

Junior Seau's family sues National Football League over brain trauma

By Bryan Dyne
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The family of Junior Seau, the former professional football player, is suing the National Football League (NFL). The suit claims that Seau's suicide in May 2012 was the result of chronic traumatic encephalopathy (CTE)—a disease of the brain—caused by the violent hits he took as a linebacker for the San Diego Chargers, Miami Dolphins and New England Patriots.

Seau's family is filing a wrongful death suit against the NFL, blaming the organization for “acts of omission” that hid the damage to players' heads from repetitive blows while playing football. They are accusing the NFL of concealing and ignoring the evidence that showed the relationship between the violence of the game and traumatic brain injuries.

Seau, a linebacker from 1990 to 2009, was found dead in his apartment last May from a self-inflicted gunshot wound to the chest. His family donated Seau's brain to the National Institute for Health, which has organized a team of neuroscientists to study traumatic brain injury in football players. Their analysis revealed that Seau was suffering from CTE.

CTE was first recognized in “punch drunk” boxers in 1928. A recent study by Boston University found CTE in the brains of 14 of 15 now dead NFL players and 4 of 6 deceased professional hockey players. Players as young as 17 have died from football-related head injuries.

That Seau suffered from CTE replicates the condition of other former football players who committed suicide. These include Chicago Bears safety Dave Duerson and Philadelphia Eagles cornerback Andre Waters.

Duerson committed suicide in 2011, leaving behind a note urging that his brain should be used in the study of trauma in football players at the Boston University

School of Medicine. Researchers there concluded that Duerson was also suffering from CTE. Duerson suffered at least 10 concussions in the course of his career.

Waters killed himself in 2006. According to neuropathologist Dr. Bennet Omalu at the University of Pittsburgh, who studied samples of Waters' brain tissue, the former player's brain resembled that of an 85-year-old man in the early stages of Alzheimer's disease.

The three players—Seau, Duerson and Waters—reportedly all displayed irrationality, forgetfulness, insomnia and depression in the final months or years of their lives, with the traits worsening over time. These symptoms can be linked to brain injuries.

More than 4,000 retired NFL players have sued the league over the same issue—failing to protect players from brain injuries—in more than 175 cases. This total includes 100 suits dealing with concussions as a result of playing football.

Riddell Inc., the helmet manufacturer, is also facing a suit by the Seaus on account of alleged faulty helmet protection. The suit says that Riddell has been “negligent in their design, testing, assembly, manufacture, marketing, and engineering of the helmets” and that the current helmets are unsafe for use in professional football.

The lawsuit further charges that the NFL did little to recognize the dangers of the constant head injuries players suffer. “The NFL knew or suspected that any rule changes that sought to recognize that link [to brain disease] and the health risk to NFL players would impose an economic cost that would significantly and adversely change the profit margins enjoyed by the NFL and its teams.”

It also accuses the NFL of promoting the impression that consistently hitting hard “is a badge of courage which does not seriously threaten one’s health.”

There is no doubt a large element of truth in both allegations. The NFL is the richest sports league in the world, valued at nearly \$33 billion. The majority of its 32 franchise owners are billionaires. Professional football and the media that covers it encourage a culture of gladiatorial violence, as well as American chauvinism and militarism.

Last spring it came to light that the coaches on the New Orleans Saints were paying bounties to defensive players to injure opponents, particularly quarterbacks. The amount of the bounty was determined by how incapacitated a given opposing player became after a hit.

The NFL consistently denies the validity of the suits charging it with negligence toward the health of players and retirees. After the news of Seau’s CTE came out, the NFL stated, “The NFL, both directly and in partnership with the NIH, Centers for Disease Control and other leading organizations, is committed to supporting a wide range of independent medical and scientific research that will both address CTE and promote the long-term health and safety of athletes at all levels.”

In reality, the long-term safety of the athletes would necessitate a lowering of the level of aggression and a greater emphasis on skill and agility. Less violence and more coaching is considered to be both poison at the box office and more expensive. It would run counter to the effort to build up players like Seau as a ferocious tackler of opposing players. Seau was reported to have sometimes suffered serious “facial lacerations” from being hit in the head.

The National Collegiate Athletic Association, the body that oversees college football, is also being sued by former athletes for head injuries resulting from playing the game. They are claiming that the NCAA too has been negligent in protecting athletes against head injuries.

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