

The reserve clause could go

but

baseball

might

die

By Nick Martin

A case is now being tried in the U.S. courts which, if won by Curt Flood, could shake the professional sports structure as no onfield event has ever done.

Flood, an outfielder with the St. Louis Cardinals of the National League, was traded this fall to the Philadelphia Phillies for superstar Richie Allen in a deal involving a total of seven players.

Although Flood signed a contract for which he is paid \$90,000 a year, agreeing that the club can assign his contract to any other team, he is refusing to report to Philadelphia. Flood has enlisted the services of former Supreme Court Justice Arthur J. Goldberg to fight baseball's reserve clause, with the ultimate goal being to establish Flood's right to negotiate his services with any team in baseball.

Exclusive rights

Baseball's reserve clause, like hockey's, gives the club originally signing a player the right exclusively to his services. Once signed by a team, a player has no choice where to play nor any control over trades.

The problem is compounded by the introduction of the amateur draft in 1965, whereby players were drafted by one team rather than being up for grabs in a bidding war. Thus a baseball player, living in an apparently free enterprise nation, has absolutely no control over where he will be employed.

In 1922, the United States Supreme Court ruled that baseball was exempt from anti-trust legislation. The game could compete with other sports and other entertainment forms within a capitalist framework, but within the game itself, ruled the court, the free movement of labor must be suspended in order to benefit both management and labor.

It is hard for the blue collar worker in the bleachers to apply Marxist terms of reference to a man making the kind of money Curt Flood is making. However, Flood is nearing the end of his career, and contends that he is challenging baseball's lords, not for his own benefit, but for the benefit of the great majority of players making far less than Flood.

Flood is supported by Marvin Miller, the head of the Baseball's Player's Association, who is picking up the legal tab. Goldberg's services come high, but there is wide speculation that he was eager to take the case in order to generate labor support in a bid for the 1972 Democratic presidential nomination.

Inside opposition

With Goldberg fighting the case, and with the admittedly shaky legal ground on which the reserve clause is written, Flood may very well win his case. But, even among the players themselves, there is strong opposition to Flood.

Hank Aaron, of Atlanta, is angry that players were not consulted before Miller supported Flood. Carl Yastrzemski, of the Boston Red Sox, has been vociferous in support of the reserve clause and in condemnation of Flood.

It is strange in a game and a nation based on competition that such conditions should exist, but not so strange when a closer examination of professional sports is made. Baseball is only as strong as its weakest elements; as long as some teams are unsuccessful at the box office, the whole game suffers. Witness the Pilots, Padres, White Sox and Indians.

Despite much publicity to the contrary, baseball is a living, not a dying sport. But now there are so many things to lure the leisure time of the populace, that a baseball team must have more than just nine bodies to attract crowds. A ball team must have exciting players, and above all, a superstar.

Before the amateur draft, baseball was a case of the rich get richer and the poor get poorer. The winning teams made a profit at the gate; the losing teams did not.

When a team with a profit met a team losing money in a bid to sign a prospect, it was no contest. A money-making team could afford the scouting system necessary to find the hidden prospects around the country.

This only served to make the strong stronger, the weak weaker, it was reflected at the box office, which made the whole system self-perpetuating. The classic example is the New York Yankees, who dominated baseball in the twenties and from the mid-forties to the mid-sixties.

Under such a set of conditions, it would have been suicidal not to have a reserve clause. Weak franchises, managing to develop a superstar, used that player to build a steady gate and finance a farm system that could eventually produce a winner.

To allow players like Ralph Kiner of Pittsburgh, Gabby Hartnett of the Cubs, Walter Johnson of the Senators, or Gus Zernial of the Browns the freedom to leave their clubs and allow all teams to start bidding, would have destroyed baseball.

The wealthy teams would have owned all the top players, and subsequently have dominated their leagues completely. Without competition, crowds in all cities would have fallen off, cracking the financial foundations of the game.

Competition good

Baseball must compete with football, films, etc. for the entertainment dollar, with no mercy asked or given.

years. A complete changeover every three years would destroy this traditional appeal.

Ballplayers are now protected by a contract clause which limits salary cuts to a maximum of 10 per cent after a bad year.

It is also a fact of baseball life that the longer a player stays in the league, the more he is paid. Veterans are paid more than they are worth, because of what they once were. Bobby Bonds was far more valuable than Willie Mays to San Francisco last year, but Bonds gets around \$40,000 while Mays draws some \$125,000. For Bonds, that kind of money will come later.

Most players make less than either Mays or Bonds, but the example is relevant to players of all levels of ability.

There is a set system, under which the average player is underpaid when young and overpaid when older. A player finding himself a free agent after three years would probably find himself taking a hefty loss in salary.

Option clause

The other suggestion is that baseball adopt football's and basketball's option clause. Contrary to popular belief, the option is not the player's but the team's.

The player signs a contract for X number of years; the team has the option of retaining his services for X plus 1 years. If the player does not choose to sign a new contract, he plays out his option year at a 10 per cent reduction in salary, after which he becomes a free agent.

