

Spring 2018

POLS 314: Law, Politics & Baseball



Toni Stone with the New Orleans Creoles, a Negro League farm team, before she signed with the Indianapolis Clowns.

Courtesy Oakland Museum of Calif

“Whoever wants to know the heart and mind of America had better learn baseball.”

– Jacques Barzun, *God's County and Mine: A Declaration of Love Spiced with a Few Harsh Words*
(Boston: Little Brown, 1954)

Baseball is America's national pastime. But it is much more than just a game. In this course we will use baseball as a case study of how law and politics function in America. The course is designed for both the baseball novice as well as the expert and we particularly welcome those who are new to the game. Why? Because the course is not really about baseball per se. Instead, we will examine how baseball has been reflective of broader legal and political issues such as gambling and drugs, race and sex discrimination, and business-labor relations and how baseball has come to be the only “business” in America with a constitutional exemption from anti-trust laws. We will explore these and other themes through readings, discussions, and films.

This is a fully on-line, self-paced course. This means that you may cover the material at your own pace. But you must complete all of the course requirements by the end of the course on the dates specified on the syllabus. Thus, you may cover the material on a weekly basis like a traditional course (recommended) or you may cover the material more quickly if you wish. You may also choose to do all of the course work toward the end of the semester. However, this is not recommended. No extensions, no make-up work, and no extra credit will be allowed. You have months to complete the coursework and should complete it at the pace that allows you to do well.

Online Course

Instructor: Artemus Ward

E-mail: aeward@niu.edu

Office: Zulauf Hall 405

Office Hours: T TH 8am-9:30am and by appointment during the semester.

Required Readings:

Required course readings are all available for free on Blackboard.

Required Lectures

There are a number of PowerPoint lectures that are required at various times over the course of the semester. The topics will vary but will be related to aspects of the course. These lectures are required material and there will be midterm and final exam questions based on them.

Recommended Texts (for your interest and enjoyment only):

Abrams, Roger I. 1998. *Legal Bases: Baseball and the Law*. Temple University Press. ISBN 9781566398909.

Feinstein, John. 2015. *Where Nobody Knows Your Name: Life in the Minor Leagues of Baseball*. New York: Anchor Sports. Paperback ISBN-10: 0307949583; ISBN-13: 978-0307949585

Goldman, Robert M. 2008. *One Man Out: Curt Flood Versus Baseball*. University Press of Kansas. ISBN 9780700616039.

Hogan, Lawrence D. 2006. *Shades of Glory: The Negro Leagues and the Story of African-American Baseball*. National Geographic. ISBN-10: 079225306X.

Jozsa, Frank P., Jr. 2006. *Baseball, Inc.: The National Pastime as Big Business*. McFarland & Co. ISBN-10: 0786425342.

Klein, Alan M. 2006. *Growing the Game: The Globalization of Major League Baseball*. New Haven, CT: Yale University Press. Paperback ISBN: 9780300136395.

Lanctot, Neil. 2008. *Negro League Baseball: The Rise and Ruin of a Black Institution*. University of Pennsylvania Press. ISBN: 978-0-8122-2027-8.

Peterson, Robert. 1992. *Only the Ball Was White: A History of Legendary Black Players and All-Black Professional Teams*. New York, NY: Oxford University Press. ISBN-10: 0195076370.

Tygiel, Jules. 2001. *Past Time: Baseball as History*. New York, NY: Oxford University Press. Paperback ISBN10: 0195146042.

Tygiel, Jules. 2008. *Baseball's Great Experiment: Jackie Robinson and His Legacy*. New York, NY: Oxford University Press. Paperback ISBN10: 0195339282.

Wilson, John R.M. 2010. *Jackie Robinson and the American Dilemma*. Longman. ISBN 9780205598489.

Zimbalist, Andrew. 2004. *May the Best Team Win: Baseball Economics and Public Policy*. Brookings Institution Press. ISBN 9780815797296.

Zimbalist, Andrew. 1994. *Baseball and Billions: A Probing Look Inside the Business of Our National Pastime*. Basic Books. ISBN-10: 0465006159.

Recommended Films:

Burns, Ken. 1994. *Baseball*.

Burns, Ken. 2010. *The Tenth Inning*.

