



**Manlius Pebble Hill Model United Nations**  
**Conference October 2018**

National Basketball Association  
Chairs  
Ahmad El-Hindi  
Simon Hoke

## **Preface**

Welcome to our 2018 MPH MUN Conference! We are Ahmad El-Hindi and Simon Hoke, and we will be the chairs of the NBA Committee. Ahmad is a senior at MPH and this will be his fourth year in the MUN program. Simon is a junior and this is his third year in MUN. This is a specialized committee. It will be run in a format similar to that of Harvard style, meaning that all resolutions will be written within committee, and any pre-written resolution will result in expulsion and exemption from any consideration for an award. In addition, delegates who wish to be in contention for an award must submit position papers for each topic. These can be submitted digitally to the contact methods displayed below prior to the conference or can be given to the chairs on the day of. The chairs will not accept any digital submissions during the conference. If you have any questions or concerns, do not hesitate to contact us. You can reach us at our personal emails as well as the committee email, [nbamphmun@gmail.com](mailto:nbamphmun@gmail.com). We look forward to seeing you at the conference and are excited for the intense and thoughtful debate in this committee.

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## **Intro To Committee**

The National Basketball Association is undisputedly the world's strongest basketball league. With thirty teams across twenty-eight different cities in North America, the NBA is considered as one of the four major North American sports leagues. NBA athletes also have the highest average annual salary of any sports league in the world. Founded on June 6, 1946, as the Basketball Association of America, the league became the National Basketball Association after merging with the National Basketball League on August 3, 1949. Though the league's primary focus is to provide the highest quality basketball possible, it has also founded a number of initiatives to address poverty, social inequalities, and the spreading of the game of basketball around the world. These include NBA Cares, NBA Green, the This is Why We Play initiative, and others.

In this committee, there will be two different groups of NBA representatives. One group will consist of the NBA teams, while the other group will consist of representatives from one of the NBA's unions which are the National Basketball Players Association and National Basketball Referees Association. As chairs, we will essentially mimic the powers of NBA Commissioner Adam Silver, and we will use this position to ensure that a working paper submitted from the committee sufficiently addresses the topic at hand. With that power, working papers submitted to the chairs could be returned to the sponsors with a list of issues that the chairs would like to see addressed further in the paper. The chairs will not have any powers to veto or edit draft resolutions. As stated before, this committee will be run in a similar format as to that of Harvard Style, and technology such as laptops and tablets to work on resolutions will be permitted within this committee. In an aim to make this committee as similar to the NBA as possible, there are

minors tweaks to procedure and voting procedure which can be seen [here](#). Procedure may be a little difficult to grasp at first and we will go over it and answer questions at the start of committee, but if you have any questions regarding this committees procedure feel free to contact us.

## **Combating Tanking by NBA Teams**

### ***Introduction***

Across all of America's professional sports leagues, incentives for losing have always been present, and none maybe more so than in the National Basketball Association. The NBA features a "draft lottery" system which awards the worst teams in the NBA each season with the best odds at a top pick in the NBA draft, which takes place in the offseason. Among the thirty teams in the NBA, the fourteen teams that miss out on the playoffs are placed into the draft lottery and the picking order of the draft is determined from then on. The lower a team's record is, the increased odds the team has in the lottery, which means a higher chance at a top pick in the draft. Many refer to this system as a system which incentivises losing for teams that know they will not make the playoffs, as year after year teams who are struggling make strategic

moves to lose games to increase the team's chances at a top pick in the NBA draft.

Though not always successful given the nature of the draft lottery and the draft itself, tanking has proven its worth many times in the NBA, and for many teams the opportunity to potentially land a franchise altering player is irresistible. The process in which teams actively try to lose is commonly referred to as "tanking," and the NBA has exhausted several methods to counter tanking. Many argue that tanking is harming the NBA, and as many feel that tanking adds to an aura of illegitimacy regarding the NBA regular season. When a whole class of teams do their best to lose, it takes away from the value of the regular season.

