

Lawyers, Guns, and Money

The NCAA is intent on taming the rodeo that money has induced. How far their lasso actually reaches is anyone's guess.

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Nate Oats looked dejected.

It was March 2023. Oats, wearing his patented plaid sport coat, was sitting over a postgame dais. He was speaking on a subject that came much earlier than he expected. His Alabama Crimson Tide team, who went 31-6, had earned the number one overall seed in the 2023 NCAA tournament— their first in program history.

Alabama had a loaded roster, including that year's number one overall pick, Brandon Miller (a current centerpiece for the Charlotte Hornets). The Tide rolled through 16th seeded Texas A&M-Corpus Christi 96-75 in the first round, before defeating eighth seeded Maryland 73-51 in the second round.

Things changed, however, in the Sweet Sixteen. Fifth seeded San Diego State, en route to a National Championship game appearance, defeated Alabama 71-64. It was the end of the line for the best team in America all season.

Oats remarked in the postgame press conference that "Everybody's really disappointed in the loss. It ended too soon..." For Brandon Miller, it sure did, as he would never be able to wear the Alabama uniform again. To add insult to injury, he had a disappointing tournament. The future #1 overall pick had not left on a high note.

Sitting three chairs to the left of Nate Oats sat Charles Bediako. Bediako had been named to the 2022 All-SEC Freshman team in the prior season, averaging 6.7 points and 4.3 rebounds per game. In the loss against San Diego State, a game in which he started, he scored 10 points and grabbed seven rebounds in 25 minutes of play.

Exactly one week after their Sweet Sixteen exit, Bediako declared for the NBA Draft— while maintaining his college eligibility. This was common practice among NBA prospects who were perhaps on the fence about their future. There was an instituted draft withdrawal deadline. Players had the opportunity to test the waters

through workouts, meetings, and the NBA Draft combine. If they ultimately decided there was not enough interest from NBA franchises, they could return to college, so long as they withdrew their name prior to the deadline.

On May 24th, 2023, Charles Bediako decided he would be keeping his name in the NBA Draft, officially forgoing the rest of his college eligibility. He went on to go undrafted, before signing with the San Antonio Spurs following a summer league appearance with the team.

Nate Oats' postgame remarks likely rang true in Bediako's ear. Indeed, it—as in Alabama's season—had ended too soon. Perhaps Bediako also felt his college career ended too soon: just two seasons in Tuscaloosa, before ultimately going undrafted and becoming a G league player.

In January 2025, about a year and a half following officially Bediako leaving college, he was still playing basketball. He played a home game, logging 25 minutes. He scored 13 points and grabbed three rebounds. His team lost, 79-73.

His team?

The Alabama Crimson Tide.

Money has driven plenty of decisions in the NCAA's 100+ year history. In particular, the ludicrous money that college football earns often bleeds itself into the decisions regarding basketball. The Big East Conference, at one point a premier basketball league with pedigree, tradition, and rivalry, became watered down with football schools that did not pay as much attention to basketball. Conferences strike media deals with TV networks, poaching off other leagues' most attractive schools to sweeten the media networks' interest in their own league. This factor, in a long way around, led to the end of the Pac-12 conference.

Money has also been a dirty word, until very recently. On paper, college athletes have not been paid for their performance. There was a strict amateurism model in place. College athletes were, in theory, not paid to play for the schools at which they attended.

The quiet part being screamed out loud is that players were often paid under the table. In some cases, namely the 2018 FBI scandal, there were high-octane, six figure payments allegedly passed along to bring recruits to certain schools.

The *House v. NCAA* settlement came in July of 2025, officially rendering the end of amateurism in college athletics. Players could now be paid directly for their play, ushering in a new era of revenue sharing. Additionally, NIL, which had been in process for a few years, also took the college sports world by storm. The NCAA is no longer amateur—it is essentially semi-professional sports.

Whether or not the NCAA believed there would be consequences outside of simply cash flow and revenue is unclear. Players are now allowed to be paid, an action that, in many estimations, came a few decades too late. The revenue generated from these athletes in favor of the schools and conferences they play under is colossal. NIL also gives opportunities for even the lesser-known college athletes to garner some outside cash flow. If you're not Cooper Flagg (New Balance) or Paige Bueckers (Gatorade), you can still be Doug Edert, the star of the 2022 men's NCAA tournament Cinderella story Saint Peter's (Edert scored an NIL deal with Buffalo Wild Wings).

