

The Black Sox Scandal and the Mythology of American Baseball

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## Introduction And Review Essay

*They'll watch the game and it will be as if they dipped themselves in magic waters. They will cheer their heroes. The memories will be so thick; they'll have to brush them away from their faces. The one constant through all the years has been baseball. America has rolled by like an army of steamrollers. It has been erased like a blackboard, rebuilt and erased again. But baseball has marked the time. This game, this field, is a part of our past. It reminds us of all that was once good, and that could be good again.* (Terrance Mann soliloquy from W.P. Kinsella's *Shoeless Joe*.)

The original Idea for this project can be traced to a reading of *Eight Men Out* by Eliot Asinof and the ceaseless desire to learn about all that happened during the events that follow, It was the seed of an idea that began the two year odyssey that results in this paper. *Eight Men Out* it is one of the seminal, if not definitive, works on the subject of the intentional loss of the 1919 World Series by members of the Chicago White Sox (thereinafter referred to as “The Black Sox”). It was written in 1963, by Eliot Asinof and served as the inspiration of a 1988 movie by the same name (which understandably, took dramatic and thematic departures from the book).

Asinof approached the topic as both a historian and a journalist. He was born three months before the events described (in July,1919), and was himself a minor league ballplayer. Asinof's screenwriting career was interrupted for a period of time during the 1950's, when he was blacklisted during the McCarthy years.

While official trial transcripts of the trial had been lost to history, Asinof used the indictment and the universe of newspaper accounts at the time as source material.<sup>1</sup> Not surprisingly, in 1963,

<sup>1</sup> Elliot Asinof, *Eight Men Out: The Black Sox and the 1919 World Series*, (Holt Rinehart & Winston, 1963), XV

there were still several surviving members of the team, who had been given a lifetime ban from the game, but they refused to speak with Asinof.<sup>2</sup>

Aside from his love of the game, Asinof was motivated to write the book due to its historical importance in American History. In 1919, the concept of a World Series was only 16 years old. It was a time when America was reeling from a recently concluded World War, and still feeling the effects of the 1918 pandemic. Asinof details that given those factors, people were still not in the mood to congregate in large groups, but all looked forward to the World Series as a welcome respite from the grim reality of the times.<sup>3</sup>

As skillfully detailed by Asinof, what was not known by the baseball loving public, was that the game had been systemically infected with a cancer, from unsavory characters who looked to destroy the integrity of the game for their own personal gain.<sup>4</sup>

While to the casual observer, this might appear to be a story about eight greedy and unprincipled ballplayers, in fact, as Asinof explains, the story is much more complicated and sinister than that. For example, he explains that the owner of the White Sox, Charles Comiskey, was a wealthy club owner who treated his players miserably. One of his star pitchers, Eddie Cicotte, who was nearing the end of his career, was due a \$10,000 bonus if he won thirty games. Comiskey told the manager, Kid Gleason, to sit Cicotte for the final five games of the season, so

<sup>2</sup> Asinof, *Eight Men Out*, XVII.

<sup>3</sup> Asinof, *Eight Men Out*, 21

<sup>4</sup> Asinof, *Eight Men Out*, 23.

that he would not be able to earn the bonus. The fabrication was that the team wanted Cicotte to rest his arm for the upcoming Series.

In providing such rich detail, Asinof shows the reader how, as is so often the case in life, things are not always black and white. Later accounts about Cicotte, cited by Asinof, show that Cicotte did take the money from the gamblers, but he did so half out of retribution for being cheated out of his bonus, and half because, as an aging ballplayer, he was concerned about providing for his family during his post-career days (bearing in mind that in those days, there was no player's union or pension for retired ballplayers).<sup>5</sup>

Perhaps the most striking part about the Asinof story is the American mosaic he assembles about the times. Baseball players were, in the main, uneducated, poor, farm boys, with athletic talent. The owners were all rich, well known public figures, with reputations for being tough businessmen.<sup>6</sup> And one early Autumn the immovable object of early 20<sup>th</sup> century unchained robber baron capitalism would meet the unstoppable force of young men who existed in a state of economic repression on a unlikely battlefield, the baseball diamond. This is another interesting part of the Asinof story. He details the contradiction about professional baseball, which in large measure, still exists today. The owners want to portray the game as “America's Pastime”, where the players should be willing to play for the sheer joy and privilege of being part of a major league team. Yet, in reality, then as now, baseball was big business, and the owners had all the power.<sup>7</sup> They set the narrative about their team and the brand.

<sup>5</sup> Asinof, *Eight Men Out*, 27.