Course Requirements:

On-Line Participation

You are required to go to the discussion board on Blackboard and for each module post one (and not more than two) messages (roughly 3-4 sentences) about the relevant course material or anything that relates to the course. You can either start your own thread or respond to a post that has already been made. You should also read the posts that the other students in the class make. Your participation grade will be posted at the end of the course and is based on making at least one quality post in each of the different modules. Thus, making one quality post in each module will earn you a perfect score for participation. You must complete all of your posts by the end of the semester by the date and time listed on the syllabus. No exceptions.

Exams

Each exam will take place on Blackboard. You may take them at any time over the course of the semester but you may only take them once and you must take them all by the end of the semester by the date and time specified on the syllabus. It is recommended that you take them over the course of the semester as the weeks progress at the suggested points on the syllabus. The exams are not comprehensive and will only cover the specific material listed on the syllabus prior to the exam. Each exam will consist of 25 multiple choice and true-false questions. You will have 30 minutes to answer the questions once you begin the exam. Be sure to use a reliable computer with a reliable internet connection during the exam as technical difficulties on your end may result in none of your answers being saved.

There are no study guides for the exams. You should read and take notes on the required material, use the discussion board to ask questions about material that is unclear, contact the instructor if something is unclear, study your reading notes (perhaps by making other, briefer notes) just prior to taking the exam, and finally—take the exam. If you do this, the exam will only take you 10-15 minutes to complete. If you do not do this, the exam will take more time to complete, you will not have enough time to answer all the questions correctly, and your grade will be much lower than you would like.

Research Paper

You are required to write one 5-6 page, double-spaced, term paper which is due at the end of the course on the date specified on the syllabus. In this paper I expect you to go beyond the course material. You can choose any paper topic you like, however your paper must deal with a topic that we cover in the course: the business of baseball, baseball vice (gambling and drugs), racial discrimination, or sex discrimination. Choose a specific person, issue, event, etc. and then choose a sub-topic in order to narrow your topic as much as possible. Thus a paper about Jackie Robinson and race discrimination is far too broad. Instead, a paper on Jackie Robinson's post-baseball work in the corporate world is much more defined and specific. A paper on the Black Sox is far too broad. However, a paper on why an individual player participated in fixing the World Series is much more defined and specific. A paper on Pete Rose and gambling is too broad. A paper on baseball's anti-trust exemption is too broad. A paper on Curt Flood is too broad. A paper on Curt Flood and baseball's anti-trust exemption is too broad. A paper on women in baseball is too broad. A paper on the All-American Girls Professional Baseball League is too broad. A paper on steroids in baseball is too broad. Papers that are too broad will result in full-grade deductions—the broader it is, the less credit you will receive. If you are unsure whether your topic is appropriate, contact the instructor well in advance of the due date, ideally at the start of the semester when you should be meeting with the writing center and beginning your research.

The paper must include an appropriate discussion of at least four different scholarly, peer-reviewed sources such as books or articles that relate to your topic. These sources can be on-line and can be sources linked from the syllabus and/or

sources you locate on your own. However, they must be *in addition* to any required sources listed on the syllabus. Hence you may cite and rely on any of the required course material, but your paper must include four non-required sources. They must be discussed and cited in your essay and also listed in a bibliography at the end of the paper. You may also use any non-scholarly source you want as long as it is cited in your paper and listed in the bibliography.

While you may use any book or article, in order to earn an “A” on the paper at least four sources must be **scholarly books from university presses or lengthy articles (roughly a dozen pages or more) in academic journals that contain original data and/or arguments.** Toward this end I strongly recommend using JSTOR, or another scholarly database to find articles in law, economics, politics, African-American studies, women’s studies, and other related areas. Note: JSTOR is NOT a source – it is a database that helps you locate potential sources. University librarians are experts in helping you locate sources and I recommend consulting with them. I also recommend that you work with the campus writing center – long before your paper is due. Papers that rely on popular sources such as newspaper articles or websites such as Wikipedia, ESPN.com, or MLB.com and contain no scholarly sources can only earn a “D” at best and will likely earn you an “F”. Of course any of these kinds of sources may be used in addition to the required scholarly sources. Note: course lectures and required readings do NOT count as sources toward this requirement. Also, failing to meet the minimum page requirement will also result in a lower grade than papers that meet the minimum page requirement.

If you are unsure whether your topic is appropriate or whether your sources count as scholarly please consult the instructor. You are also strongly encouraged to work with the NIU librarians to help you locate appropriate scholarly sources.

