Outside the Lines

A publication of the Society for American Baseball Research Business of Baseball Committee

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The Commissioners and "Smart Power"

By Robert F. Lewis, II

Joseph S. Nye, Jr., Dean of the Kennedy School of Government at Harvard University, has developed a geopolitical "smart power" model, used in this essay to characterize the nine Major League Baseball (MLB) commissioners. Particular focus is on Judge Kenesaw Mountain Landis, the first, and Allan H. "Bud" Selig, the current one. While intended to assess America's use of power in global politics, Nye's model is generally applicable in any leadership evaluation. Nye first describes "power" as "the ability to influence the behavior of others to get the outcomes one wants."[1] In his model, Nye simply divides power into two contrasting subcategories: hard and soft. For Nye, "hard power" is typically military or economic in the form of threats ("sticks") or inducements ("carrots"). He

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A Funny Thing Happened on the Way to the Coliseum

by Norman L. Macht

The more we learn, the less we know. New information often raises doubts about what we thought we knew, and leads to more questions.

You've probably heard the story about how everything was arranged for the St. Louis Browns to move to Los Angeles in December 1941, when things happened that blew up the plan.

In recent years a few SABR members have asked me what I knew about the 1941 plan. Not much, I said. So I began to dig into it. So far I have found more questions than answers.

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The Return of Syndicate Baseball

By Jeff Katz

A scourge of the National League during the 1890's, syndicate baseball, which allowed intertwined ownership of franchises, was a serious detriment to true competition. At the turn of the century, New York Giants' owner Andrew Freedman, along with John Brush, owner of the Reds and shareholder in the Giants, and two other National League owners attempted to form the National League Base Ball Trust. With the support of Frank Robison of the Cardinals and Arthur Soden of the Braves, the trust would foster common ownership of all league clubs and assign players from one club to another, thereby influencing competition. Needing merely one more vote for passage, a vote to form the trust failed.

Ban Johnson, founder of the American League, felt "syndicatism" was necessary for league survival. Charles Somers helped finance entries from Cleveland, Chicago, and Philadelphia, before divesting these holdings and focusing his attention on the Boston Red Sox. This pernicious comingling of ownership was outlawed in 1910.

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Annual Report of the Business of Baseball Committee

The Business of Baseball Committee is co-chaired by Gary Gillette and John Ruoff. The BoB supports SABR members and others interested in researching the business of the National Pastime in a variety of ways. The committee maintains a widely used public Web site with copies of hundreds of valuable documents and with reams of original research at BusinessofBaseball.com. Ken Cherven recently updated the look and feel of the Web site, making it easier to use and to find information.

The committee also maintains an active listserv for its members, with articles referenced in discussion posted quickly on BusinessofBaseball.com.

The committee's newsletter, "Outside the Lines," edited by Ruoff, publishes high-quality research with a remarkable breadth of topics including important economic, legal, and historical analysis. In the past year, these included Michael Haupert's developing studies of player salaries in the period of integration and his analysis of the financial value of the Babe Ruth deal; Haupert's study with Kenneth Winter comparing the New York Yankees with the African-American Hilldale Daisies; Craig Lammers' look at Bob Quinn as father of the farm system; Dan Levitt's history of Syndicate Baseball's role in attempting to form a third major league; and Bill Gilbert's annual summary of arbitration outcomes.

At this year's SABR convention in Cleveland, the BoB Committee will be sponsoring for the first time a panel discussion on the state of baseball broadcasting, anchored by Curt Smith. Participants include broadcasters Jon Miller, Tom Hamilton, and Duane Kuiper.

Gary Gillette, Ken Cherven, and John Ruoff

Business of Baseball Committee

The Business of Baseball Committee co-chairs are Gary Gillette (GGillette@247Baseball.com) and John Ruoff (jruoff@bellsouth.net). Ruoff edits *Outside The Lines*.

The committee's website is at http:\\www.businessofbaseball.com. Ken Cherven is our webmaster, while Brian Borawski will serve as editor of the site. You should stay in touch with the site as we improve the look and add content.

The Committee's discussion group, BusinessofBaseball, is on YahooGroups. If you are a member of the Committee and want to join, go to http://sports.groups.yahoo.com/group/BusinessofBaseball/ or send an e-mail to Business of Baseball-subscribe@yahoogroups.com.

Thank Yous to our authors
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Syndicate Baseball (Continued from page 1)

What do these arcane details from a time long past have to do with modern baseball? More specifically, how could this have any relevance to the "Golden Age" of Major League baseball, the much heralded 1950's? Due to a series of business dealings, fears of syndicate ball were in the air once again in the fall of 1954, this time focused on the American League and its marquee franchise, the New York Yankees. For it was in 1954 that Yankee owners Del Webb and Dan Topping were attempting to foist upon the junior circuit a new club owner, their business partner Arnold Johnson.

Who was Arnold Johnson and how did he get to be anointed by Yankee brass as the man they needed to join the elite group of eight American League team owners? Johnson, an industrialist and financier from Chicago, had made his mark as a clever moneyman. After suffering a minor loss as a youthful investor when a company whose stock he had bought on margin collapsed, Johnson vowed to never again leverage himself and sought to avoid risk at all costs.

From his perch at City National Bank in Chicago, Johnson would acquire interest in companies with which his firm had dealings. He soon turned his eyes toward the Automatic Canteen Company of America, an operation that sold food and cigarettes through vending machines to the tune of $100 million per year. Automatic Canteen, formed by Nathaniel Leverone and his brother Louis, became a target for Johnson, who realized his path to the top of the bank would be a long time coming. At Automatic Canteen, he could slip into the number two slot as chief lieutenant to Nathaniel Leverone.

A syndicate was formed to purchase all of Louis Leverone's 40,000 shares of common stock, as well as 10,000 shares of preferred stock. Towards the end of 1951, Louis decided to sell his stake in the firm and an investment group led by J. Arthur Friedlund, a Chicago attorney and secretary and general counsel to the New York Yankees, paid $1.5 million for the elder Leverone's holdings. Here begins the marriage of Webb and Johnson, with Automatic Canteen the fulcrum of all that would follow. The sale was completed in January of 1952 and one month later Johnson was named director; a year later he was vice-chairman. Members of the purchasing group included Johnson, J. Patrick Lannan, director of International Telephone and Telegraph, Harold S. Darr, principal shareholder of Frontier Airlines, Friedlund and Yankee owners Dan Topping (who became a director in March 1953) and Del Webb. Johnson was in for 2.5 percent and the role of vice-chairman, while the Yankee owners were in for 1.3 percent each.

Another joint business venture between Johnson and construction titan Webb commenced with the construction of a Phoenix apartment complex, Phoenix Towers. These deep business relationships between Johnson, Topping and Webb, were the bedrock of the Yankee and Blues Stadium sale in December 1953.

Johnson's thoughts on buying Yankee Stadium came to him "one night when he was in bed," according to Ernie Mehl, *Kansas City Star* sports columnist and author of the first account, fanciful though it may be, of the Kansas City A's.[1] "Inheritance taxes, he [Johnson] reasoned, were a source of worry to those with large holdings."[2] But Johnson did not need to think of random owners of such "large holdings." Wide awake to the fact that their syndicate partners, Topping and Webb, had this dilemma, Johnson and Friedlund had been talking to the Yankee co-owners for months about such a deal. Friedlund, director and general counsel to both Automatic Canteen and the Yankees, could certainly handle the complicated and intricate negotiations. Friedlund had already negotiated the January 1945 purchase of the Yankees by Topping, Webb and Larry MacPhail from the Jacob Ruppert estate.

Topping and Webb, with Johnson by their side, announced the deal to the press gathered at the Fifth Avenue offices of the New York Yankees on December 17, 1953. While the city of Kansas City had earnestly sought to sit down with Del Webb to arrange for a sale of the Yankees' minor league team's Blues Stadium throughout most of 1953, Webb had simply and callously strung them along. The municipal government had seen ownership of Blues Stadium as a

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[1] Mehl, Ernest. 1956. *The Kansas City Athletics*. New York: Holt 1956, p. 39.
[2] Ibid.

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key to successfully garnering a major league franchise to Kansas City. However, Webb, after publicly announcing his support for the city's major league dreams, set up and cancelled many meetings with city representatives. This was seen at its most ridiculous extreme when, on December 14, three days before the announcement of the sale of Blues and Yankee Stadiums, Yankee executives set up a meeting with the Mayor of Kansas City for January 1954.