Moving past just the cash, this brings us back to the story of Charles Bediako. How is Charles Bediako able to come back and play college basketball, despite officially forgoing his college eligibility when he remained in the NBA Draft past the withdrawal deadline?

The answer: antitrust laws.

By definition, an antitrust law is meant to promote free market competition while also protecting consumers from harmful business practices. This business jargon translates to the NCAA's case, which can be dwindled down to this fact: **according to the Supreme Court, by decades of disallowing college athletes to be paid while simultaneously using their names, images, and likenesses for profit, the NCAA was violating antitrust laws.**

That is the crux of the *House v. NCAA* case, which ended partially in a \$2.5 billion settlement that allowed schools to pay out athletes who participated in collegiate sports since 2016.

Essentially, the college athletes in the NCAA were being held back by the NCAA from rightfully earning money that they had generated from their NIL, as well as their on-court/on-field performance under the guise of TV broadcasts.

How far can we stretch this? Charles Bediako has an idea. Under the previous NCAA rules prior to the House ruling, athletes have five full calendar years from their time of enrollment as a freshman to complete four full seasons of competition. You get

five chances to play four seasons—allowing a one-off year for a transfer sit out, redshirt year, or even a debilitating injury.

Bediako completed two full years at Alabama before declaring for the draft. At the time of declaration, he had turned 21 years old two months prior. He is now 23 years old. Despite being past the technical age of a typical college athlete, Bediako is still within his five-year window to play college sports. His five year clock began at the beginning of the 2021-2022 season, and by definition, he has the rest of this 2025-2026 season before his clock officially runs out.

Of course, that didn't necessarily matter once eligibility was forgone. Bediako, by keeping his name in the draft, rendered his clock moot. At the time of the 2023 NBA Draft, Bediako was deemed a professional basketball player, for better or for worse.

Bediako, after signing a two-way contract with the Spurs, was waived in December 2023. He had never appeared for the NBA team, but played exclusively in the G league. While recovering from his torn meniscus that initially got him waived, he rejoined the Austin Spurs in March 2024.

By July 2024, he was a member of the Orlando Magic's summer league team. In October of 2024, after being waived by the Magic, he joined the Grand Rapids gold, the G League affiliate of the Denver Nuggets. Bediako last played in the G League a week before Alabama's game against Tennessee. By the time of tipoff on Saturday, January 24th, he had already been enrolled in classes and was suited up for the game.

The NCAA's senior vice president of basketball, Dan Gavitt, released an official statement that read, in part, "The NCAA has not and will not grant eligibility to any prospective or returning student-athletes who have signed an NBA contract."

Despite the NCAA declaring Bediako ineligible, he was granted a temporary restraining order (TRO) to play until his next court date on Tuesday, January 27th. This ruling came down from a judge in Tuscaloosa named James Roberts (grab your tinfoil hats: he is listed as a lifetime six-figure donor to the University of Alabama).

Those magic words— "has not and will not grant eligibility"--- are the exact kind of rhetoric that welcomes a slam dunk from any lawyer worth their salt. What the NCAA has found out is that, when taken to court, they really do not have much power to actually enforce those rules.

A secret to no one is that G League salaries are quite low. The average G League salary is \$43,000 per year. Bediako, in keeping with recent developments in court, has a right to freely pursue money in any way he sees fit on a basketball court. Despite the

NCAA declaring him ineligible, antitrust laws and the House settlement have set a precedent that essentially any player who wants to come play in college more than likely will be granted the right to do so— because who is the NCAA to restrict a young athlete from rightfully earning money? If Alabama is willing to front the cash (the details of any potential payment and/or agreement between Alabama and Bediako are unknown), then the NCAA may not have a leg to stand on.

Bediako is technically the first of his kind (a former college player who signed an NBA contract returning to play again in college), but he is not the first player this season to make eligibility waves.

James Nnaji never played college basketball. Born in Nigeria, he played professionally in Europe, most notably for FC Barcelona. In 2023, he was the 31st overall pick in the NBA Draft, eventually being a cog in the trade that sent Karl-Anthony Towns from the Timberwolves to the Knicks.