<sup>6</sup> Asinof, *Eight Men Out*, 36.

<sup>7</sup> Asinof, *Eight Men Out*, 7.

It has now been over 100 years since the 1919 “Black Sox” World Series scandal when, as it is widely understood, eight players from the Chicago White Sox conspired with gamblers to throw the World Series. This is the commonly accepted historical version. Yet it has been said that history is written by the victors. That being the case, the autopsy of the vanquished is left to the scholars of history.

Perhaps the greatest value of this analysis will be to reveal the uncertainties surrounding the scandal and the questioning of the conventional wisdom about the events of the day. Upon closer examination, conventional wisdom often turns out to be more convention than wisdom. Objectivity about the Black Sox scandal has always been in short supply, from 1919 to the present day. That is due, in large measure, to the American *Zeitgeist* about baseball, embodied in the introductory quotation above taken from W.P. Kinsella’s 1982 novel *Shoeless Joe*.<sup>8</sup>

Baseball in America achieved almost a mythic status. It is part American history; part aspirational hero worship; and part morality play. It is the embodiment of the American ethos; that hard work, talent, and fair dealing, will equate with success. As baseball scholar George Grella notes, “The game reveals to us an unending drama, both comic and tragic, of thwarted hope and vain ambition, of glorious fulfillment and sublime achievement, of the necessary contests between cities, regions and generations; it combines this drama with a fabulous narrative of a thousand extraordinary tales.”<sup>9</sup> Yet closer examination reveals that this was nothing more than American mythology. The game was never pristine, but had a century-long tryst with gamblers and corrupt elements. Today, baseball has eschewed any vestige of distain for

<sup>8</sup> W.P. Kinsella, *Shoeless Joe*, (Boston, Massachusetts, Houghton Mifflin, 1982), 74.

<sup>9</sup> George Grella . "Baseball and the American Dream." *The Massachusetts Review* 16, no. 3 (1975): 551. Accessed April 20, 2020. <http://www.jstor.org/stable/25088572>.

gambling and instead has carved a Faustian deal with gambling which, as of this writing, is projected to be part of a \$150 Billion enterprise.<sup>10</sup> Surprisingly, all of this was approved by a Federal Judge, ruling that baseball cannot be held legally accountable for cheating and that Major League Baseball is not a guarantor of a corruption-free product. All of this, as it turns out, is the actual truth of the matter. It is a truth that baseball will not have on display during the playing of the National Anthem, nor as the fans at Wrigley Field sing, *Take Me Out to the Ballgame*, during the seventh inning stretch, nor during the Yankees ritual of honoring selected veterans at each home game. The creation of the American ideal is here directly tied to symbolism

### **The Early Years**

Baseball, as far back as any of us can recall, has always assumed an almost mythic quality in the American consciousness. I use the term “as far back as any of us can recall” advisedly, for it was not always that way. The modern image of the game, carefully shaped over decades, refined by Madison Avenue image makers, bears little resemblance to the game that emerged as a professional sport in the closing days of the American Civil War.

The game that was processed through the sausage factory in the late 19 Century was as rough-hewn as its participants. While polite society had no problem watching a professional baseball game on a Summer Sunday afternoon after church services, that was a far cry from wanting to associate personally with any of the players on any level. They were uneducated, vulgar, and lacking in any marketable skills that would have rendered them candidates for more respectable positions in society. One group of individuals who had no quarrel with associating

<sup>10</sup> Grella, “Baseball and the American Dream”, 552

with ballplayers was another group of societal outcasts. These were the gamblers. As alien as the notion may be from our current sensibilities, gambling on professional baseball and indeed the fixing and throwing of games, was seen as the only point of interest in what was otherwise viewed as a child's game.<sup>11</sup>

In fact, gambling and the fixing of games was so rampant, that there were even terms that one would be hard-pressed to find in a modern lexicon. If one were to have read in the Sunday paper that the prior day's game, involving your favorite team, had been "Hippodromed," you would have been quite upset indeed. This was a term used to describe "engaging in a contest, the results of which have been prearranged."<sup>12</sup>

Essentially, a "Hippodromed game," would not have been much different than having gone to the ballet. It was totally choreographed. If the players were poor actors, it would have been apparent to the audience. If they were skillful, one would have needed the assistance of the trained eye of a Sportswriter, or gambler, to discern the chicanery. This arrangement evolved gradually over the years, due to the dodgy relationship between the players and the gamblers. They would routinely consort in hotel lobbies, or in bars, discussing upcoming contests. At first, the "Sporting Men," as the gamblers were euphemistically called, were, "Honorable Joe's," just looking for some insight into the next day's contest.<sup>13</sup> Typical exchanges would involve inquiries of the players as to whether the shortstop was injured; or did the pitcher have too much to drink last night, or did the manager bench a star player to avoid paying an incentive under his contract.<sup>14</sup> Gradually, what began as intelligence gathering for handicapping a game, evolved

<sup>11</sup> Bill Felber, *Under Pallor, Under Shadow, the 1920 American League Pennant Race That Rattled and Rebuilt America* (Lincoln, Nebraska: The University of Nebraska Press, 2011), 31.

