuBois (n 24) 210.

⁴⁷ *ibid.*

⁴⁸ *ibid*; Barry Bozeman and Daniel Fay, ‘Minority Football Coaches’ Diminished Careers: Why is the “Pipeline” Clogged?’ (2013) 94(1) Social Science Quarterly 29.

⁴⁹ Ellen McGirt, ‘How Lawyers are Working to Change Their Industry’s Diversity Problem’ (*Fortune* 2017) <<https://fortune.com/2017/08/30/the-mansfield-rule-lawyers-diversity/>> accessed 7 October 2024.

⁵⁰ Martha Kelner, ‘Martin Glenn’s “Banter” Remark Spoils FA’s Rooney Rule Announcement’ (*The Guardian* 2018) <<https://www.theguardian.com/football/2018/jan/09/fa-rooney-rule-appointing-managers>> accessed 7 October 2024.

⁵¹ Professional Footballer’s Association, ‘Rooney Rule’ <<https://www.thepfa.com/players/equalities/rooney-rule>> accessed 29 December 2024.

⁵² Tejas Harad, ‘Caste is Not a Thing of the Past: Bahujan Stories from the Newsroom Floor’ (Reuters Institute and Oxford University 2020) <https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2020-08/RISJ_Final%20Report_Tejas%20Harad_2020_FINAL%20%282%29.pdf> accessed 7 October 2024.

⁵³ *ibid.*

⁵⁴ Shreyashi Chakraborty, ‘The Business Case for Gender Diversity in the Indian Information Technology Industry’ in Nachmias S, Caven V (eds), *Inequality and Organisational Practice* (Palgrave Explorations in Workplace Stigma, Palgrave Macmillan 2019).

⁵⁵ Behnoosh Payvar, ‘Newspaper Coverage of Gender, Environment and Development Issues in India’ (Lund University 2004) <<https://www.lunduniversity.lu.se/lup/publication/1331377>>

ferent in this aspect, as discrimination on grounds such as caste and gender⁵⁶ coupled with exclusionary mechanism of market economics, has left underprivileged athletes unable to access the opportunities.⁵⁷ In extreme cases it has even led to emigrating to another country⁵⁸ and sadly, even death of promising athletes.⁵⁹ Therefore, it would not be incorrect to assume that the phenomenon of 'unconscious bias' is prevalent in Indian sports. Unfortunately, no extensive empirical data is available to substantiate the claim of covert discriminatory practices in Indian sports, especially with regard to coaching positions, unlike in the case of "Rooney Rule", where a report analysed the hiring practices and performances vis-à-vis minority candidates quite extensively. Additionally, there is no public pressure on the issue of discrimination in sports, and barring a few substantive academic discussions,⁶⁰ no concrete steps have been taken to remedy the present situation. While the strict hierarchies of the caste system or gender might not be functioning anymore, it would be trite to state that Indian society strongly believes in the myth of merit and sees sports as a utopian arena free from discrimination. At the same time, the lived reality of everyone who is associated with it tells a contrarian tale.

Additionally, unlike in the case of America (and more specifically NFL), the proportional representation of minority communities on the playing field itself in India is still very low. Consequently, the 'pipeline' argument regarding the deficient supply of qualified minority candidates can be made. For example, in the case of cricket, till now, only four members of the Dalit community have made it to the national first team in its entire history.⁶¹ Moreover, unlike race, there is a particular paradoxical feature of 'Sanskritisation' and 'Westernisation'⁶² in the modern caste system, which further represses the discussion on diversity in the workplace. It manifests when lower caste individuals try to emulate upper caste communities in a ritualistic sense through the adoption of customs or lifestyle choices in order to increase their social status, and shunning from acknowledging their original caste identity which further hampers mobilisation and leads to

accessed 7 October 2024.

⁵⁶ Suhrid Barua, 'How Sports Still Remain an Uphill Task for Dalits' (*The Bridge* 2019) <<https://thebridge.in/others/how-sports-remain-uphill-task-dalits/>> accessed 7 October 2024.

⁵⁷ Anirudh Krishna and Eric Haglund, 'Why Do Some Countries Win More Olympic Medals? Lessons for Social Mobility and Poverty Reduction' (2008) 43(28) *Economic and Political Weekly* 143, 144-147.

⁵⁸ Jaydeep Basu, 'Caste, Creed, Corporation: A Brief History of Bias in Indian Football' (*News Click* 2020) <<https://www.newsclick.in/caste-creed-corporation-brief-history-bias-indian-football>> accessed 7 October 2024.