Yankee Stadium, New York, Built with Edison Portland Cement, Main Entrance; New York, NY; Unknown Date; {08.110/2} (jpg). From Edison National Historic Site, National Park Service (NPS), U.S. Department of the Interior. Downloaded from http://publicdomainclip-art.blogspot.com/2007/08/yankee-stadium-phil-rizzuto-tribute.html

Johnson and his Automatic Canteen syndicate cohort Lannan purchased, in the name of Arnold Johnson Corporation, Yankee Stadium, the four acres of land it sat on and Blues Stadium in Kansas City for $6.5 million. Of this price, $3.6 million was paid in cash and assumed a $2.9 million mortgage. The Yankees, now tenants with a tax-deductible operating expense, would rent from their new landlords at $600,000 for the first year of the lease, followed by descending amounts down to $350,000. The 28-year lease, if held to the end, would bring $11.5 million to the Johnson Corp.

William J. Mulligan, Deputy Supreme Knight from Hartford, Connecticut, had previously announced that the Knights of Columbus, a Catholic laymen's fraternal organization, would buy the stadium. However, the Knights of Columbus would be paying the new stadium owners $2.5 million for only the land beneath the stadium and adjacent parking properties according to the simultaneous announcement. (The *Chicago Daily Tribune* reported a $2 million price). The Arnold Johnson Corp. would then pay the Knights an annual rent for of $125,000 for each of the first four years and $181,250 a year for the next 24 years, for a grand total of $4.85 million. Subtracting this from the income received from the Yankee lease, Johnson stood to make a profit of $6.65 million over the course of the leases. The papers, signed at Bankers Trust offices in Rockefeller Center, provided for a 28-year lease from the Knights, with a renewal option of 42 years more. The Johnson Corp. retained an option to buy back the land for $3 million at the end of 15 years. The Knights would receive automatic possession of all stadium buildings whenever the lease ended. Johnson, in turn, would sublet the land to the Yankees.

The Yankees were happy in that they no longer retained their largest capital investment and Topping and Webb made a nice capital gain. Topping and Webb, in selling for $6.5 million, showed a profit over their original purchase price of the franchise of $3.65 million. After paying their 26 percent capital gains tax of $900,000, the two men were left with nearly $1.35 million each. Plus, they still owned the team.

What did Johnson get? He, in the form of his Arnold Johnson Corp., ended up with both Yankee Stadium and Blues Stadium in Kansas City. Johnson ended up with two properties of value, one obviously so (Yankee Stadium) and one less clearly valuable (Blues Stadium). On the surface, the deal was confusing enough, but Johnson's financial wrangling did not end there. The risk-averse Johnson had a plan to minimize his exposure.

As announced, of the $6.5 million purchase price, $2.5 was immediately recouped in the sale of the land to the Knights, leaving a new net payment of $4 million. In addition, Johnson received $2.9 million in a deal with Topping and Webb in return for a 20-year second mortgage on the stadium as well as lease rights to the land. This brought the cash price down further to a mere $1.1 million.

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More money was to come Johnson’s way. The Atwell Corporation, a company which served as a trading tool for private funds and estates, held the first mortgage on Yankee Stadium This ten-year contract was reassigned to Salkeld & Co. merely seven weeks later in a transaction that garnered another $500,000 to Johnson. This now brought the total cash cost from $1.1 million down to $600,000. The Kansas City property that was part of the deal allowed another $100,000 to be raised through mortgage. Yankee Stadium, the land it sat on and a ballpark in Kansas City had all been purchased by the Arnold Johnson Corp. for a net immediate cash outlay of $500,000 on properties that had recently been appraised at $8 million dollars.

Purchase Price (in millions)

Yankee Stadium	6.5
Sale of Land to Knights Of Columbus	-2.5
	4.0
Second Mortgage from Topping & Webb	-2.9
	1.1
Atwell First Mortgage	-.5
	.6
Mortgage on Blues Stadium	-.1
Net Cash outlay	.5

Johnson was “emphatic in saying he does not intend to get into the operating end of baseball,” reported the *Los Angeles Times*.[3] Mehl went even further. Johnson, he recounts, “demurred when the Yankees owners insisted upon including the stadium in Kansas City. He had *no possible use* [author’s emphasis] for this stadium. He could not picture it as a sound investment.”[4] This is hardly credible. Johnson only had to open the *Kansas City Star* on any given day during the summer and fall of 1953 and he would have known that the city was determined to acquire Major League Baseball for its town. Baseball teams need a place to play, and Blues Stadium was the best one in town.

On December 17, 1953, this was no cause for alarm. Johnson had done a real estate deal, complicated though it was – no more, no less. But when Arnold Johnson announced on August 3 of the following year that he was willing to pay $4 million for the Philadelphia A’s and move them to Kansas City, it set off a chain reaction of concern, political machinations and, ultimately, a mid-twentieth century version of the evils of syndicate baseball.

The story of Yankee clout in forcing through Arnold Johnson as owner of the A’s, instead of rival and better bidders who would keep the team in Philadelphia, is a story of high drama and intrigue best left to another article. Suffice it to say that Johnson did win out in the end and was approved as the new owner of the new Kansas City Athletics’ on November 18, 1954. Some more Yankee/ Johnson business would follow.

Blues Stadium was in need of a makeover to become major–league-ready. Johnson said construction work to expand the structure could start immediately. And who would be in his corner, backing up his assurances that everything would be ready for the start of the 1955 season but Del Webb. The Del Webb Construction Company of Phoenix had several engineers on the case. Another concern, Winn-Senter of Kansas City, was to work on the expansion project; Winn-Senter was Del Webb-owned as well. Webb knew the ballpark and could provide vital guidance. In a wonderful bit of understatement, Webb said, “I feel a personal interest” in this project.[5] How personally the Yankee co-owner was interested in the affairs of the A’s would soon be evident.

Whether Del Webb and Dan Topping actually held a financial interest in the Kansas City A’s from 1954 to 1960 is unknown. The $2.9 million loan to Arnold Johnson for the Yankee and Blues Stadium purchase was unaccounted for. In 1958, Major League Commissioner Ford Frick testified before Congress and the issue of Johnson and his financial ties to the Yankees was by no means a dead one. House Antitrust Subcommittee counsel Julian Singman was very curious

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[3] Los Angeles Times, 1953. Yankees Sell Baseball Park, December 18, p. C1
[4] Ibid.
[5] AP. “Report Hints Indians Hold Key to League Approval of A’s Deal.” *New York Times*, November 6, 1954, p. 21.

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whether Johnson was still in debt to New York ownership. In all of the papers submitted as evidence, there was no mention of the $2.9 million and whether that debt had been extinguished. Frick was stumped, but not enough to prevent him from feeling satisfied that there were no ethical problems in the relationship between Topping-Webb and Johnson. As Johnson, or Arnold Johnson Corp,, had a "debtor relationship" with the Yankees, wasn't it conceivable that if the loan ($2.9 million from Topping and Webb to Johnson) were in need of refinancing or extension that the Yankees could be "in a position to influence or exert pressure on the team [A's]?"[6] There are many behind the scene comments and letters that indicate Del Webb was not going out of his way to hide his sway over Athletics affairs.

Did syndicate baseball exist during baseball's "Golden Era?" During Arnold Johnson's tenure as A's owner, from November 1954 through March 1960, the A's and Yankees traded with an unparalleled constancy, 16 transactions involving 61 players with some players riding the Kansas City-New York express more than once. Of the New Yorkers 29 transactions made during this period, 16 were with KC – a whopping 55 %. The players who came to the Yankees from Kansas City directly or who were shipped from the Yankees to Kansas City until they were needed back in the Big Apple were key contributors to the Yankee dynasty of the late 1950's-mid-1960's: Ryne Duren, Bobby Shantz, Art Ditmar, Ralph Terry, Hector Lopez, Clete Boyer and, the poster boy of this sad era in baseball history, Roger Maris.

In 1959, the Yankees were a talented but aging franchise. Finishing in third place, 15 games behind the pennant winning Chicago White Sox, the Yankee's amazing run of World Series dominance appeared to be over. However, with the Kansas City A's roster at their disposal because of the profound connection between Yankee owners Del Webb and Dan Topping and A's owner Arnold Johnson, the Yankees went on to win five straight pennants from 1960 through 1964 following the injection of stars like Lopez, Terry, Boyer and, of course, Maris.

In the minds of baseball fans, there is no 1961 Yankees without Roger Maris. And while much was made of the validity of Maris' record breaking 61 home run season in 1961, the American League championships won by the Bronx Bombers in the 1960's should all be seen as tainted by the business entanglements of the Yankee and A's ownership. Asterisk, anyone?