As with all papers, the paper for this class must be type-written or word-processed, double-spaced, with Times New Roman, 12 pt. font and one inch margins all around. Make sure that you properly attribute and cite whenever you use information from a source such as a book, article, webpage, or film. You may use any accepted citation format such as within-text-cites, footnotes, or endnotes and any accepted bibliographic style. Consult a resource such as the Chicago Style manual or similar work if you are unsure of proper citation/bibliographic formats. This is particularly crucial for internet sources. Journal articles must include the volume number, year, and beginning and ending page numbers.

Before you start writing this or any essay, ask yourself: What is my overall argument/thesis? Am I supporting my position with reasons and/or evidence? Am I structuring my discussion so that it is as clear and comprehensive as it can be? Have I provided examples and explanations for each argument that I advance? What are the possible counter-arguments that my critics might bring up and how would I respond to those criticisms? Toward this end, you are strongly encouraged to work with the writing center. The key is to set up a series of appointments with

a counselor at the writing center who can help you through each stage of the writing process: topic selection, research, drafting, etc.

In grading your essays I will consider whether you have (a) developed a clear and thoughtful thesis, (b) supported your thesis with a well-reasoned and well-organized discussion, (c) taken into account opposing points of view, (d) demonstrated your familiarity with course materials, and (e) followed the paper requirements including length, sources, and the rules of proper grammar, spelling, and citation/bibliographic format. Note: JSTOR is not a source and should not be cited in your bibliography. It is a highly recommended search engine which allows you to locate specific sources. Citing JSTOR or providing links (URLs) to articles found through JSTOR will result in full grade deductions.

Grading System:

Grades will be determined by the following scale:

93.5-100 = A

89.5-93.4 = A-

86.5-89.4 = B+

83.5-86.4 = B

79.5-83.4 = B-

74.5-79.4 = C+

69.5-74.4 = C

59.5-69.4 = D

0-59.4 = F

The grade breakdown (below) allows you to calculate your final course grade. It also allows you to calculate what you will need to score on one portion of the course grade (for example, the final exam), in order for you to earn an overall course grade that you desire. It is a simple math problem. For example, if you earned an 85 on participation, 75 on the midterm, and 65 on the paper, you can calculate what your overall course grade would be based on a possible final exam score, say a 55. The formula would be: $(85 \cdot .10) + (75 \cdot .35) + (65 \cdot .20) + (55 \cdot .35)$. This formula allows you to enter different scores for each portion of the course grade and calculate a final course grade based on how each portion of the course grade is weighted.

	<i>% of Total Grade</i>
Participation	10%

Midterm Exam	35%
Research Paper	20%
Final Exam	35%
Total=	100%

Frequently Asked Questions (FAQ) about grades from the NIU Registration and Records website is available at: <http://www.niu.edu/regrec/grading/gradingfaqs.shtml>

Course Policies:

1. Extracurricular Activities - It is your responsibility to notify me in advance of any activities that will disrupt your attendance or otherwise prevent you from participating in the course. If your activities make it impossible for you to attend classes each week or otherwise participate, you should consider withdrawing from the course.

2. Late Work – Nothing will accepted late under any circumstances. Because this is an on-line, self-paced course, you have plenty of time to complete the course requirements.

3. Cheating and Plagiarism - **PLAGIARISM, SIMPLY DEFINED, IS TAKING SOMEONE ELSE'S WORDS OR IDEAS AND REPRESENTING THEM AS BEING YOUR OWN.** It is specifically prohibited by University regulations, which state:

Good academic work must be based on honesty. The attempt of any student to present as his or her own work that which he or she has not produced is regarded by the faculty and administration as a serious offense. Students are considered to have cheated if they copy the work of another during an examination or turn in a paper or an assignment written, in whole or in part, by someone else. Students are guilty of plagiarism, intentional or not, if they copy material from books, magazines, or other sources without identifying and acknowledging those sources or if they paraphrase ideas from such sources without acknowledging them. Students guilty of, or assisting others in, either cheating or plagiarism on an assignment, quiz, or examination may receive a grade of F for the course involved and may be suspended or dismissed from the university. (Undergraduate Catalog)

4. Accessibility Statement - Northern Illinois University is committed to providing an accessible educational environment in collaboration with the Disability Resource Center (DRC). Any student requiring an academic accommodation due to a disability should let his or her faculty member know as soon as possible. Students who need academic accommodations based on the impact of a disability will be encouraged to contact the DRC if they have not done so already. The DRC is located on the 4th floor of the Health Services Building, and can be reached at 815-753-1303 (V) or drc@niu.edu. To assist NIU in providing an accessible and inclusive environment, the following suggested accessibility

statements are provided for departmental and programmatic use. Please contact a DRC staff member with questions or concerns about regarding access for and inclusion of students with disabilities at NIU.