⁵⁹ 'India's Attitude Towards Sports' (2015) 50(21) *Economic and Political Weekly* <<https://www.epw.in/journal/2015/21/editorials/indias-attitude-towards-sports.html>> accessed 7 October 2024.

⁶⁰ Gaurav Bhawnani and Shubham Jain, 'Does India Need a Caste-Based Quota in Cricket?' (2018) 53(21) *Economic and Political Weekly* <<https://www.epw.in/journal/2018/21/special-articles/does-india-need-caste-based-quota-cricket.html>> accessed 7 October 2024.

⁶¹ *ibid.*

⁶² M N Srinivas, 'A Note on Sanskritization and Westernization.' (1956) 15(4) *FEQ* 481.

a consequent lack of political strength in public spaces. Unlike the case of athletes of African origin who proudly identify with their racial identity,⁶³ successful Indian athletes actively try to hide their caste identity.⁶⁴ This weakens public scrutiny of caste issues in sports, indirectly fostering environments where casteist slurs and guffaws are used in public without serious repercussions.⁶⁵ However, in one of the rare and interesting instances, it is to be noted that Mahavir Phogat, who is a respectable coaching figure and is credited with bringing a revolution to women's wrestling and even became the subject of a famous biographical film, has publicly acknowledged the hurdles faced on account of caste.⁶⁶ It is to be noted that this was despite the fact that he was from a relatively influential caste background, which has continuously held political power from his geographical area.

Hence, one can make reasonable assumptions regarding the extent of discriminatory abuse individuals from underprivileged communities have to overcome on a daily basis within the Indian sporting framework. On closer analysis, two mechanisms seem to run in parallel, firstly the stereotyping of players from the Indian subcontinent,⁶⁷ wherein they are portrayed as unfit for the job, leading to customer discrimination which causes prejudice, especially among potential employers and secondly, the impact of 'old boys' network, wherein all opportunities are availed on account of existing administrative structure.

The former mechanism of 'unconscious bias' through the creation of stereotypes can also be witnessed in Indian Football by analysing Indian Super League's history which is its commercial league and only second to IPL in terms of revenue. Apart from the brief stints of Kuwait-born Khalid Jamil and the homegrown Thangboi Singto, who were appointed as coaches, none of the head coaches have been from India. This is despite the fact that multiple notable candidates are available. As per data available on the respective websites of the teams and league, at least ten different interim or caretaker coaches have been of Indian nationality. This trend can also be seen in the hiring practices of the Indian football team, which has seen preferences for foreign coaches in the post-liberalisation era,

⁶³ Sanya Mansoor, 'Naomi Osaka Says She Wore 7 Masks About Black Lives During This Year's U.S. Open to "Make People Start Talking"' (*Time* 2020) <<https://time.com/5888583/naomi-osaka-masks-black-lives-matter-us-open/>> accessed 7 October 2024.

⁶⁴ Bhawnani (n 60) (discussing regarding Pandeya brothers).

⁶⁵ 'Yuvraj Singh Apologises for "Unintentional" Casteist Remark' (*The Indian Express* 2020) <<https://indianexpress.com/article/sports/cricket/i-would-like-to-express-regret-yuvraj-singh-on-his-alleged-casteist-remark-6443842/>> accessed 7 October 2024.

⁶⁶ Sudhanshu Kaushik, 'Caste Over Everything (Even the Olympics)' (NYU Gallatin Global Fellowship in Human Rights 2016) <https://wp.nyu.edu/gallatin_human_rights_fellows/2016/08/31/caste-over-everything-even-the-olympics/> accessed 7 October 2024.

⁶⁷ Usman Khawaja, "'Lazy" Criticism Result of Racial Stereotypes' *Sports Star* (2020) <<https://sportstar.thehindu.com/cricket/usman-khawaja-racial-stereotypes-cricket-australia-diversity-muslim/article32618759.ece/amp/>> accessed 7 October 2024.

despite the co-relating lack of performance.⁶⁸ However, another aspect of the sport which can be responsible for this trend could be the institution of the qualification system, which requires one to acquire a license to be considered a potential candidate.⁶⁹

Considering the observations noted above, it may seem absurd to draw the inference that underprivileged communities are underrepresented in Indian sports when the entire subcontinent's representation seems absent. However, this is precisely the point that needs to be addressed that despite the administration being exclusively made up of Indians, they have preferred to appoint foreigners in place of homegrown talent, which results in even further subordination of underprivileged candidates. This is also supported by the stereotype perpetuated by the global media, which reinforces the athletic and strategic inferiority of Asian athletes, especially in relation to Football, thereby resulting in their neglect.⁷⁰ This trend is noted in many other commercial sporting leagues in India, including IPL, but it takes an even more interesting turn when analysing women's cricket in India. In the last two seasons of the Women's Premier League, no Indian has been appointed as a head coach despite the national team coaches being predominately Indian. However, when analysed from the viewpoint of gender, it is surprising to note that in both the national team as well as the commercial leagues, the head coaches have been predominantly male. As per the limited available data, from 1991 onwards, the Indian Women's Cricket Team has seen eleven different appointments for the head coach position, wherein seven were male who cumulatively enjoyed a tenure of around 20 years. Similarly, more than 70% of the appointments were of foreign male origin for the Women's Premier League. This indicates the intersectional nature of discrimination in workforce⁷¹.