<sup>12</sup> Grella, "Baseball and the American Dream", 554.

<sup>13</sup> Grella, "Baseball and the American Dream", 554.

<sup>14</sup> Felber, *Under Pallor*, 38.

into something more nefarious. After all, the last thing a gambler wants in betting on a game of chance, is that the game actually be a game of chance; he wanted to bet on a sure thing. Thus, the regular fixing of games became commonplace. The situation came to a head in 1903. In Chicago, there was (and remains to this day) a rivalry between the two professional teams, the White Sox and the Cubs. The Cubs' best pitcher, Jack Taylor, won 21 games that year, but curiously, lost all three intra-city games with the White Sox. When asked by the sportswriters how that could be, Taylor replied, "I got \$100 from (Cubs' owner) Hart for winning, and I got \$500 for losing."<sup>15</sup> From the inception of the National League in 1876 (which had been formed to "clean up the game"), to this point, there had been no clearer expression, no more compelling evidence, of the role that gambling had assumed in the sport. But rather than use this incident as the nail in the coffin of gambling in professional baseball, the response was as timid as it was surprising. Taylor was fined \$300 for his statement. This "punishment" represented merely fifty percent of Taylor's licit and illicit earnings for the day.<sup>16</sup>

When the league opened an inquiry, his defense was that although he was a drunk, a cheat, and a gambler, nonetheless, he would never throw a game. His prior statement was branded as "hearsay", despite the fact that it was a statement he, himself made. Upstart American League owners chimed in that Cubs' owner Hart made the allegations only because he was upset about losing the intra-city rivalry and needed someone as a scapegoat. The sportswriters were told to squelch the story, as the belief was that the public would stop talking about it as soon as the writers stopped writing about it. Indeed, there has been a steady undercurrent of ignored, if

<sup>15</sup> Charles Fountain, *The Betrayal the 1919 World Series and the Birth of Modern Baseball* (New York: Oxford University Press, 2016), 7.

<sup>16</sup> Fountain, *The Betrayal*, 9.



not condoned gambling for quite some time.<sup>17</sup> In 1918, Cincinnati Reds first baseman Hal Chase was suspended for attempting to bribe players to fix games.<sup>18</sup> In 1903, before the first World Series, pitcher Rube Waddell, of the Philadelphia Athletics, was offered \$17,000 by gamblers not to play. He subsequently injured his pitching arm stumbling over a suitcase. In 1916, sports reporter Ring Lardner noted an attempt by certain New York Giants players to fix the National League pennant race. Gamblers even put certain players on weekly payrolls, and owners regularly gave away suits of clothes to pitchers who defeated their rivals.<sup>19</sup>

Thus, the perfect storm was created for the full-frontal assault by gamblers on the game of baseball. The league administration was timid; the sportswriters were concerned about losing access to the players and the clubhouse, should they write anything controversial; and the public was at best, indifferent.<sup>20</sup> They had been so inoculated against concern about gambling in baseball, that the notion merely connoted that a game must be of public interest, if parties were willing to wager money on it.

This being the case, one might consider why the Black Sox scandal of 1919 was ever a scandal at all. Further inquiry demonstrates that there was something about the nature of this fixing of the World Series, that proved to be an inflection point for all professional baseball going forward.

<sup>17</sup> James Kirby. "The Year They Fixed the World Series." *ABA Journal* 74, no. 2 (1988): 65. Accessed August 18, 2020. <http://www.jstor.org/stable/20759746>.

<sup>18</sup> Fountain, *The Betrayal*, 31.

<sup>19</sup> Fountain, *The Betrayal*, 45.

<sup>20</sup> Daniel Nathan, *Saying it's so A Cultural History of the Black Sox Scandal*. (Chicago: University of Illinois Press, 2003), 11.