## *History of the Topic*

To understand the history of tanking in the NBA, one must look towards its clear goal, the NBA draft. In 1985, under commissioner David Stern, the draft lottery was implemented into the NBA. Prior to the implementation of the lottery, draft order was determined purely off of record, with ties being settled by the flip of a coin. While a goal of implementing the draft lottery was to allow all of the non-playoff teams opportunity at a high pick in the draft, the main purpose was to limit the incentives of losing. Many accused the 1984 Rockets and other teams of deliberately losing in hopes to secure the number one pick in a draft that featured talented prospects such as Hakeem Olajuwon, Michael Jordan, Charles Barkley, and John Stockton. In the first two years of the draft lottery, each team had its name placed on an envelope, and team drawn first would win the first pick in the draft. This

process was repeated until the order of all non-playoff teams was decided, before ranking the playoff teams in the ascending order based on record. In 1987, the system was changed such that while the manner in which the lottery was conducted remained the same, this time only the first three picks were determined by the lottery. The other lottery teams were sorted in ascending order by record. The envelope system was highly criticized, and many accused it of being rigged, especially after the New York Knicks won the lottery to draft Patrick Ewing first overall.

Though it was used for five draft lotteries, the envelope system was abandoned in 1990 in favor of a weighted lottery. This system allowed for a lottery system to determine the picks, but also gave the worst teams the better shot at a high pick. The first weighted lottery gave the worst team 11 chances out of 66 to obtain

the first pick. The second worst team had 10 chances, and so on. Drawing on the previous system, the weighted lottery only determined the first three picks, while the rest of the teams were sorted in reverse order of their records. The process was accepted, but it attracted some criticism when in 1993 the Orlando Magic, who had the number one pick in 1992 and also the lowest odds at the number one pick in the lottery, won the lottery and received the first overall pick. The following season, the lottery was modified to give the worst teams an increased odds at a high pick, while simultaneously decreasing the chances of the better non-playoff teams. This system increased the chances of the worst team obtaining the first pick in the draft from 16.7 percent to 25 percent, and decreased the chances of the best non-playoff team from 1.5 percent to 0.5 percent. The new lottery system also used a new method to draw the

lottery. The system uses a process of placing 14 numbered ping-pong balls into a lottery machine before drawing four balls from the machine. This mechanism holds one-thousand possible number combinations, and, prior to the draft, each of these combinations are assigned to the non-playoff teams.

One of the most famous cases of a team tanking in NBA history, as alluded to earlier, was the 1984 Houston Rockets. Despite a modest 20-26 start, the Houston Rockets became enamored with the talent available in the draft, specifically Houston Universities Hakeem Olajuwon, and finished the season with a 29-53. This team utilized several practices common among tanking teams throughout history, such as resting key players and using weaker players on the team. The 1984 Houston Rockets's Elvin Hayes played more minutes in the month of April than he had in all the months

prior in that season Moves like this by the team coincided with a six game losing streak in April, and a 5-17 stretch to end the season tied for the worst record in the league. Other examples include the 1997 San Antonio Spurs, who have been accused of sitting star player David Robinson to injury when, in reality, he was healthy. This was in order to increase their odds at getting the number one pick and drafting Wake Forest star Tim Duncan. The 2003 Cleveland Cavaliers were never close to being a good team, but, after a rough start, the team moved to bench stronger players on the team like Zydrunas Ilgauskas, and instead played players like Chris Mihm in hopes of landing Ohio-native and highschool superstar Lebron James.