Finally, it might be right to suggest that Indian Football or even Indian Cricket is the wrong sport to draw comparisons with American Football in the sense that the latter is largely restricted to its geographical setting and doesn't have a global reach. Additionally, as football is viewed as a 'global' sport, it is commonly believed that foreign coaches, with their advanced expertise, could better support the skill development of Indian players. In response, we may then shift our focus to Pro Kabaddi League, the third largest commercial league in India in terms of revenue which is similar to NFL in terms of its geographical fan base and participants to a large extent. On analysing the public information available for the first eleven seasons, it is to be noted that out of the 34 appointments

⁶⁸ In the post liberalisation era seven foreign coaches have held the post for almost thirteen years wherein pre-liberalisation era only three coaches held the post with the first foreign coach arriving in 1964.

⁶⁹ Corapi (n 6) 375.

⁷⁰ Bradbury (n 37).

⁷¹ Add citation after this sentence - 'News' (Tata Women's Premier League) <<http://www.wplt20.com/news>> accessed 6 October 2024; 'News' (Board of Control for Cricket in India)<<http://www.bcci.tv/international/women/news>> accessed 6 October 2024

made to date, only one of the Iranian Gholamreza Mazandarani is of foreign origin. The geographical origins also indicate the presence of an 'old boys' network in the sense that out of the 33 appointments, 15 appointments are from state of Haryana, 5 appointments each from Maharashtra and Tamil Nadu, 4 appointments from Karnataka and 1 each from Uttar Pradesh, Rajasthan, Telangana and Andhra Pradesh.⁷²

In respect of caste, which forms the fulcrum of discrimination in our country, it is also to be noted that none of the current head coaches publicly identify as being from underprivileged communities. Another limitation is the widespread use of caste neutral surnames, which make it harder to determine the caste identity of the individual. Despite these concerns, it is to be noted that none of the players or the coaching staff are from scheduled communities despite Kabaddi being largely a rural sport. However, the problem of caste discrimination and violence is not uncommon in Kabaddi⁷³ and even its popular cultural representation in mass media has not been devoid of this stereotypical portrayal of underprivileged communities.⁷⁴ To put it in other words, Indian sporting system as it exists today does indicate prevalence of institutional hurdles.

IV. CONCLUSION

The broad observations and the specific instances narrated above, on at least a prima-facie basis suggest that Indian Sports is plagued with the problem of 'unconscious bias' which affects not only underprivileged communities but also the entire subcontinent. While some may believe in the mythical position of meritocracy, it must be challenged as discrimination operates on both micro and systematic levels. The historically embedded power structures based on caste, ethnicity or gender are not a 'thing of the past' and still constitute a significant hurdle in the present to achieve the goal of substantive equality in sports. Hence, a Rooney Rule mechanism should be introduced in Indian Sports, which would go a long way in overcoming the problem of unconscious bias by exposing the falsity of stereotypes. It would also identify links between anti-discrimination movements and sports, thereby making an immediate impact in the short term. In contrast, in the long term, it would enable accessibility to sports for underprivileged communities, thereby making it a place where everyone irrespective of their background, enjoys an equal standing.

⁷² 'Features' (Pro Kabaddi League) <www.prokabaddi.com/features> accessed 6 October 2024; 'News' (Pro Kabaddi League) <www.prokabaddi.com/features> accessed 6 October 2024.

⁷³ Sakshi Dayal, 'As Dalits Start Winning, "Friendly" Kabaddi Match Turns Violent in Gurgaon' (*The Indian Express* India 2016) <<https://indianexpress.com/article/india/india-news-india/gurgaon-dalit-kabaddi-match-violence-yadav-2979903/>> accessed 7 October 2024.

⁷⁴ Arunkumar A S and Jesurathnam Devarapalli, 'Rural Life and Kabaddi: Reflectives in Tamil Cinema "Vennilla Kabaddi Kuzhu"' (2016) 6(20) Indian Journal of Arts 199.