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This is an original article adapted from ***The Kansas City A's & The Wrong Half of the Yankees****, published by Maple Street Press LLC, 2007.*

[6] Hearings Before the Subcommittee (Subcommittee No. 5) of the Committee on the Judiciary House of Representatives. 85th Congress, First Session, Part 2., p. 2082.

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Question number 1: Was the story true?

The first step was to try to separate myth from fact.

Donald Barnes bought the Browns in 1936 for $325,000; since then they had lost about $500,000. Attendance in 1940 was under 240,000. At that time teams were limited to 7 night games a year. Before the 1941 season Barnes said he could break even if he was allowed to play 14 night games instead of 7. The American League voted yes; the National voted no. Landis broke the tie, voting no. Barnes brought it up again in May, when it would take a unanimous vote for a mid-season change. He was turned down again.

The Browns drew 193,000; the next lowest attendance was in Washington – 420,000. They had no working capital. They were broke. Barnes had his eye on Los Angeles for some time. He knew St. Louis was not a two-team town, and the town's team was the Cardinals.

In January 1946 Barnes revealed these details of the 1941 plan to Vincent X. Flaherty of the Los Angeles *Examiner*:

- Cards owner Sam Breadon agreed to pay Barnes about $250,000 for the lights and rights to Sportsman's Park.
- The plan had the full support of both the National and American Leagues.
- P K Wrigley had agreed to sell Wrigley Field in L.A. Wrigley agreed to move the L A Angels to Long Beach, so there would be no damages to pay. The territory could be drafted for $5,000. The Hollywood Stars had no territorial rights; they operated with the consent of the Angels.
- Barnes had a schedule drawn up; every team would make one trip to L A by air, the rest by train. Working with Jack Fry, head of TWA, he arranged to have two players travel on each of 21 daily flights out of Chicago. The other clubs were involved in all this planning.
- The deal was all greased and ready to go through at the major league meetings beginning December 9 in Chicago.

A dozen years later Luke Sewell, the Browns' manager in December 1941, added some other fascinating details, telling Arthur Daley of the New York Times what he learned in a room at the Palmer House in Chicago on Saturday, December 6, 1941:

> ... the stunner was the guarantee that Barnes received from folks in Los Angeles: They were to guarantee us a million customers a year at a dollar a head over a ten-year period. In other words we were pledged ten million dollars to make the jump.
>
> We were to play in Wrigley Field, which was to be expanded to seat 50,000. This was a foolproof proposition. The longer we talked about it, the more enthusiastic everyone got. And we talked long. We were going strong at 3 o'clock the next morning.

They were at the Cardinals-Bears football game on Sunday when the news came about Pearl Harbor.

"So long L. A.," Sewell said to Barnes. "We're all gonna be in St. Louis a long time."

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To verify these stories, I went first to Bill Weis, longtime employee and historian of the Pacific Coast League. He told me it was all true as he knew it. The National Association had met with the major leagues in Jacksonville just prior to the Chicago meeting and all arrangements had been made. It might have been United Airlines, not TWA, they dealt with. They had all the details as to how clubs would be compensated for the extra travel involved.

Nobody has ever seen the proposed schedule.

But when I asked Weis if there was anything in any PCL records or minutes of meetings to support any of this, I hit a pothole.

"The minutes from those meetings and most other PCL documents are missing," he said. "Roy Jackson, the league president in the 1970s, sold them all to a Phoenix dealer and collector; nobody knows where they are today."

Next I contacted Bill DeWitt Jr., president of the Cardinals, whose father was the Browns' general manager in 1941. This is what he said:

> The Flaherty story is correct. My father told me that he had the schedule all figured out and was going to the meeting to vote on it like it was a done deal. He felt it would have gone through.

Question 2: Was this conspiracy the best-kept secret in the history of baseball, as shrouded in secrecy as the whereabouts of the Japanese navy on that Sunday morning?

The first step was to see what the press was reporting about all this leading up to the meeting. I discovered a curious thing – the dog did not bark.

A check of the New York Times index for 1941 turned up not one citation for Barnes or the Browns and a move to Los Angeles. On November 19 Wrigley named Clarence Rowland president of the Los Angeles Angels. There was no mention of a possible move to Long Beach. In the weeks preceding the meetings, I didn't find one word about it in St. Louis or Los Angeles papers. Taylor Spink, whose ear to the diamond supposedly picked up everything that was going on, never mentioned it in The Sporting News,

In the New York Times, John Drebinger's December 6 preview of the upcoming meetings was mostly about possible trades. Of the league meetings he said, "Little excitement is in prospect unless Clark Griffith makes a serious bid to have the limit on night games lifted from 7 to 14."

That seemed to be the only thing on the Browns' mind as well: they had informed Landis that they would again ask for 14 night games instead of 7. You wouldn't think they'd be concerned about that if the way west was all greased.

Not a word about Los Angeles in the December 4 Browns report by Dick Farrington in the Sporting News.

The National Association meeting in Jacksonville referred to by Bill Weis was extensively covered by the local paper. There was nothing about any meeting between the majors and minor leagues that mentioned the Browns.

When I asked Bill DeWitt Jr. how he explained all this, he said simply that it was easier to keep things quiet in

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those days.

And then a strange thing occurred which, if this whole story is true, made it seem that there was not just a successful conspiracy of silence, but a well-orchestrated charade of pretended ignorance on the part of everybody involved.

Bill Stern was a radio sportscaster with a reputation for purveying fiction as fact. He had a 15-minute program in New York at 6:15 weeknights, and an NBC program at 10 p.m. on Saturdays. On December 6 Stern predicted, "One of the biggest baseball stories in 25 years will break on next Tuesday and concern an important city in the Pacific Coast League."

The broadcast caused some curious reactions. Page 1 of the December 11 Sporting News carried a column under Taylor Spink's byline that was written after December 7 but before the Tuesday league meetings.

The sixth line in a bank of headlines of diminishing size said: "Rumors Link Browns with Los Angeles"

After 20 paragraphs of talk about trades and possible effects of the war on the game, the 21st began with "Lively speculation was heard over the nature of a prediction made over the air the night of December 6 by sportscaster Bill Stern …."

> Among the possibilities mentioned – although the idea was greeted in some quarters with incredulity – was a supposition that Philip K Wrigley, owner of the Cubs, might be figuring on a shift of his National League franchise to Los Angeles, with the Cardinals or Browns moving from St. Louis to occupy the Chicago spot thus vacated ....

Spink went on to describe Wrigley's dislike for the continued financial losses of the Cubs and Angels, and "it was mentioned that the placing of a major league club on the Pacific Coast would prove a tremendous gate attraction."

According to Spink, Sam Breadon had considered moving the Cardinals in the past, considering Detroit at one point, and "it has frequently been reported Don Barnes has been wondering about California."

Spink then went on to list the "formidable obstacles to any such plan": consent of the various leagues, payment for territorial rights, the element of transportation. He conceded that a team could leave Chicago by air at 6 p.m. on Sunday and arrive in Los Angeles on Tuesday morning, about the same travel time as a train between the two cities.

The story ended with this interesting conclusion: "However, even if such a plan was under contemplation, *which many doubt,* uncertainties caused by war may have caused reconsideration. But in any event mention of the possibility created much interest and discussion at the minor meetings."

Spink had one minor detail wrong. All this buzz of rumors and possibilities could not have taken place in Jacksonville if the prediction came on Saturday night, because everybody had gone to Chicago by then. It could have come on one of Stern's daily shows on Thursday or Friday, Or the reactions could have come on Sunday in Chicago. Either way, it seems strange that many were doubting the rumors when supposedly everything was set for the plan to sail through the league meetings on Tuesday.

PCL president W. C. Tuttle was quoted that such a move was "highly improbable" at any time, and "entirely unlikely" during wartime.

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Of course when the league met on Wednesday, the idea was quickly squelched by everybody, including Barnes, in an 8-0 vote, perhaps to be revisited after the war, and the league moved on to other matters. Their official announcement gave no hint of months of plotting and scheduling and guarantees and compensations. It said simply, "Mr. Barnes stated in fairness to the league he should report the proposal which he has had – to consider Los Angeles as a location for the St. Louis baseball club."

Although it was treated as a surprise, it was not considered big news. Sporting News editor Edgar G. Brands led his story: "Donald Barnes, president of the Browns, exploded a bomb in the first session of the American League by broaching the idea of moving the franchise to Los Angeles."