5. Undergraduate Writing Awards - The Department of Political Science will recognize, on an annual basis, outstanding undergraduate papers written in conjunction with 300-400 level political science courses or directed studies. Authors do not have to be political science majors or have a particular class standing. Winners are expected to attend the Department's spring graduation ceremony where they will receive a certificate and \$50.00. Papers, which can be submitted by students or faculty, must be supplied in triplicate to a department secretary by the end of February. All copies should have two cover pages - one with the student's name and one without the student's name. Only papers written in the previous calendar can be considered for the award. However, papers completed in the current spring semester are eligible for the following year's competition even if the student has graduated.

6. Department of Political Science Web Site - Undergraduates are strongly encouraged to consult the Department of Political Science web site on a regular basis. This up-to-date, central source of information will assist students in contacting faculty and staff, reviewing course requirements and syllabi, exploring graduate study, researching career options, tracking department events, and accessing important details related to undergraduate programs and activities. To reach the site, go to <http://polisci.niu.edu>

Course Schedule:

Module 01

- Lecture: Origins and Birth of Baseball
 - Reading:
 - “The ‘Secret History’ of Baseball’s Earliest Days,”
NPR, March 16, 2011.
<http://www.npr.org/2011/03/16/134570236/the-secret-history-of-baseballs-earliest-days>
 - Recommended Reading: Robert M. Lewis, “Cricket and the Beginnings of Organized Baseball in New York City,” *The International Journal of the History of Sport*, 4 (1987): 315-332.
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Module 02

- Lecture: Negro League Baseball

- Reading:
 - Neil J. Sullivan, “Baseball and Race: The Limits of Competition,” *The Journal of Negro History* 83 (1998): 168-177.
 - Recommended Film: [Bingo Long Traveling All-Stars & Motor Kings](#) (1976) 110 minutes.
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Module 03

- Lecture: Baseball Vice – Gambling
 - Reading:
 - Thomas J. Ostertag, “From Shoeless Joe to Charley Hustle: Major League Baseball’s Continuing Crusade against Sports Gambling,” *Seton Hall Journal of Sport Law* 2 (1992): 19-49.
 - Recommended Film: [Eight Men Out](#) (1988) 120 minutes.
 - Recommended Reading: Daniel E. Ginsburg, *The Fix Is In: A History of Baseball Gambling and Game Fixing Scandals* (Jefferson, NC: McFarland, 1995).
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Module 04

- Lecture: Breaking the Color Barrier
 - Reading:
 - Michael Beschloss, “When Jim Crow Got Cut from Spring Training,” *New York Times*, February 14, 2015.
 - Alfred Dennis Mathewson, “Major League Baseball’s Monopoly Power and the Negro Leagues,” *American Business Law Journal* 35 (2008): 291-318.
 - Required Film: [42](#) (2013) 128 minutes.
 - Recommended Film: [The Jackie Robinson Story](#) (1950) 77 minutes. Watch the film on youtube: <http://youtu.be/gNm-UlJmKUg>
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Module 05

- Lecture: Baseball Monopoly
 - Reading:
 - David S. Davenport, “Collusive Competition in Major League Baseball: Its Theory and Institutional Development,” *American Economist* 13 (1969): 6-30.
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Module 06

- Lecture: Women Ball Players
- Reading:
 - McPhillips, Matthew J., “[Girls of Summer: A Comprehensive Analysis of the Past, Present, and Future of Women in Baseball and a Roadmap to Litigating a Successful Gender Discrimination Case](#),” 6 *Seton Hall Journal of Sports and Entertainment Law* (1996): 301-339.
 - Recommended Film: [A League of Their Own](#). 128 minutes.

The Midterm exam will cover Modules 1-6.