In football, the option clause has been more or less negated, because the team signing a player playing out his NFL option must give adequate compensation to the team he left. This was the case when Dave Parks played out his option with the 49ers and signed with New Orleans; the Saints were forced to compensate San Francisco with Kevin Hardy.

No such restrictions apply to players leaving the Canadian Football League to go to the U.S. Thus players such as Margene Adkins, Bo Scott, and Pete Liske have left the CFL for the NFL.

Chub Feeney, the new president of the National League, says that the chief danger of the option clause is its reflection on the integrity of the game. Baseball nearly died in 1919, when it was discovered that eight members of the Chicago White Sox had been paid by gamblers to throw the World Series, and was saved only by the coming of Babe Ruth. The fan must be certain of the absolute integrity of the sport. If a man knows that he will be playing for a different team the next season, who can be certain he is giving 100 per cent for his present team? It was for this reason, that the B.C. Lions traded Joe Kapp after discovering he had already signed for the next season with the Houston Oilers.

Still uneven

Although professional sports have done their best, through the reserve clause and the draft, to even teams up, there are still some haves and havenots. When Ken Harrelson was cut by the Athletics several years ago, for questioning the abilities of owner Charlie Finley, teams competed in fierce bidding for his signature.

Allowing the top players to become free agents through use of the option clause could make owners forget what is ultimately best for everyone by bidding highly for a quick winner. The result would be a fantastically expensive bidding war, one that could kill baseball.

It all comes down to money. It is true, not only of baseball and football, but of every sport, that professional teams lose money.

Operating costs for camps, stadiums, equipment, travelling, but above all for salaries is barely matched by income. Costs and salaries go up, but only so many people can be crammed into a stadium. Right now it is only television revenue keeping most teams afloat and TV cannot be milked much further.

Last year the New York Mets made only a couple of hundred thousand dollars, and the Minnesota Vikings even less. This is why teams are owned by corporations with outside incomes.

To keep public interest high, and thus maintain vitally needed gate receipts and television revenues, sports need to maintain close competition.

The amateur draft, now adopted by hockey as well as baseball, and the reserve clause are maintaining that competition. Without them, baseball would return to its old days, when teams such as the Yankees outbid other for the top players and built dynasties. The repercussions would be disastrous.

No one denies that the professional athlete does not enjoy the freedom of other workers. But the financial facts show that the owner derives no benefit from the present system. Franchises are operated by big business for the general good of the local citizens.

On the other hand, the player is paid huge salaries, with his every need taken care of and his future assured.

The player may be a slave, but he is a fantastically wealthy slave. Curt Flood and Marvin Miller may very well win; it would certainly lead to similar action by Alan Eagleson and The NHL Players' Association.

The cost of the athlete's freedom may be far more than he wants to pay. Curt Flood may be killing the goose that laid the golden egg.

But within the game itself, the closer the competition the greater the gate receipts, and the greater the stability and profits of all teams.

In the past, the players did not join in the benefits of large profits. The reserve clause did indeed make them slaves to the owners.

But now owners who lived solely from the profits of their teams have been largely replaced by corporations who operate the clubs from a standpoint of community spirit. The position of the player is now the envy of every laborer.

The minimum salary, a sum paid to only the lowest rookie on a major league team, far exceeds the salaries of all but the greatest stars of two or three decades ago, even considering inflation and comparative costs of living. Pension schemes, with much of the money contributed by the owners from what would be otherwise profits, assure a player of a steady income once he reaches the age of 45.

The fact remains, however, that a player must play for the team which drafted him.

Prior to 1965, teams had to bid against each other for top prospects. Although this gained much publicity, it is false to believe that the players benefitted from it.

Vast amounts of money were spent on "bonus babies". Many, such as Ted Kazanski, Billy Joe Davidson and Bobby Thomas, pocketed the money and were never heard from again. The flops far outnumbered those that made it.

Vast amounts were being spent — the supply was not endless. It was the established major leaguers who felt the pinch, as these expenditures dried up financial reservoirs from which higher salaries might well have been drawn. By instituting the draft, and thereby copying the National Football League, baseball returned to sanity.

The NFL, under Tommy Bell, recognized that sports could only survive under a plan of capitalism without collectivism within.

The draft, whereby the worst teams would get a clear shot at the best college players, would increase competition. This has certainly helped football. Even the worst teams have two or three stars.

Draft helped

When baseball put in the draft system, it cut down on the huge bonuses of previous years. Players drafted in the first round still received a tidy sum to sign, because a drafted player, by refusing to sign and sit out a year, became eligible to be drafted by a different team the following season.

There are several suggestions as to what will replace the reserve clause. One proposal is that player contracts would cover only three years, after which the player would become a free agent.

This would probably prove very profitable for the stars, but it would be disastrous for the majority of players and the game itself. Part of the appeal of team sports is the ability of a city to identify with the same players, both home team and opponents, over many