Otherwise the whole thing was given ho-hum treatment. The Associated Press stuck this at the end of its 10-paragraph story:

> The American League received a surprise proposal for the transfer of the St. Louis Browns to Los Angeles, but a short discussion of the transportation and other problems involved showed the owners to be unanimously against any change. President Will Harridge said no formal vote had to be taken.

United Press reported, "The American League squelched feelers on a proposal to shift the Browns to Los Angeles … after Barnes had revealed he would consider any legitimate offer by responsible persons on the Pacific Coast if the circuit would agree to the transfer."

"Report the proposal which he has had …"? "Broaching the idea …"? "Feelers on a proposal…"? "Would consider any legitimate offer …"?

That's all a far cry from "Gentlemen, everything is set for this move that you all agreed to – purchase of Wrigley Field in Los Angeles, schedule, travel arrangements, ten million dollar guarantee – what are we going to do about it?"

Now that Barnes was stuck in St. Louis, he had to backtrack. He couldn't admit that he had the whole shebang planned, packed and ready to go, with ten million dollars in his pocket – if it was true. So he issued this statement:

> Certain interests of Los Angeles have approached me with reference to the possibility of moving the St. Louis Browns out there. ***While I have always been opposed to the removal of the Browns from St Louis in the past,*** these interests have been informed that if the Browns were to be moved, it seems to me that Los Angeles would be the most logical and desirable city....
>
> If the people of Los Angeles really want major league baseball and proper arrangements can be made with responsible leaders and civic interests in Los Angeles and the consent of the Pacific Coast League, they will find us ready to consider any proposal they have to offer, subject of course to the approval of the American League. (Emphasis added.)

The reaction in Los Angeles newspapers gave no evidence that they knew anything about all those formidable obstacles having been overcome prior to the meetings. The L. A. Times dismissed it as "that old gag about bringing major league baseball to Los Angeles" being reborn and quickly dying.

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So, was the story as reported by Vincent X. Flaherty really true? The answer may lie in the minutes of league meetings in 1941, but they are locked up in the offices of MLB off limits to researchers.

There may be a clue in the fact that American League files contain notes of conversations in November 1941 between AL lawyers, league officials, and Donald Barnes on the subject of the Browns purchasing the Los Angeles club. Does this back up the "done deal" version? Or, taking place just prior to the December 10 meeting, do these discussions, which were characterized as "in the initial inquiry stage," indicate that it wasn't such a "done deal" after all.

There is another clue which, it seems to me, can be taken either way. Unfortunately, it's date cannot be verified beyond having occurred in either 1940-41 or the late 1940s. Connie Mack received a phone call from Will Harridge asking him if he was interested in moving the Athletics to either San Francisco or Los Angeles, as the Browns wanted to move and they wanted two teams to go to the West Coast. Mr. Mack was not interested.

If this occurred in 1941, is it possible that this had as much to do with the Browns' plan going nowhere as the events of December 7?.

This leads to

Question 3: if the war postponed the Browns' – or anybody else's -- move to the West Coast, why didn't it happen after the war – not until 13 years after the war?

Things happened.

1. The Browns surprised everybody and won the pennant in 1944. They actually drew more fans than the Cardinals, who also won the pennant.

2. Clarence Rowland became president of the Pacific Coast League and began a campaign for the PCL to have equal status with the major leagues, a request the major leagues repeatedly rejected.

3. Richard Muckerman bought the Browns in August 1945 and said he had no interest in moving them anywhere.

4. Del Webb bought into the Yankees in January 1945. We'll come back to that.

5. Bill and Charles DeWitt bought the Browns on February 2, 1949. By now attendance was back down around 300,000 or less. What happened to the L A interests with their ten million dollar guarantee? On July 7, 1947, Larry MacPhail was quoted: "I happen to know as a matter of fact that Mr. Breadon was offered a very large sum for the St Louis Cardinals franchise on the basis of a movement to Los Angeles." Was nobody interested in the Browns any more? Surely the idea must have been more attractive to DeWitt now than it had been in 1941 when the L.A. pot of gold would have gone to Barnes, not Bill and Charlie.

6. Bill Weis said that by 1950 the PCL still wanted to declare itself a third major league. They were not interested in giving away L. A. They took a vote on whether to declare themselves a major league, as the American League had done in 1901. The vote was 4-4. Had it been 5-3 it would have passed. Could Weis tell me when the meeting was, how the question was worded, and who voted for it? No – that was

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A Funny Thing Happened *(Continued from page 11)*

all in the missing minutes.

7. In 1951 Bill Veeck bought the Browns.

In 1953-54 Rowland was still determined to go Big League. He had the support of owners in Oakland, San Francisco and Hollywood. If it developed that some cities couldn't support it, then the league would welcome transfers from the East. Rowland was quoted as saying that Los Angeles would turn out only for a winner, but San Francisco would support a team no matter where it finished.

From here the fertile fields of research sprout more speculations and questions than answers.

In March 1953 the American League refused to let Bill Veeck move to Baltimore. By October Del Webb was strong for moving the Browns and A's to L.A. and San Francisco – but without Bill Veeck. Webb still opposed moving the Browns to Baltimore.

After Veeck was forced to sell out to Baltimore interests, he spent the next 18 months (either on his own dime or working for Wrigley, depending on whom you believe) exploring PCL cities. He says he tried to buy the San Francisco club. Then he advocated buying Wrigley Field, expanding it to 55,000 and adding parking space for $7.5 million. Hollywood Stars president Bob Cobb pushed for a new park in Chavez Ravine. It isn't clear whom he was acting for.

Nothing happened. Why not?

Both major leagues formed committees to explore expansion. In December 1954 the National talked about drafting L A and San Francisco.

Nothing happened. Why not?

At the same time, the Athletics were for sale and Arnold Johnson was a buyer if he could move the team to Kansas City. At a league meeting on October 12, 1954, representatives of Clint Murchison said he would buy the club if he could move it to Los Angeles. Two members of the Los Angeles board of supervisors were there and said the county was willing to buy Wrigley Field or acquire property to build a new stadium.

San Francisco passed a $5 million bond issue for a new stadium and urged the league to consider moving a team there.

Hank Greenberg said forget Kansas City; let's expand to ten teams and the West Coast by '56. Spike Briggs agreed. Clark Griffith said the A's should go to California. And Del Webb? Now he was pushing Kansas City because the Yankees owned the town and got a sweet deal on the stadium buyout and Arnold Johnson was their pal.

And you know the rest of that story.

Speculation: What if the Yankees had owned the Los Angeles club instead of Kansas City? Would the A's have been sold to Arnold Johnson to move to Los Angeles? Would the Dodgers still be in Brooklyn?

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The Commissioners (Continued from page 1)

observes that unilateral nations, such as the United States, tend to consider themselves exceptional and to rely primarily upon hard power to accomplish their national interests. Nye contends that U.S. has recently practiced a foreign policy that "combines unilateralism, arrogance, and parochialism."[2] Outside Nye's geopolitical context, hard power tends to be economic and its use also correlates more with organizations self-defined as unilateral and exceptional. MLB has historically been such an organization, supported by its antitrust exemption and mythology. While commissioners' hard power generally has economic elements, it can also reflect an autocratic adherence to the mystique of baseball, without material economic implications, as Landis often displayed in ruling "in the best interests of the game," as authorized in the 1921 MLB constitution.[3]

"Soft power," Nye observes, "is the ability to get what you want through attraction rather than coercion or payments.[4] It builds upon the appreciation for a country's culture, political ideals, and policies" and co-opts others. Therefore, nations which rely primarily upon soft power tend to be multilateral and collaborative in their approach to issues. In MLB "country," supported by its own culture, ideals, and policies, a commissioner has multilateral options to persuade fans, media, and owners as well as players and their union by improving the attraction of the game. Cooptive rather than coercive marketing has become a significant element of soft power in MLB. Credibility, Nye observes, is a crucial resource and important source of soft power.[5] It has therefore been important that MLB maintain credibility while addressing such challenging issues as gambling and steroids.

To Nye, "smart power" is ultimately neither exclusively hard nor soft. It is both, varying in proportion according to the situation. Over the years, commissioners have variously tried to balance the authoritarian hard economic power of a protected institution with the soft power of a business leader preserving and marketing the mythological attraction of the game. Commissioners have succeeded most when they have balanced their hard and soft power capabilities. Nye's smart power geopolitical critique of former MLB owner George W. Bush is based on the observation that, as U.S. President, he has relied too much on unilaterally based hard power in a global arena which increasingly requires multilateral, collaborative soft power practices. The same criticism could apply historically to MLB commissioners. As MLB continues to globalize, effective use of soft power becomes more important in relations with other nations' baseball organizations, players, and fans as well as at home.