Module 07

- Lecture: Curt Flood and the Struggle for Free Agency
 - Reading:
 - Susan H. Seabury, “The Development and Role of Free Agency in Major League Baseball,” *Georgia State University Law Review* 15 (1998-1999): 335-380.
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Module 08

- Lecture: Modern Baseball and the Struggle to Integrate
- Required Reading:
- Shropshire, Kenneth L., “[Diversity, Racism, and Professional Sports Franchise Ownership: Change Must Come from Within](#),” 67 *University of Colorado Law Review* 67 (1996): 47-92.

Recommended Reading:

- Jiobu, Robert M., “Racial Inequality in a Public Arena: The Case of Professional Baseball,” 67 *Social Forces* (2, 1988): 524-534.
 - Smith, Earl and Monica A. Steff, “Race, Position Segregation and Salary Equity in Professional Baseball,” 13 *Journal of Sport and Social Issues* (2, Sep, 1989): 92-110.
 - Bellemore, Fred A., “Racial and Ethnic Employment Discrimination: Promotion in Major League Baseball,” 2 *Journal of Sports Economics* (4, Nov, 2001): 356-368.
 - Carleton, Russell A., “[Baseball Therapy: Is There Really Racism in the Broadcast Booth?](#)” *BaseballProspectus.com*, September 5, 2012.
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Module 09

- Lecture: Modern Baseball’s Antitrust Exemption
- Reading:
 - Daniel Hauptman, “The Need for a Worldwide Draft to Level the Playing Field and Strike Out the National Origin Discrimination in Major League Baseball,” *Loyola of Los Angeles Entertainment Law Review* 30 (2010): 263-300.

- Recommended Reading:
 - Daniel C. Glazer, "Can't Anybody Here Run This Game? The Past, Present and Future of Major League Baseball," *Seton Hall Journal of Sport Law* (1999): 339-430.
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Module 10

- Lecture: Baseball Vice - Drugs
 - Reading:
 - Paul D. Staudohar, "Performance-Enhancing Drugs in Baseball," *Labor Law Journal* (2005): 139-149.
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Module 11

- Lecture: Women Who Run the Game
 - Reading:
 - Hums, Mary A. and William A. Sutton, "[Women Working in the Management of Professional Baseball: Getting to First Base?](#)" *Journal of Career Development* 26 (1999, 2): 147-158.
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Module 12

- Lecture: The Future of Baseball: What is to be Done?
 - Reading:
 - Jahn K. Hakes and Raymond D. Sauer, "An Economic Evaluation of the Moneyball Hypothesis," *The Journal of Economic Perspectives* 20 (2006): 173-186.
 - Film: [Moneyball](#) (2011), 133 minutes.

 - Recommended film: [Sugar](#) (2008), 120 minutes
 - Recommended Reading: Michael Lewis, *Moneyball: The Art of Winning an Unfair Game* (2004).
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- **Research papers must be uploaded to Blackboard by Wednesday afternoon April 25th by noon.**
- **All discussion board posts must be made by Wednesday afternoon May 2nd by noon.**

- **Final Exam will cover Modules 7-12. All exams must be completed by Wednesday afternoon May 2nd by noon.**
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Journal of Law & Politics Winter 2009. Note THE COURT OF CONGRESSIONAL CONTEMPT. Michael A. Zuckerman a1. Copyright (c) 2009 Journal of Law and Politics, Inc.; Michael A. Zuckerman. I. Introduction II. 314 To prevent claims like Groppi's, and in the general interest of ensuring fairness, this tribunal would not only provide minimal notice and opportunity to be heard, but it would also allow for the right to counsel, 315 to subpoena witnesses in one's defense, to cross-examine witnesses, and to otherwise present written evidence. 11, 2005, at A1. The legislative nexus here is baseball's antitrust exemption. See Fed. Baseball Club of Balt., Inc. v. Nat'l League of Prof'l Baseball Clubs, 259 U.S. 200, 208 (1922). 48 Kilbourn v. Thompson, 103 U.S. 168, 189 (1881). employment law, affirmative action statutes, regulations, and legislation; • Promote respect for individual differences and the right of individuals to be treated with respect and civility; • Assure equity and to serve as an advocate for ethnic minorities, women, persons with disabilities, and other groups protected by federal, state or local laws; • Assist in the creation of an environment in which diversity will be perceived. 78 Biological Sciences | Programs and Course Descriptions. ESU Undergraduate Catalog 2014-15. POLS 314. GE: State and Local Government Free Elective. 3 3.