### ***Current Situation***

Tanking in the NBA has arguably reached a peak status in today's NBA, and this can be attributed to a multitude of reasons. One element is the current balance

of contenders, and, more importantly, the emergence of “super teams”. With the prominence of super teams in the last decade such as the Big 3 Era Miami Heat and the current Golden State Warriors Dynasty, some would argue that teams have resolved to tank as a means to stock up on young talent through the draft and assets and wait out on the super teams before pushing for contention. Regardless of the reasons, tanking has become a widespread practice. This past season the NBA witnessed several cases of tanking, so much so it was branded the “Tank Wars,” as about eight teams sought out the best odds in the NBA lottery in hopes to exploit a draft class perceived as one of the deepest and most talented in years. Several examples of possible tanking occurred this season, such as the Phoenix Suns, whose star player Devin Booker only played 53 games in the season, including missing out on the final stretch of the



season. Despite a struggling yet honest 15-25 start to the season, the Phoenix Suns were even more dreadful in the second half of the season, only winning 6 of their remaining 42 games. The Chicago Bulls often rested key players such as Robin Lopez, Lauri Markkanen, and Zach Lavine in games against other weaker teams in the league, such as when they left those three at home for a trip to New York to face the Knicks. As discussing tanking is taboo for many players and organization members throughout the league, it is often never acknowledged or admitted by the teams themselves. As such, teams utilize certain claims to cover their attempts at losing. Examples of such include claiming injuries or the need to rest players to keep players from playing. Another example is the claim that the team is developing its talent, usually coinciding with playing young inexperienced players as opposed to a teams

stronger, more capable veterans. Highly outspoken owner of the Dallas Mavericks, Mark Cuban, even stated in an interview that losing was his team's "best option."

The NBA, under recently appointed Commissioner Adam Silver, has made more attempts to try to counteract tanking and decrease the incentives of losing. Adam Silver referred to Mark Cuban's comments on tanking as, "detrimental to the NBA," and issued a six hundred-thousand dollar fine to the owner. Adam Silver himself has remarked on how difficult it is for the league to address and punish tanking, given the nature in which it is practiced. The most notable move under the leadership of Commissioner Adam Silver to counter tanking has been the change in draft lottery odds. The NBA's Board of Governors voted to decrease the odds of the worst teams in the league at a top pick and increase the odds of the better non-playoff lottery teams.

The odds of the number one pick for the worst seven teams in the NBA in descending order were 25%, 19.9%, 15.6%, 11.9%, 8.8%, 6.3%, 4.3%. The changes in lottery odds, set to be implemented in the 2019 Draft Lottery, changed the odds to 14%, 14%, 12.5%, 10.5%, 9.0%, 7.5%. This change looks to decrease the incentives for losing, as teams who tank are less likely to receive their anticipated result. The NBA's Board of Governors also introduced new rules pertaining to the resting of healthy players, including consequences for any team that rests players from a high profile or nationally televised game with fines of up to one hundred-thousand dollars. Despite the commendable acts of Commissioner Adam Silver and the NBA to counteract tanking, it appears to be a problem that requires greater attention and greater solutions if the league truly hopes to eliminate tanking and the incentives of losing.

### ***Questions to Consider***

- How can the NBA properly identify and discipline teams for resting players whom they claim are injured?
- How can the NBA find the proper balance between not allowing teams to tank while also giving struggling teams methods to rebuild?
- How can the NBA distinguish between teams truly looking to develop their young talent and teams that play weaker players intentionally?

### ***Further Reading***

1. A detailed analysis of the (soon to be former) NBA Draft Lottery Method Procedure  
[http://www.nba.com/features/inside\\_lottery\\_050524.html](http://www.nba.com/features/inside_lottery_050524.html)
2. An article which argues that tanking is necessary to the leagues shape, but

harms the leagues integrity and

image

[https://www.washingtonpost.com/news/sports/wp/2018/03/07/the-nbas-mission-isnt-to-stop-tanking-its-to-stop-anyone-from-talking-about-it/?utm\\_term=.3ca45da719b7](https://www.washingtonpost.com/news/sports/wp/2018/03/07/the-nbas-mission-isnt-to-stop-tanking-its-to-stop-anyone-from-talking-about-it/?utm_term=.3ca45da719b7)