MLB is a hybrid, quasi-governmental organization, possessing an antitrust exemption that has been partially diluted by legislation (Curt Flood Act of 1998) and ever encroaching entertainment market competition. While it lacks the degree of absolute power possessed by a government, MLB's antitrust feature differentiates it from a typical free market participant and enables it to exercise more hard power clout. In this paper, I view (and judge) MLB through its nine commissioners, with particular emphasis on Landis and Selig, in relation to the smart power model. While the observations and conclusions about them may have indirect applicability to U.S. President Bush, a former owner of the Texas Rangers, that is not the purpose of the paper.

The issue of power was central to the creation of the commissioner position and selection of its first occupant, Landis, in November, 1921. The office's use of power over the years has varied and ultimately evolved as a function of changing environments and attitudes of the incumbents and their relationships primarily with MLB owners and secondarily with other constituents. So have MLB's fortunes and relative position in the burgeoning entertainment industry. MLB has attempted to balance continuing strong em-

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[1] Joseph S. Nye, Jr., *Soft Power: The Means to Succeed in World Politics* (New York: Public Affairs, 2004), 2.

[2] Nye, *The Paradox of American Power: Why the World's Only Superpower Can't Go It Alone* (New York: Oxford University Press, 2002), xii.

[3] Andrew Zimbalist, *In the Best Interests of Baseball?: The Revolutionary Reign of Bud Selig* (Hoboken, NJ: John Wiley & Sons, Inc., 2006), 22.

[4] Nye, *Soft*, x.

The Commissioners (Continued from page 13)

phasis on its rural value-based mythology and its diminishing cartel-like leverage over internal and external constituents. Crucial to that balance has been the attitude and activities of its commissioners, observed herein within the context of the smart power model.

Recognizing that the optimal proportion of hard and soft power execution should vary by situation and that smart power generally balances soft and hard power, I suggest the following relatively positioning of the commissioners along a soft-to-hard power axis: Eckert, Frick, Chandler, Ueberroth, Selig, Vincent, Giamatti, Landis, Kuhn. Stated another way, Eckert (WE), Frick (FF), and Chandler (ABC) tended to rely too much on soft power; Kuhn (BK), Landis (KML), and Giamatti (ABG), too much on hard; and, Ueberroth (PU), Selig (AHS), and Vincent (FV), the most on a balanced blend.

While balance is vital, MLB's circumstantial "ideal" has generally shifted somewhat from the harder to the softer side of the midpoint over its history. A significant cause of that shift was the post-Landis change from a relatively independent commissioner to one primarily answerable to the owners. In a new National Agreement, adopted two months after Landis's death, the owners made three changes to reduce commissioner power:

1. Stipulated that the commissioner could not declare an action consistent with baseball rules and regulations to be detrimental to the best interests of the game. Landis had been arbitrary in his use of the "best interests" clause.

2. Required a three-quarters rather than a simple majority to (re)elect a commissioner.

3. Gave the owners the right to take the commissioner to court if they disagreed with his judgment.[6]

Therefore, it became more important that subsequent commissioners utilize soft power tactics to temper the owner hard power influence and to satisfy multiple constituencies whose relative power has increased.

Judge Kenesaw Mountain Landis—1921-1944

Landis's background presaged his performance as commissioner. As judge of the Northern District of Illinois, he presided over three cases that helped to define his ongoing behavior. Perhaps most famous was his imposition on Standard Oil of a $29.24 million judgment, which, despite being later overturned, demonstrated his disregard for corporate power.[7] Another, reflecting his penchant for publicity, was the trial of 113 members of the International Workers of the World, the largest number ever tried in a U.S. criminal case.[8] Finally, his "strategic inaction" in delaying a decision on the Federal League lawsuit against Organized Baseball reflected his unequivocal love of the game and enabled the parties to reach a settlement that preserved MLB.[9] Andrew Zimbalist

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The Hard-to-Soft Power Axis of Baseball Commissioners

HARD								**SOFT**
BK	KML	ABG	FV	AHS	PU	ABC	FF	WE

[5] Nye, *Paradox*, 67.
[6] Zimbalist, 49-50.
[7] Ibid., 49-61, 79-89.
[8] Ibid., 119.
[9] Ibid., 157.

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observes that Landis's "chief characteristic on the bench was caprice, blended with strong antipathy to any view to the left of Teddy Roosevelt, an abiding emotionalism, a flair for the media and the dramatic, and a foul tongue."[10]

Landis initially defined the role of the commissioner as he shifted from the role of Federal judge. He took advantage of owner panic resulting from the 1919 "Black Sox" gambling scandal and internal conflict swirling around Byron Bancroft "Ban" Johnson, head of the American League (AL) and commissioner "wannabe." Using that situational hard power leverage, Landis essentially dictated the terms of his contract and secured "a grant of unprecedented power over the game."[11] His early actions, a legally correct ruling against the aggressive Branch Rickey on a player (Phil Todt) contract[12] and summary banishment from baseball of eight Black Sox players, despite their court acquittal, solidified his position. As former Pennsylvania governor Dick Thornburgh notes in his foreword to David Pietruska's biography of Landis, the decisive Black Sox action "saved baseball from joining boxing as a perpetually discredited enterprise."[13] Landis had "an inflexible hatred of gambling," reflected in decisions he had made from the bench as well in his banning another 14 players by 1927. [14] Landis's genuine love of and respect for the game partially helped to mitigate his autocratic, self-promoting tendencies.

Larry Moffi temperately describes Landis the commissioner as a "czar with a conscience."[15] As an outspoken fan of baseball and its players, Landis became an icon who controlled MLB owners effectively. While was publicly "benevolent toward players and surly toward owners,"[16] historian Benjamin Rader, notes that "Landis treated the questionable actions of the owners far more gingerly than he did those of the players."[17] He was forthright in taking on Babe Ruth, the most popular player in MLB history, specifically suspending him for barnstorming and, implicitly for his ostentatious and immoral behavior. But, he overruled his adversary, Ban Johnson, who wanted to ban future Hall of Famers Ty Cobb and Tris Speaker for gambling activities that preceded Landis's commissionership. Landis used that decision process to force retirement of his rival, Johnson.

Unfortunately, Landis too often played the reactive judge. "Do it and I'll rule on it." And, sometimes, as he had done from the bench in the Federal League case, he chose to avoid ruling. Without proactive

Judge Kenesaw Mountain Landis
National Photo Company Collection, Library of Congress,
LC-F81- 30310[P&P]; LC-DIG-npcc-25701 .

leadership from Landis, MLB "remained substantially static during the Judge's tenure." After 23 years, it had the same 16 teams in the same cities; there were no consequential rule modifications; there were minimal changes in the ballparks; and, the sport remained segregated.[18]

(Continued on page 16)

[10] Zimbalist, 39-40.
[11] Ibid., 174.
[12] Ibid., 176.
[13] Ibid., vii.
[14] Zimbalist, 33.
[15] Larry Moffi, *The Conscience of the Game: Baseball's Commissioners from Landis to Selig* (Lincoln: University of Nebraska Press, 2006), 39.
[16] Pietruska, 387.
[17] Benjamin G. Rader, *Baseball: A History of America's Game* (Urbana: University of Illinois Press, 1992), 110.
[18] Ibid., 431.

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Zimbalist concludes that Landis nevertheless provided “the illusion of a supreme being” who faithfully protected the game, but this illusion, coupled with essentially no competition in either product or labor markets, masked a vulnerability that later fell prey to competition and unionism.[19] While he was a committed, independent administrative judge of the game, he was a poor market-oriented business leader. His fundamental hard power approach was only partially mollified, however, by his demonstrated soft power reverence for the game.

Albert B. “Happy” Chandler—1945-1951

Armed with post-Landis National Agreement changes, the owners found a different type of commissioner in former Kentucky Senator Albert B. “Happy” Chandler. Incorrectly assuming him to be merely an affable caretaker, the owners got someone who presided over twice as much change in his five-year tenure than Landis did in his 23 years. “Everyone—players, owners, fans—did better under Chandler than under Landis.”[20]

Jackie Robinson in Brooklyn Dodgers uniform, swinging bat, CALL NUMBER: LOOK - Job 54-3566-O, frame 7 [P&P]; LC-L9-54-3566-O, #7 (b&w film neg.)