Nnaji then went back to Europe, but has now found himself in Waco, Texas as of about a month ago. Baylor coach Scott Drew brought Nnaji into the fold. He made his debut on Saturday, January 3rd against TCU, scoring seven points.

Nnaji's case made waves, but is at least less ridiculous when considering he never played a college game. Nnaji is 21 years old, and he was granted four years of eligibility. If exhausted, he would be 25 years old at the time of his final season.

There are several other examples across the NCAA this season. Notable examples include Virginia's Thijs De Ridder and North Carolina's Luka Bogavac, who were both eligible for the 2025 NBA Draft as 22-year-olds. After going undrafted, they found themselves in the college ranks, competing and earning money for two ACC teams in the hunt for deep tournament runs.

Most of the examples this year all have one thing in common: they never played college basketball. Charles Bediako did play college basketball. He left, and has now returned, per the TRO. The follow up hearing for Bediako comes on Tuesday, January 27th. This hearing is expected to officially give a declaration on Bediako's eligibility for good. If he is declared eligible, then he will be able to play the rest of the season for Alabama. If he is declared ineligible, then.....who knows?

Will the game against Tennessee be forfeited? They lost anyway, but what if they had won the game? The TRO specifically restrains the NCAA from "...threatening, imposing, attempting to impose, suggesting, or implying any penalties or sanctions."

That would apparently mean that any idea of a forfeit or penalty against Alabama as a team in terms of standings or disqualification would go against the ruling.

Still, the questions will roll on no matter the ruling. For one thing, plenty of coaches have spoken out against it. Tom Izzo has spent all season lamenting the process, deplored the system more so than the coaches who take advantage of it. Dan Hurley has questioned the future of the sport, including his own participation in it, should the chips keep falling so ominously and drastically in the direction they are moving now.

If Bediako is ruled officially eligible, then there is truly no telling where this sport is going. Nobody knows how far the NCAA's reach is in terms of ruling, least of all the NCAA. For decades, they believed they were able to freely rule players ineligible or eligible based on numerous criteria. Now, all players have to do is take the NCAA to court and apparently, the courts will almost always rule in favor of the player.

When the NCAA relinquished the amateurism model, it is hard to imagine they saw this as collateral damage. What happens next? The real pitfall would be if and when an NBA player who saw actual NBA minutes somehow finds his way back to the college ranks. It has not happened yet, and any names of players being thrown around in that regard would be nothing more than speculation. However, nobody saw any of this coming, so how can we say anything is out of the question?

There is also the question of why all of this truly matters. Some might pose that all of this is good for the actual quality of the basketball, since better players are staying in school longer, and in some cases returning to school from the professional ranks.

While there is definitely some merit to that argument, it is hard to argue overall that the sport is better off in this no rules, all things go environment. Players can now transfer wherever they want, whenever they want. It will be nearly impossible for strong mid-major programs to retain their prominence when all of their best players are going to be poached by power programs who have the revenue to lure athletes into the big time. Power conferences are insanely large at the moment— what happens if the ACC fails to retain its most powerful schools that eventually move onto the SEC and Big Ten within the next decade? Will the Big Ten and SEC break off into their own super league? Will it be just football that does it, or will basketball be dragged along in the sidecar like William H. Macy in *Wild Hogs*?

Carson Beck publicly acknowledged he "has not taken a class in two years" before starting at quarterback for Miami (FL) in the CFP National Championship game.

Will there come a time when athletes no longer actually attend their universities, and instead just play under the names of those schools? They would certainly be paid enough at the power schools to warrant just playing for a paycheck and representing a university without actually attending classes. It seems far-fetched now, but remember: players were not allowed to be paid just a few years ago, and an NBA Draft pick who was traded for Karl-Anthony Towns played for Baylor this month.

College athletics is now a rodeo— how far does the NCAA's lasso reach? Not even they know the answer to that. Court rulings will keep coming down, and more than likely, controversies will keep popping up. As long as money remains the straw that stirs the drink, it is hard to visualize this dying down without a major shake up. Whether it's a full Big Ten/SEC breakaway, a collective bargaining agreement, or another major Supreme Court ruling, nobody can predict where the NCAA will stand even in five years, let alone ten years.

The NCAA probably did not envision these developments when the House settlement came along. Now, it is hard to envision them having any power in what developments come next.

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