3. A Statistical Analysis of the worth of

a top pick and the value of tanking

[http://www.sloansportsconference.com/wp-content/uploads/2012/02/35-Walters\\_Williams\\_NBA\\_2012.pdf](http://www.sloansportsconference.com/wp-content/uploads/2012/02/35-Walters_Williams_NBA_2012.pdf)

## **Entry Requirements into the NBA**

### ***Introduction***

The National Basketball Association is regarded as the world's most premier basketball league, and it's heralded as hosting the pinnacle of basketball talent. As such, entry into the NBA is a rare and difficult feat for any player, and its significance should not be understated. The NBA has always had rules pertaining to the necessary requirements that players must meet in order to gain eligibility to join the NBA, and throughout history these have been subject to criticism and scrutiny. The discussion pertaining to requirements has always existed, and the question may be more complex and difficult than any other topic in the NBA, given the nature of the debate. Unlike other discussions in the NBA, the topic of entry requirements into the NBA involves other institutions, such as the National Collegiate Athletic Association,

who are heavily impacted by the restrictions and decisions of the NBA in regards to potential prospects. Discussions regarding entry requirements into the NBA and the NBA draft have also involved negotiations and discussions with the Players Association.

### ***History of the Topic***

For one to become an NBA player is entirely dependent on one's entrance into the NBA draft. Since the beginning of the draft before the 1947/48 NBA season, the second ever year of the league, players who wished to play for an NBA team have been required to enter the draft. While in today's game the draft consists of only two rounds with 30 draft picks in each, the drafts prior to 1989 would commonly continue until all of the available prospects had been selected by a team. Hence, almost every NBA player would have been a product of the draft. In 1974, the draft was amended in order to

achieve improved efficiency and structure. It was shortened to a maximum of ten rounds. After this change, for a number of years, the NBA cut down the draft structure almost continuously. In 1989, the final adjustment was made, bringing it down to today's two rounds. The significance of such reductions lies in the freedoms of undrafted players. Before 1989, all players were drafted, but since the draft was reduced in size, this has not been the case. NBA teams had and still have the unrestricted ability to sign any undrafted player to a contract, usually not amounting to much but including a few notable examples NBA All-Star John Starks, and 4 time NBA Defensive Player of the Year, NBA All-Star, and NBA Champion Ben Wallace.

Age requirements for the draft have historically been among the most controversial issues surrounding the NBA. The original requirement for entrants into

the draft and league, including those who did not attend college, was to be four years removed from one's high school graduation year. The league emphasized education very prominently. However, these rules were bound to be challenged. As the NBA expanded its brand through the 1950s and 60s, the league began to be viewed as a more acceptable place for working class people, and its popularity in viewing largely increased among the non-wealthy people of America. Kids became less inclined to stay their four years in college given the promise of a huge payload in an NBA contract. The groundbreaking case for changes in the NBA's eligibility rules was that of Spencer Haywood, who withdrew from the University of Detroit in 1971, just three years after his high school graduation, and signed a contract in the ABA, a separate professional basketball league. Soon after, Haywood signed for the Seattle

SuperSonics, an NBA franchise, therefore violating the 4 years removed from high school entry rules. The ordeal became quite public, and prompted the league permanently change the draft age requirements. Players would thereby be allowed to declare for the draft early if they were, and could prove that, they were afflicted with ‘financial hardship.’

Directly following Haywood’s case, three players were drafted directly out of high school. The most famous of these was 3 time NBA MVP Moses Malone, and along with Darryl Dawkins and Bill Willoughby, the three of them were drafted in the early 1970’s. Numerous athletes declared for the draft before their four years of college eligibility were over; at least one player has every year since the 1971/72 season. It was almost 20 years after Willoughby, beginning in 1995 with NBA MVP Kevin Garnett, that players were drafted directly out of high

school again. A list of incredibly successful NBA players including Tracy McGrady, Kobe Bryant, LeBron James and Dwight Howard were brought into the NBA out of high school. Their contributions and legacy within the NBA have been extremely valuable, but, since Dwight Howard’s draft year in 2004, no high school prospect has been drafted, due to the law that would be put in place by then commissioner David Stern, discussed in detail in the next section. The draft age dilemma has always lent itself to high stakes for numerous parties the NBA, the NCAA and most importantly the players. The requirements had and continue to have implications greater than just athletic abilities. Draft age rules can dictate the career paths of young talents, making them a hugely influential piece of NBA history.