Baseball remembers Chandler most for authorizing the signing of Jackie Robinson and breaking MLB’s tacit but long-enforced color barrier. Owners, whom Chandler labeled “pocketbook racists” who feared loss of the white market, incorrectly assumed that this Southern politician would maintain the white game.[21] Later commissioner Peter Ueberroth commended Chandler for his “unbridled enthusiasm when he felt something was right,’ noting he “wasn’t afraid to make the difficult decisions.”[22] In addition to supporting integration, Chandler imposed a controversial, one-year, gambling-related suspension on Dodger manager Leo Durocher a few days before Robinson’s debut and incurred Rickey’s and others’ wrath.[23] Chandler later claimed that Rickey didn’t give him credit for approving and supporting the Robinson signing.[24]

Almost as significant in Chandler’s tenure was the Mexican League-Danny Gardella episode. In early 1946, Chandler banned for five years 18 players, including Gardella, who had jumped to the Mexican League for considerably more money. Led by millionaire industrialist Jorge Pasquel, the Mexican League sought to exploit the post-war turmoil of returning veteran players and to compete with MLB. After three years that included court activity, Chandler reinstated all players who no longer had suits against MLB. Gardella did and ultimately secured a circuit court judgment that reversed the 1922 Supreme Court antitrust exemption. Before an appeal was heard, MLB and Gardella reached a settlement of $60,000 (of which he netted $29,000) that preserved MLB’s monopoly status by avoiding a higher court ruling.[25]

The Mexican League competition and a near-strike by Pittsburgh players spurred the 1946 founding of the American Baseball Guild, a fledgling union headed by labor lawyer Robert Murphy. Although the guild floundered soon thereafter, Chandler negotiated an agreement that provided a package of player benefits, including the first pension plan. Feeling too much was conceded, the owners refused to renew his contract. Moffi concludes, “The greatest mistake ownership ever made was voting Happy Chandler out of office.”[26] The soft power negotiating skills that had served him well in the Senate also did so in MLB, but the owner constituency wanted hard power absolute

(Continued on page 17)

19 Zimbalist, 47.
20 Moffi, 141.
21 Alfred B. Chandler with Vance H. Trimble, *Heroes, Plain Folks, and Skunks: The Life and Times of Happy Chandler*. An Autobiography with Vance H. Trimble. (Chicago: Bonus Books, 1989), 226.
22 Moffi, 45.
23 Ibid., 126-127.
24 Chandler, 229.
25 Moffi, 129-136. Zimbalist, 53-54.
26 Moffi, 142.

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victory, not mutually beneficial soft power compromise. So, they chose an insider they felt they could control more effectively. Commenting on the selection of Ford Frick, Chandler sarcastically observes, "The owners had a vacancy and they decided to continue it."[27]

Ford Frick—1951-1965

Counting his time as a sports writer and ghost writer for Babe Ruth, Frick spent 43 years in baseball, but had remarkably little influence on the game. Sports writer Red Smith politely labeled him a "reluctant leader."[28] He served 17 years as National League (NL) president and another 14 as commissioner. As NL head, however, he supported the Robinson signing. In thwarting a racist St. Louis Cardinal strike, he asserted, "I don't care if half the league strikes. Those who do will . . . be suspended, and I don't care if it wrecks the NL for five years. This is the United States of America, and one citizen has much right to play as another."[29]

Perhaps responding to increasing owner dominance instead of its call for more aggressive marketing in a May 31, 1951, memorandum from Cubs owner Philip Wrigley, Frick became relatively passive in his commissioner role, often declining to rule on an issue by claiming it was a "league matter."[30] While publicly declaring that preserving the integrity of the game was a principal commissioner function, as Landis had done, Frick did not curtail Yankee owner Del Webb's casino ventures nor Webb and Yankee co-owner Dan Topping's collusive real estate and player trade arrangements with Kansas City Athletics owner Arnold Johnson.[31]

He did oversee unprecedented expansion and relocation of teams, which had remained static for a half century. Eight new cities acquired teams, but he assured that an existing city would retain at least one team. He also helped to negotiate a TV package that overcame the owners' prior criticism of Chandler for selling out for too low a price.[32] Nevertheless, as TV was becoming a major factor in sports promotion, Frick did little to capitalize on its marketing implications. Indicative of his inadequacy in this area was his decision to shift voting for All-Star game participants from the fans to players, managers, and coaches in 1958.[33] As a result of his passivity, baseball lagged football in capturing fans, as noted in a poll which indicated that Americans' favorite sport shifted from 34-21% baseball to 36-21% football from 1961 to 1972.[34]

David Bohmer characterizes Frick as a typical CEO of the era, one who came up through the ranks, shunned publicity, delegated significantly, and worked behind the scenes to accomplish goals pragmatically.[35] Rather than any commissioner activity, he viewed his NL role in establishing the Hall of Fame as his major contribution and was rewarded by election to that in 1970, before his more deserving predecessor Chandler.[36] He stayed in office by not rocking the boat, but also demonstrated the fallacy of relying too much on soft power. In their next selection, the owners found an even softer, almost non-existent, example of power.

William "Spike" Eckert—1965-1968

Recommended by Tiger owner John Fetzer allegedly for his business acumen, Lt. Gen. Eckert was the least effective commissioner. He was comptroller of the Air Force when he retired, then an executive several electronics companies before his commissionership. When critics questioned the selection, an unsubstanti-

(Continued on page 18)

[27] Chandler, 241.
[28] Moffi, 50.
[29] John Thorn, Pete Palmer, Michael Gershwin, and David Pietruska with Matthew Silverman and Sean Lahman, eds., *Total Baseball*. Sixth edition (New York: Total Sports, 1999), 150.
[30] Moffi, 48. Zimbalist, 60-61.
[31] Zimbalist, 69-70.
[32] Thorn, 150.
[33] Moffi, 215.
[34] Zimbalist, 68.
[35] David Bohmer, *"The Pragmatic Change Agent: A Reconsideration of Ford Frick as Commissioner,"* 2008 Cooperstown Symposium on Baseball and American Culture," Cooperstown, NY, June 5, 2008.
[36] Ibid., 63.

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ated story circulated that MLB owners had intended to appoint Gen. Eugene Zuckert, a former secretary of the Air Force, but confused the name. One New York columnist dubbed the new commissioner the "unknown soldier."[37]

He lasted less than half of his seven-year term before the owners dismissed him. The Milwaukee Braves moved to Atlanta and the Kansas City A's to Oakland, both violations of the rule imposed by Frick that no single-team city should be vacated, and apparently Eckert played no substantive role in the processes. Neither did he order MLB to recognize the assassinations of Martin Luther King or Robert F. Kennedy, thereby committing a public relations gaffe.[38]

Perhaps the most notable occurrence during his tenure was the 1966 selection of Marvin Miller to head the Major League Baseball Players Association (MLBPA). Future MLB commissioners would exercise relatively little soft power as the union developed a hard power strategy and battled, generally successfully, with MLB over the next quarter century.[39]

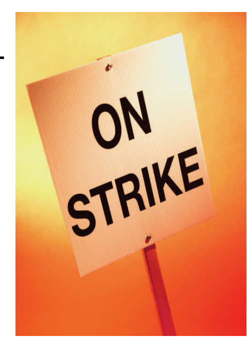
Bowie Kuhn—1969-1984

When Bowie Kuhn became commissioner as a compromise candidate on February 4, 1969, it meant a return to an insider. Kuhn, who had served as National League counsel, emulated his hero, Judge Landis, in a first-year confrontation with four team owners who had invested in a development company involved in Las Vegas casinos that reputedly had mob connections. Three of the owners divested their investments and one left baseball.[40] In a different environment, Kuhn continued to use Landis as his role model, without the former's success. Marvin Miller, MLBPA executive director and Kuhn's long-time adversary, observes that Kuhn was "plagued by the ghost of . . . Landis."[41] Kuhn's record illustrates the fallacy of overreliance on hard power, much of which was simply fronting for the owners.

After some success in his first year, including peaceful negotiation with Miller to resolve pension funds and vesting issues and orchestration of White House-led commemoration of baseball's 100th anniversary, he entered a hard power war with the MLBPA that changed the business of baseball. Curt Flood's 1970 suit led to final offer arbitration and removal of the reserve clause that had shielded owners since the professional game had formalized.

His tenure, third longest behind Landis and Selig, was a marathon contest between Kuhn and Miller, with Miller emerging as the clear winner. In calling him "the most effective union organizer since John L. Lewis," author Studs Turkel observes that Miller "brought an end to the age of innocence" by changing baseball.[42] Kuhn describes Miller as "an old-fashioned nineteenth-century trade unionist who hated management generally and management of baseball specifically." But, he acknowledges that he was a "superior communicator," whose "ability to cultivate the press was perhaps his greatest talent."[43] That talent enabled Miller to blend effectively soft power attraction with traditional union hard power tactics.

