

BOOK REVIEW

One Man Out: Curt Flood Versus Baseball

Robert M. Goldman

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xvii + 158 pages [\$16.95 U.S (soft cover)]

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One Man Out: Curt Flood Versus Baseball is the first sports-related subject in the Landmark Law Cases & American Society series published by the University Press of Kansas. This series, which won the 2008 Scribes Award by the American Society of Writers on Legal Subjects, addresses major legal issues and cases such as *Mapp v. Ohio*, *Griswold v. Connecticut* and *Brown v. Board of Education* and explores the societal and historical contexts surrounding important legal precedents from our country's history.

One interesting aspect of *One Man Out* that the reader will notice right away is that it does not have the traditional footnotes or citations often found in these types of texts. Instead, the editors "asked all authors in the series to omit formal citations in order to make our volumes more readable, inexpensive, and appealing for students and general readers" (p, 145). Many readers new to the subject will embrace this approach and likely find the book to be an enjoyable, quick read. However, more experienced readers and those wishing to further explore some of the intriguing points raised by the author could find the format a bit frustrating as it often provides no method for directly identifying sources that would allow one to pursue these subjects to an even greater depth.

The author, Robert M. Goldman, is a history professor who has previously written on issues of race and the law in American society. Along with *One Man Out*, Goldman has two other books to his credit, *Reconstruction and Black Suffrage* and *"A Free Ballot and a Fair Court": The Department of Justice and the Enforcement of Voting Rights in the South, 1877-1893*. He is identified as "an avid baseball fan" on the back cover of the text, and his preface to the book details how he came to the game and his life-long connections to it. Goldman's love of baseball is obvious and oozes off of the pages throughout the entire book, even with a variety of flaws he perceives in the industry and discusses throughout the text. He clearly has a passion for the

subjects of baseball, race and the law. His enthusiasm for these subjects is another factor that makes *One Man Out* a worthwhile read.

The book opens with a pair of prefaces. The first is a short piece from the Landmark Law Cases & American Society series' editors briefly discussing why the book was written in light of the significant historical importance of the other cases already covered in the series. Goldman then provides his own aforementioned preface which addresses his connections to the game and what he is trying to accomplish in the book by stating he wishes to "explain his (Flood's) case in both its legal and historical perspective and setting" (p. xiii).

The main body of the book is informally divided into three main sections with the first four chapters providing background for the reader on how the *Flood* case developed. The first chapter called "The First Inning" is a tight, thirteen-page chapter which provides solid background for the reader on the baseball industry at that time and how Flood came to be a litigant in the case.

Chapter two entitled "Your Grandfather and I" is a sixteen-page chapter which focuses on three key issues. First, Goldman tells the reader about Flood's family life both as a child and an adult. Second, he discusses Flood's career in baseball to that point including his dealings with racism in his minor league career, the reserve clause, and his trade from the Cincinnati Reds to the St. Louis Cardinals in the late 1950s. Finally, Goldman provides extensive discussion of the racial issues facing Major League Baseball and the St. Louis Cardinals organization during the 1960s. He skillfully interweaves these three diverse topics into a narrative that is easy to follow and enjoyable to read. To his credit, the author also takes care to provide balance throughout the text by pointing out both the positives and negatives of Flood as a player throughout his career.

Chapters three and four provide a brief background (38 pages in total) on the intersection between the baseball industry and the law from 1890 until the start of the *Flood* litigation in 1970. Goldman discusses major cases such as *Metropolitan Exhibition Company v. Ward*, *Lajoie*, *Federal Baseball*, *Gardella* and *Toolson* in a whirlwind tour through approximately 80 years of history. Despite this brevity, the author does a solid job of providing context for even the most inexperienced reader. Goldman also provides additional context by using the Negro Leagues, American politics, contract issues, an overview of the Major League Baseball player attitudes, and the growth in power of the Major League Baseball Players Association during this time, as historical connections between the aforementioned legal rulings.

The next section consists of three chapters addressing the adjudication of the *Flood* case at the United States District Court, United States Court of Appeals and the United States Supreme Court levels. Each chapter offers a

thorough discussion of the arguments, witnesses, testimony, the judicial mindset, and finally, the overall rulings at each level of the judicial system. The chapters also discuss the societal and industry issues that were already in play at these times and those subsequently generated by each of the *Flood* rulings.

The book's final section is comprised of a chapter discussing the impact of the *Flood* case on the baseball industry over the next two decades. An overview of the Curt Flood Act is also included in an effort to bring the discussion of *Flood's* effect on the baseball industry to a close. A four-page epilogue about the effects of the case on Flood himself then closes out the main portion of the text.

The book concludes with a series of three appendices that provide more background for the reader who is trying to put the *Flood* case in context within baseball, society and the law. The first appendix is a two-page chronology dating back to 1869 which addresses many key events in the histories of baseball, the intersection of law and baseball and Curt Flood through the passage of the Curt Flood Act in 1998. The second appendix is a half-page list of relevant cases that are referenced in the text. The final appendix is a five-page Bibliographical Essay which serves as an informal source list for the book. In light of the ground covered by the author and the citation approach used by the series, this appendix provides a valuable overview of important secondary sources regarding baseball and the law for readers new to the subject who wish to further explore the subject. A variety of sources discussing *Flood* and general legal history are also provided for readers who wish to explore more about these topics. All of these appendices could be beneficial for readers new to these subjects but likely known by readers of the *Journal of Legal Aspects of Sport*.

One Man Out: Curt Flood Versus Baseball would be a worthwhile addition to most sports management and sports law bookshelves. It is a quick read that provides useful historical and societal context to one of the best-known cases in the sports law field. Newcomers to the subject will likely find the book's editorial style to be very welcoming and an enjoyable introduction to one of the major sports law cases.

While a welcome addition to the industry, the book is not without its faults. Several typographical errors such as the misspelling of NFL Commissioner Pete Rozelle's name, will be glaring to anyone with a basic knowledge of sports history. Also, long-time followers of the intersection between baseball and the law are unlikely to learn any new significant items of substance from the book. But, this is a minor issue as even the most seasoned reader is likely to learn some new information along the way about Curt Flood

and the *Flood* litigation. More important, it is also valuable to see this major sports law decision placed in the overall societal context of the day. In light of the changes in the sports industry over the past four decades, it is easy to look back at *Flood* and wonder how the Court reached its decision. In this regard, *One Man Out* provides a valuable service for the reader despite some minor problems.

In terms of its potential uses, the book could have significant value as a classroom text for professors who are looking to teach a workshop-style course focused on areas such sports law, sport sociology, or the business of baseball. The writing style, breadth of content and low cost would likely be embraced by students at both the undergraduate and graduate levels in sport management programs.

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