### ***Current Situation***

The surge of highschool players who chose to forgo college to go straight into the NBA became controversial and started an intense debate within the league. Many within the league have concerns with the ethical elements of highschool scouting and recruiting, and believe that the NBA should not be overwhelmingly present in high school basketball. Many also fear the influence the NBA and high school entry into the NBA has on young men in urban areas, as there are worries that high school NBA prospects would go straight into the NBA as a guaranteed path to money and fame, as opposed to using their talents to get scholarships to play in college and receive an education. These views were most prominently expressed by then commissioner David Stern.

The stage for these debates and discussions was the negotiations for the new

Collective Bargain Agreement (CBA) in 2005 between the NBA and the Players Association. In these negotiations, Commissioner David Stern publicly expressed his support for a minimum age requirement of 20 to enter the NBA draft. The Players Association was not entirely convinced on the idea of an increased age limit, and many players in the NBA vehemently opposed it. Jermaine O'Neal, a player who was drafted out of high school in the 1996 NBA draft, is likely the most famous example of criticism towards the minimum age proposal when he argued that "If I can go to the U.S. Army and fight the war at 18, why can't you play basketball for 48 minutes?" and accused the proposal and David Stern of being racist. At the tailend of the 2005 CBA negotiations the Players Association reluctantly agreed to a compromise to make the minimum age requirement 19 in exchange for salary cap

changes that favored the players. In addition to the age requirement, the new CBA also mandated that, to be eligible for the NBA Draft, at least one year must pass since the date of the prospects high school graduation. This portion of the rule removed any chance that prospects who were already 19 in high school could enter the draft without waiting a year. Though minor additions have been made to the draft portion of the CBA since the 2005, such as the creation of a draft-issues committee in 2011, the minimum age and the one year out of high school requirements remain the same. The NBA also has circumstances for automatic eligibility for the draft, which are achievable by players who play four years in college or are four years removed from their high school graduation, or for players above the minimum age who have played under a contract with a professional team outside of the United States.

The 2005 CBA changed the culture of the NBA draft, draft prospects, and college basketball. The major change that occurred was the radical commonization of the once rare “one-and-done.” Since the 2005 CBA, players who would have likely forgone college and opted to enter the NBA draft have had to play a year of basketball in college in order to meet the minimum age requirement, and those who enter the NBA after one year of college are commonly referred to as “one-and-dones,” so much so that the minimum age requirement is often referred to as the “one-and-done rule.” Many argue that the one-and-done rule is harmful to both the NCAA and prospects themselves, as Division I NCAA Basketball has become dominated by one-and-done freshman who don’t highlight the “student athlete” narrative that is so sacred to the NCAA. These prospects are also often seen as harming the sense of amateurism



regarding the college game. Critics also point out the fact that NBA prospects who could easily be in the NBA earning millions have to wait a year playing in college with little to gain and a lot to risk. The current holder the NBA's Rookie of the Year Award and star player for the Philadelphia Sixers, Ben Simmons, has been very critical of the NBA Draft in the past. During his single year in college at Louisiana State University, Simmons said "I'm [at LSU] because I have to be here ... I can't get a degree in two semesters, so it's kind of pointless. I feel like I'm wasting time." In October of 2017, NCAA President Mark Emmert announced the creation of the Commission on College Basketball and appointed former Secretary of State Condoleezza Rice to chair the commission. One of the recommendations of the commission was the abolishment of the one-and-done rule, stating that the

"One-and-done has played a significant role in corrupting and destabilizing college basketball, restricting the freedom of choice of players, and undermining the relationship of college basketball to the mission of higher education."