Miller had little respect for Kuhn. Observing that Kuhn had "role confusion" because he thought he represented players, Miller sardonically concludes that he was "the most important contributor to the successes of the Players Association."[44] While the commissioner's charge was to represent all aspects of the game, including players, the emergence of the union had significantly strengthened the pro-owner bias of the office.



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[37] Zimbalist, 72. Moffi, 51-52.
[38] Zimbalist, 74.
[39] Moffi, 217.
[40] Zimbalist, 75, 79.
[41] Marvin Miller, A Whole Different Ball Game:The Inside Story of the Baseball Revolution (Chicago: Ivan R. Dee, 2004), 293.
[42] Ibid., x.
[43] Bowie Kuhn, Hard Ball: The Education of a Baseball Commissioner (Lincoln: University of Nebraska Press, 1997), 77, 79, 80.
[44] Miller, 106, 91.

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An early example of this opposition came in 1972, the first strike in professional sports history, lasting 13 days (nine in season) and cancelling 86 regular season games. Miller, who says he didn't expect the strike to occur, claims that the owners lost $5.2 million and the players, $600,000 as a result. Noting that the health and retirement issues at stake were relatively small, Miller concludes, "The real issue was power."[45] For the remainder of Kuhn's tenure, power, particularly hard power, was a theme.

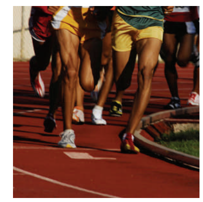
Ironically, Kuhn decided not to exercise the hard power of his office when Andy Messersmith and Dave McNally filed a joint free agency grievance after the 1975 season. While Kuhn could have legally ruled on the action as a complaint instead of an arbitration grievance, Kuhn declined, rationalizing that ruling against the players would have provoked a strike.[46] Since the arbitrator ruled for the players and paved the way for removal of the reserve clause, Kuhn perhaps squandered an opportunity to preserve this critical hard power resource, which had been historically supported in court cases.

Significant examples of hard power exercises included an owners' lockout during spring training in 1976, perhaps spurred by the free agency arbitration decision. Another, which was the most significant of Kuhn's tenure, was the players' strike in 1981 that cancelled over 700 games and likely prompted the owners' decision not to renew his contract. The trigger issue was what compensation a team could receive for a free agent. This had been festering since the last-minute negotiated Collective Bargaining Agreement (CBA) a year earlier had passed it on to a study group.

Miller describes the 1981 strike as "the most principled strike" he had ever participated in and "the Association's finest hour,"[47] while Kuhn, calling Miller "a prisoner of his own ego above all things," considers the strike "an inexcusable miscalculation by Miller of the clubs and me."[48] A key to MLBPA's dominance of the owners in bargaining was Miller's soft power effect upon the press and the public. It strengthened the union's bargaining position and outflanked Kuhn and the owners, who chose not to curry public favor.

Peter Ueberroth—1984-1988

Given Kuhn's experience with the job, owners had difficulty recruiting another compliant insider. Emerging from the search, however, was new American hero, Peter Ueberroth, a successful marketing-oriented entrepreneur who had built the second largest travel agency in the country before leading the 1984 Los Angeles Olympic Committee to a $200 million profit and becoming *Time* magazine's man of the year. In a favorable bargaining position, he negotiated a salary twice that of Kuhn's, a reorganization that gave him broader control over the leagues, and an increase in fining authority from $5,000 to $250,000. He acted quickly to settle the umpires' strike within a week of taking office by giving them more than they asked for, thereby asserting his authority over the league presidents, over the owners, and incurring their disfavor.[49]



Recognizing the value of celebrity marketing while upstaging his predecessor, in March, 1985, he reinstated popular Hall of Famers Mickey Mantle and Willie Mays, whom Kuhn had banned from baseball-related activities for associating with casinos. As a soft power marketer, he brought MLB belatedly into the 20th century business world with a profitable corporate sponsorship approach similar to what he had used in the Olympics. The relatively dormant MLB Promotions Corporation, established as MLB's marketing arm in 1968, produced only $640,000 ($40,000 per team) in licensing and merchandising revenue in 1984. Within five years, Ueberroth had increased that total to $36

(Continued on page 20)

[45] Ibid., 203-221.
[46] Kuhn, 157-158.
[47] Ibid., 301.
[48] Kuhn, 346.
[49] Moffi, 220, Zimbalist, 90-92..

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million. On the hard power side, however, he took punitive action against players with drug issues and tried to institute a comprehensive drug-testing program that the union stone-walled until 2002.[50]

When the players struck in August, 1985, he dictated a settlement without owner approval that confined the strike to two days. In failing to include salary containment items that the owners wanted, Ueberroth set the stage for the biggest mistake of his tenure: owner collusion on player salaries that ultimately cost the owners $280 million in damages and a further calcification of the hard power adversarial relationship between players and owners that would continue for another decade.[51]

Ueberroth was first and foremost a businessman who didn't have any particular affection for the game. He was also the only commissioner to leave office on his own terms, having announced after less than four years that he would not complete his five-year term. He groomed A. Bartlett Giamatti, who had been recruited by Selig to be NL president in 1986. When he left office, Ueberroth summed up his performance as "a lot of substance and not much style," reflecting the increase in profitability of MLB during his tenure.[52]

A. Bartlett "Bart" Giamatti—1989

A classics scholar who became president of Yale University at age 40, Giamatti loved baseball as much as Landis had. Giamatti's *New York Times* op-ed piece calling for players to break the 1981 strike helped credential him as an owner candidate for commissioner.[53] He was the first choice of Selig's 1983 search committee to replace Kuhn, but couldn't leave Yale at the time because he was embroiled in a rancorous labor dispute.[54] Three years later, with Ueberroth ensconced, Giamatti became NL president and heir apparent. In his two-plus years in the limited NL job, he distinguished himself as a player disciplinarian who strove to uphold the integrity of the game. That experience prepared him for the most notable act of his six-month commissionership, one that he shared with his newly appointed deputy commissioner, Francis T. "Fay" Vincent, a former business leader. Giamatti focused on policy and external affairs; Vincent, on internal legal and operational matters.

Ueberroth told them of allegations that Pete Rose, MLB's all-time hits leader and then Cincinnati Reds manager, had been betting on baseball games, including those involving the Reds. Giamatti, who personified the soft power mythological love of the game, undertook hard power actions to preserve the game's integrity. Armed with conclusive evidence after an exhaustive and expensive investigation, Giamatti and Vincent met with Rose and offered a settlement of first a ten- and then a seven-year banishment from the game. On August 23, 1989, they agreed on a "permanent suspension," with opportunity to apply for reinstatement after a year. Eight days later, Giamatti died of a heart attack at age 51. Nearly three decades later, Rose is still on suspension.

Francis T. "Fay" Vincent—1989-1992

Successor Vincent soon got a visible test of his power when an earthquake hit the Bay Area as the Oakland A's and San Francisco Giants were preparing to play the third game of the 1989 World Series. The next day Vincent appropriately suspended the series, asserting that "our modest little game is not a top priority."[55] He resumed the series ten days later and MLB received plaudits for its soft power handling of the situation. That might have been Vincent's finest moment in what would be an owner-shortened three-year tenure.

When owners locked out players during 1990 spring training to push their agenda in CBA negotiations, Vincent took direction from high revenue owners and

(Continued on page 21)

[50] Zimbalist, 92, 95.
[51] Zimbalist, 92-95.
[52] Paul Dickson, ed., Baseball's Greatest Quotations: An Illustrated Treasury of Baseball Quotations and Historical Lore (New York: Collins, 2008), 562. Comment comes from an interview with Richard Justice, Washington Post, March 10, 1989.
[53] Miller, 401.
[54] Zimbalist, 95-96.
[55] Vincent, 157.