There have been alternate routes taken by players instead of going to college, such as entering the draft from high school postgraduates or playing a year with a professional team internationally, but these cases are few and far between, and the majority of players feel it is easier to be scouted, recognized, and capable of building an image if they play in the collegiate level. Under Commissioner Adam Silver, the league has looked to strengthen the relationship it has with elite high school talents by holding an increased presence at skill camps, as well as increasing their options by strengthening the G-League, the NBA's Development League, similar to that

of the MLB's minor league farm system.

The NBA G-League is already an option for high school prospects, as exemplified when five star recruit Darius Bazley chose to forgo college and enter himself in the G-League Draft to play a season in the G-League, before entering in the NBA draft the following year. Currently, Commissioner Adam Silver is interested in the idea of increasing the incentives of the G-League, such as larger contracts and enhancing two-way contracts. However, many remain doubtful that the G-League can be effective. Compared to the G-League, the image and marketing power of the NCAA and college basketball is massive, and though NBA prospects aren't paid during their time at college, the exposure they receive can easily attract valuable endorsements and sponsorships upon their departure which they may not just as easily receive if they play behind the curtains of the G-League.

### ***Questions to Consider***

- Should the NBA look to end the one-and-done rule? What processes for eligibility should be in place instead? What rights should be afforded to high school draft prospects in regards to endorsements, agents, sponsorships, and what rights should not?
- Is it possible for the NBA to abolish the one-and-done rule without becoming a corrupting and disruptive force in high school basketball?
- How can the NBA increase the attractiveness of the G-League and enhance it to become a viable option for NBA prospects?

### ***Further Reading***

1. A Framing Analysis The NBA's "One-And-Done" Rule

<http://scholarcommons.usf.edu/cgi/viewcontent.cgi?article=5484&context=etd>

2. Independent Commission on College

Basketball Presents Formal

Recommendations by Dr.

Condoleezza Rice

[https://www.ncaa.org/sites/default/files/2018CCBRemarksFinal\\_webv2.p](https://www.ncaa.org/sites/default/files/2018CCBRemarksFinal_webv2.pdf)

[df](https://www.ncaa.org/sites/default/files/2018CCBRemarksFinal_webv2.pdf)

## **Reducing Tension Between Players and Officials**

### ***Introduction***

Expressed by National Basketball Players' Association Executive Director Michele Roberts in January 2018, "If I [talk to] my players and ask about eight things [that bother them], the No. 1 issue on their minds is officiating. It's only gotten worse over the years, [and] probably now is about as hot as it has been." Roberts, in the same interview, was clear that she was speaking not just with players frustrated about refereeing decisions made against them personally, but the majority of athletes in the NBA. She understood that this was, and continues to be, a league wide concern based on errors in the officiating scheme as a whole. NBA players are not satisfied with officials, for a number of reasons.

In February, a meeting was held between the Players Union and NBA

officials in Los Angeles to discuss the waning connection between the two parties and encourage ideas to bridge the growing gap. The dilemma, in its purest form, is the need for continuity of refereeing decisions throughout games vs. the need to judge each offense individually in its potential to create a dangerous game environment. The former Players and fans have also brought attention to the increasingly harsh manner in which technical fouls are granted. Players feel that verbal and physical exchanges between themselves are a part of the game, but, this season more than ever, officials have not hesitated to hand out technical fouls to players involved in even the most minor in-game altercations. This is brought to fruition by the fact that many officials refuse to engage in discussion with players during games, often simply turning their heads the other way. The issues were brought to somewhat of a tipping point when Golden

State Warriors player Shaun Livingston butted heads with referee Courtney Kirkland, resulting in suspensions for both. Commissioner Adam Silver's has remarked that there hasn't been any increase in fouls, technical fouls, or flagrant fouls called this season, contrary to how the issue is being portrayed by critics of referees. However, Silver and the NBA understand that a rift has emerged between the players' and refs' ideas of officiating methods.

### ***History***

The tense relationship between officials and the NBA goes all the way back to the Basketball Association of America (BAA), the first major professional basketball league in America. The league was founded in 1946, comprised mostly of teams based in the midwest and northeast regions of America, as well as teams from eastern Canada. There were, founded around the same time, several other leagues in

America, including the National Basketball League (NBL), which would later merge with the BAA to form the NBA. Referees were much more independent than in today's NBA. From the formation of the BAA, NBL, etc. around 1946, leagues hired officials on a game-to-game basis, with no contractual obligation to specific leagues and no wage security. Today, with the NBA recognized as the premier basketball league in the United States, the premier referees are given long-term contracts and valued as members of the organization. Additionally, this construction was disastrous because of the rule differences across the many leagues. Officials lacked the proper training to make consistent judgements on calls. Lack of proper training persisted even after the leagues became one in 1950. With rule changes every year and an absence of any working benefits for officials, the bar was not high in terms of quality game

management and foul calling on the part of referees. In 1977, the officials of the NBA came together and formed the National Basketball Referees Association (NBRA). Every NBA official promptly went on strike, refusing to officiate the 1977 NBA playoffs, in order to reach a collective bargaining agreement with the league, securing their salaries. The league famously hired replacement officials for the playoffs, but the inexperience of these refs became clear, and after the season the NBA caved, giving the NBRA officials the collective bargaining agreement.

Rule changes throughout NBA history have been implemented to improve the game, and, more recently, to protect both officials and players. In the 1974/75 season, the fine for a player or coach ejected from a game after being awarded a technical foul increased from \$50 to \$100. In the 1976/77 season, the league established a \$10,000 fine

and suspension for players or coaches engaging in on-court fights. In the 1984/85 season, the fine for not heading directly to the dressing rooms after halftime and the conclusion of the game was increased from \$150 to \$500 (players' reason for remaining on the court was usually to discuss, often irately, with referees. In the 2002/03 season, instant replay became available to review plays within the last two minutes of each half and to review possible flagrant fouls. It is the rule changes enacted before the start of the 2010/11 season, though, that carry the most weight concerning this topic. It became legal for referees to award technical fouls for almost anything, and the fines for verbal expressions of disdain or even gestures of complaint such as raising one's arms became attached to fines ranging up to \$5,000, depending on how the league judged their severity. The result has been a less physical game, a game more dependent on

the commonality of the referee's whistle, and a relationship between players and officials that, during games, is characterized more by the number of technical fouls called than by engaged discussion between them.

### ***Current Situation***

More recently, from the perspective of the players, officials' tendencies to blow the whistle for a technical foul without much hesitation reflects their concerns after former commissioner David Stern announced the reforms to the officiating process in 2010. As NBA Commissioner Adam Silver pointed out, though, the statistics, specifically those regarding the fact that technical fouls increase each season, do not support the coaches' and players' claim that the officials are quicker than ever to hand out technicals. The NBRA's general counsel, Lee Seham, expressed a sentiment along the same lines "Our accuracy numbers are very consistent

with what they've been historically, at very high levels. We're looking at high 90s in terms of calls made, averaging around 90 percent in total, and this is all kind of fact-based stuff. There is not any kind of demonstrable or measurable decline in officiating performance, from that perspective." There have been a modest .67 technical fouls called per game in the 2017/18 season, as opposed to the .63 tech's per game in 2016/17. What all parties recognize is that reforms must be made to the communication and dialogue between the officials, players and league. Currently, any information necessary to provide communication between the two as well as any solutions to issues involving the players and referees must be passed through the NBA league office before being relayed to all those impacted by it, which has become a major factor leading to the in-game divide. The league office often reiterates different

information to the officials than it does to the players, meaning there is no direct line of contact between the concerns of the NBPA and the NBRA. The February meeting in Los Angeles, which took place on NBA All-Star Weekend, was meant to change that.