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negotiated a settlement on March 20 that reopened camps, but angered many of the other owners.[56] Vincent suspended Yankee owner George Steinbrenner for two years for associating with gambler Howard Spira, thereby making an enemy of "the Boss." He also unilaterally decided to include former Negro League players in the MLB health plan without consulting the owners. These hard power decisions increased owner dissatisfaction. Culmination came when NL and AL owners were unable to agree upon a financial settlement to compensate existing teams for the addition of two NL expansion teams in 1993. Vincent reluctantly intervened and alienated AL owners with his decision to give AL teams only 22% (less than the NL was proposing) of the expansion fees, but require them to contribute a proportionate 54% (AL had 14 teams and NL, 12) of the players to the expansion draft.[57]

The owners signaled their dissatisfaction by first hiring Dick Ravitch to head the owners' labor arm, the Players Relations Committee (PRC), at a higher salary than Vincent's and then by requesting that Vincent significantly limit his involvement in the bargaining process. His failed attempt to shift the Chicago Cubs from the NL East to the West division, his push to have Chicago and Atlanta superstations contribute more TV revenue to offset MLB's reduced revenue opportunity, and his reneging on a San Francisco-Tampa relocation created various owner enemies. The result was a no-confidence vote on September 3, 1992, Vincent's resignation five days later, and the naming of Selig as "interim" commissioner.58 He had been campaigning for the job for almost a decade and Vincent recognized it. George Vecsey of *The New York Times* called Vincent, "the last commissioner," in recognition that Selig was an owner, not an independent.[59]

Allan H. "Bud" Selig—1992-Present

Like Landis, Selig kept his "day job" when he became interim commissioner. Unlike Landis's, his prior job was a clear conflict of interest: owner of the Milwaukee Brewers. The "interim" label, which lasted almost six years, didn't mask the fact that Selig clearly represented the owners, not baseball. The owners blatantly clarified that in early 1994 when they named him permanent chair of the PRC and rescinded his powers to act unilaterally "in the best interests of baseball." Selig maintained his Brewers ownership until 2005. He did put his Brewers holdings in a blind trust when he became permanent commissioner in 1998, but his daughter became Brewers CEO for four years and remained as chairman until the sale.[60] Despite this hard power enablement by the owners, Selig has generally relied more on his soft power skills with the owners and other constituents throughout his tenure. Zimbalist concludes that Selig "was the right person to shepherd this transition" of baseball to a competitive business.[61] Citing his skills in conciliation, particularly among owners, Kuhn calls Selig, "baseball's Henry Clay."[62]

His first major test, however, soon descended into a traditional union-management hard power war and resulted in a MLB-worst player strike that canceled the last two weeks of the 1994 season and World Series—and delayed the start of the next season. There had been a 17-month owner delay in opening negotiations on the new CBA and a hard power push to include a salary cap, which the MLBPA strongly resisted. As a result of the 1994 changes in the commissioner's role and divided opinions among the owners, confusion ensued about what Selig could and could not do in the bargaining process.

President Clinton intervened, appointing Bill Usery, former Steelworkers head and a prominent negotiator, to mediate. Usery was able to shift the primary bar-

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[56] Zimbalist, 103-104.
[57] Ibid., 104-106.
[58] Ibid., 107-110.
[59] Vincent, xi.
[60] Zimbalist, 144-145, 178, 199.
[61] Ibid., 212.
[62] Kuhn, 412.
[6\3] Zimbalist, 146-150.

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gaining issue from a salary cap to revenue sharing, but couldn't secure an agreement. The President then proposed binding arbitration, but the owners refused. The old CBA was reinstated on March 31, 1995, in order to resume play, but a new CBA didn't occur until after the 1996 season.[63]

The new agreement did include substantial reforms that would enable MLB to move toward more collaborative governance: revenue sharing, luxury tax, Industry Growth Fund to spur global promotion, and agreement to seek a partial lifting of the antitrust exemption (which culminated in the 1998 Curt Flood Act).[64] Opportunities for soft power tactics increased and the fans gradually reinstated their loyalties as the games began and continued. There has been no work stoppage since.

Selig has had his share of successes and failures during his tenure, now expected to last until 2013 as a result of a contract renewal. While they don't simply reflect soft or hard power emphasis, a case can be made for the successes being more a function of soft power and the failures, of hard power. Two years after making him the permanent commissioner, the owners enhanced his power by amending MLB's constitution to eliminate the AL and NL presidents, put the leagues directly under Selig for most governance purposes, and include revenue-sharing procedures, within CBA constraints, as part of reinstated "best interests" authority.[65]

Selig's fan-oriented changes—three divisions with wild card designation, interleague play, and league realignment—have been generally successful. Vince Gennaro calls the wild card, "his single biggest stroke of genius" because of its enhancing September competition for playoff berths and resultant fan interest.[66] Conversely, his future-oriented Blue Ribbon Panel, which did not include a player representative, was ineffective and generally disregarded. And, his failed attempt to impose team contraction, which prompted legal action in Minneapolis and a general player grievance, was a public relations disaster.

Perhaps MLB's greatest financial boon has been Major League Baseball Advanced Media (MLBAM), which MLB created in 2001, five years after Selig hired its first marketing director, reviving a focus that Ueberroth had initiated a decade earlier. Not only has it become "the sports industry leader in Internet services and sales," but it has stabilized the minor league system through its provision of consistent, quality marketing support, contributed greatly to centralized revenues that help balance MLB teams' financial positions, and helped to spread the game and market the MLB brand globally.[67]

The steroid issue has demanded a delicate blend of hard and soft power responses—and the jury is still

out on its long term effect on the game. After Ueberroth's failure to implement a drug testing program two decades ago, MLB/MLBPA leadership generally floundered both in its admission of the problem as well as in its agreement on solutions. Contributing to the failure was a traditional hard power union-management stalemate that focused on parochial win-lose rather than the problem. Congress, the Mitchell Report, Jose Canseco, and other self-appointed spokesmen have provided needed external stimuli for collaborative action. Belatedly, Selig has taken positive steps, first unilaterally in the minors and, more recently, multilaterally with the MLBPA to exercise at least partial control and prevention measures. On April 11, 2008, MLB/MLBPA jointly announced agreement on positive Joint Drug Agreement modifications that respond to Mitchell Report recommendations.[68] While not implementing all enactment

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[64] Ibid., 150-152.
[65] Ibid., 159.
[66] Vince Gennaro, Diamond Dollars: The Economics of Winning in Baseball (Hingham, MA: Maple Street Press, 2007), 238.
[67] Zimbalist, 190-191.
[68] MLB.com. "Major League Baseball and Players Association Modify Joint Drug Agreement," April 11, 2008.

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recommendations, the agreement strengthened resolve to curtail MLB's drug problem. In having to deal with adverse publicity, both MLB and MLBPA negatively experienced the value of soft power collaboration in addressing the issue.

Soft power multilateral collaboration was evident in the planning and implementation of the first World Baseball Classic (WBC) in 2006. MLB and MLBPA coalesced in a win-win partnership that involved other countries, notably Japan in the development process. Japan is slated to play an even greater role in the 2009 WBC. MLB/MLBPA was also able to convince the Bush administration to amend the American embargo and allow Cuba to participate, thereby assuring that all the best teams played in the 2006 inaugural. The WBC has demonstrated the potential to be a continuing soft power vehicle for enhancing popularity and profitability of the game globally.

Selig continues to grow in the job and has generally used his increased power in the best interests of the game by mollifying the hard power owner approach with soft power collaboration. Hard ball is the game, but soft ball is increasingly the business of baseball.

After working 35 years in "Corporate America," Bob Lewis (bobflew2@msn.com) "retired" to earn a Ph.D. in American Studies from the University of New Mexico with his dissertation on baseball globalization.

From the Editor

This issue of *Outside the Lines* includes three excellent articles. Two, by Norman Macht and Jeff Katz, focus on the 1950s, while the third, by Bob Lewis, covers the entire history of MLB's commissioners.

Macht's piece, which comes from, a presentation at SABR38 in Cleveland, is less a finished research piece than a researcher's exploration of a question which, in the end, remains unanswered: "Was everything arranged for the St. Louis Browns to move to Los Angeles in December 1941, when things happened that blew up the plan?"

Katz takes us through the financial relationships between the owners of the Yankees (Dell Webb and Dan Topping) and Athletics owner Arnold Johnson—including Arnold's purchase of Yankee Stadium—that led to a recreation of syndicate baseball in the 1950s with the A's effectively functioning as a Yankee farm team.

Lewis explores the nine Commissioners in the light of Joseph S. Nye's geopolitical "smart power" model as he grades each of them on a 'hard power-soft power' continuum.

We thank these authors for their willingness to share their work with us.

The next issue of *Outside the Lines* will come out in the Fall. Although we have several excellent pieces promised, we are always looking for high quality research on the history of the business side of the game.

The deadline for the Fall issue is September 15. If you have research that you would like to share with us, please contact me at jruoff@bellsouth.net.

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Editor, Outside the Lines