The conference between the two unions was established independent of the NBA, which Adam Silver believes is “fantastic.” The Players Association and Referees Association mutually decided that both the league off the court and the refs on the court needed to more clearly convey the rules of officiating. Often a technical foul comes about not because the player loses control or becomes indifferent to the rules, but because he doesn’t have a clear picture of them. A more direct medium of dialogue between referees and players, again, would positively influence this. The players would like to see a more lenient attitude, from all

referees, towards technical fouls being given from all referees. New technical foul policies have hit verbal disagreements and trash talking the hardest of all. Players argue that even ‘friendly’ exchanges of trash talk are interpreted as an urgent issue that must be fixed and that punishments for such interactions, usually a technical foul but sometimes fines or suspensions, are usually too harsh.

It is very important to recognize the difficulty of officiating a game of basketball. The expansive rulebook means that referees must memorize countless rules only applicable to obscure situations. At the same time, the officials must also be able to make split-second judgement calls which require not just a concrete knowledge of the rules, but also a knowledge of the game. Recently, the NBA has tried to start training former NBA players for the job of referee for precisely that reason. Now more than ever,



officiating basketball games is almost too difficult. Players have adapted their playing styles in order to deliberately earn shooting fouls, basing their games on the referees blowing the whistle for them. James Harden, the Most Valuable Player of the 2017/18 season, was fouled more while taking three-point shots than half of the *teams* in the NBA. Officials often encounter a decision about a foul in which the offensive player initiates the contact, but embellishes or exaggerates the contact to make it seem like a foul. Similar situations occur when play is stopped, often leading to a challenging decision over technical foul assessment. The NBRA, in Los Angeles, made clear that because of new facets in the officiating game such as players like James Harden, granting technical fouls can be the most efficient route to get the game under control. Instant replay is another portion of the game which referees are made to master

but are often challenged by. The replay center was instituted in the 2002/03 season to improve officiating accuracy, but there continue to be large gaps in its structure. For instance, officials cannot reverse a foul call after they have made it on the court, even if they review the same play.

Over the 2018 All-Star Weekend, the NBA announced a five-point plan to improve player-referee relations. The program is being overseen by Head of Referee Operations Michelle Johnson and Vice President of Referee Training Monty McCutchen. The plan includes but is not limited to meetings between the referees and all 30 NBA franchises, an effort to communicate the game's rules with coaches and players more clearly, a movement to fully implement the NBA's "Respect for the Game" initiative, and more disciplined and focused training for up-and-coming NBA officials. While the plan addresses many

concerns of the NBPA as well as the NBRA, we have not yet seen results in games.

### *Questions to Consider*

- How can officials engage in discussion with players on the court more effectively while still retaining their authority?
- Should officials be restrained so that they can only yell technical fouls for a more narrow set of specific offenses?
- How can NBA rules be amended in order to make officiating easier?
- Has every NBA team been impacted differently by the inconsistency in officiating, and if so, how do differences between teams correspond with that team's relationship with referees?
- How can the less experienced referees and players be further assisted by the more experienced in

order to set a early precedent of officiating constants?

### *Further Reading*

1. A general description of many of the issues facing this committee as well as an explanation of the meeting between players and officials in February, 2018.  
[http://www.espn.com/nba/story/\\_/id/2482289/nba-players-officials-referees-meet-discuss-issues](http://www.espn.com/nba/story/_/id/2482289/nba-players-officials-referees-meet-discuss-issues)
2. The history of the National Basketball Referees Association.  
<http://www.nbra.net/about-the-nbra/history/>
3. A detailed list of every NBA and BAA rules change since the 1946/47 season.  
[http://www.nba.com/analysis/rules\\_history.html](http://www.nba.com/analysis/rules_history.html)
4. A players' union perspective on their tarnished relationship with officials.

<https://www.usatoday.com/story/sports/nba/2018/01/16/decline-civility-ins>

[ide-tensions-between-nba-players-and-refs/1035839001/](#)