## Baseball As A Microcosm of Societal Concerns

The answer to this question lies in an understanding of larger societal issues in America at the time. The fixing of the World Series was at once, both a part of perceived social ills, as well as a metaphor for the constellation of those ills in the aggregate. The Black Sox scandal was an important event in American History, as it happened at a time when many Americans worried about the future of the country. Even though the United States won World War I, there was discontent during the reconstruction, America was in danger of being drawn into foreign conflicts through the fledgling League of Nations. There were fears of Bolshevik successes in Europe. There was a new radicalism at home which led to a Red Scare and the suppression of civil liberties. Strikes occurred in the steel industry, the railroads, and even the Boston Police Department. The very pillars of society were shaken. Now baseball, which represented our finest traditional values, was revealed to be corrupt. Even worse, it was done in by criminals who masterminded and bankrolled the entire plot. If baseball was crooked, what hope was there for the rest of our culture and society?

In 1919, Americans were reminded on a daily basis of bigger evils. There was the perceived threat of left-wing intellectuals, labor leaders and various dissenters- all of which fervently pursued by patriotic witch hunters.<sup>21</sup> There were reports of looting in Boston in the wake of a police strike.<sup>22</sup> And the year 1920 brought more worrisome lurid headlines about smuggling rings that carrying booze for the uprising of American drinkers protesting national prohibition. In August, there was also the expose of stock swindler Charles Ponzi.<sup>23</sup> He was a

<sup>21</sup> Robin F Bachin. "At the Nexus of Labor and Leisure: Baseball, Nativism, and the 1919 Black Sox Scandal." *Journal of Social History* 36, no. 4 (2003): 944. Accessed October 20, 2021. <http://www.jstor.org/stable/3790358>.

<sup>22</sup> Bachin. "At the Nexus", 944.

<sup>23</sup> Bachin. "At the Nexus", 957.

former convict who stole \$5 million from investors with a stock swindle. In short, American society seemed to be coming apart at the seams.

Such were the societal macro-concerns about the scandal, yet there were micro-concerns within the game of baseball as well. Within the game, there were three main reasons as to why this was such a scandal. First, professional baseball as we know it today was not yet clearly defined by two leagues, the American and the National. In fact, there were many leagues competing for both public attention, as well as the right to be considered the only professional baseball league. Toward that end, it was essential for the National League (and the emerging fledgling American league) to be a better “brand” of baseball, which meant a need to provide a superior product, notably one free of corruption and disreputable associations inherent in the gambling establishment.<sup>24</sup>

Second, to that point, the World Series, as distinct from the regular season, was believed to be above the fray. It was one thing to throw, or fix, a local game, but the World Series was supposed to be serious business. In the first Series, in 1903, the upstart Boston Red Sox, from the junior American League, beat the National League Pittsburgh Pirates 5-3 in a best of nine series. This World Series contest was designed to showcase which league had the dominant talent. Accordingly, for the prestige of the team; the value of the league brand; and the individual player’s reputations, the contest was believed to be legitimate.<sup>25</sup>

<sup>24</sup> Jacob Pomrenke *Scandal on the South Side the 1919 Chicago White Sox*. (Phoenix, Arizona: Society for American Baseball Research, 2015), 31.

<sup>25</sup> John Thorn, *Baseball in the Garden of Eden the Secret History of the Early Game*, (New York: Simon and Schuster Publishing, 2011), 89.

Third, the order of magnitude of the fix was a scandal, as eight players were implicated and ultimately banned for life. To that point, it was commonly believed that if only a player or two was involved, it would be impossible to fix a game, because the actions of the remaining sixteen or seventeen players would counteract the actions of the minority.<sup>26</sup> Yet if eight players were involved, that was basically the entire fielded team (however, as a practical matter, not all eight played at once).<sup>27</sup> This is why the World Series fixing of 1919 was a scandal, yet that was not the only problem confronting professional baseball.

### **World War I Impacts Upon the Economics of Baseball**

The year before the scandal proved to be a pivotal year in baseball. In 1918, because of World War I, there was a “Fight or Work” edict put out by the Federal Government, to ensure that all able-bodied adult males were contributing to the War effort. Baseball was denied special status as a vital industry and its ranks were depleted by players either being drafted or joining shipyards to avoid the draft.<sup>28</sup> More than half of the professional baseball players entered the armed forces.<sup>29</sup> Others worked at munitions factories, shipyards or steel mills. But most of the ballplayers spent more time playing baseball on the company teams. Companies recruited big-name players and gave them money and fringe benefits to improve the team and drawing crowds.<sup>30</sup> The war gave the players an opportunity to offer their services in an open market and

<sup>26</sup> Pomrenke, *Scandal on the South Side*, 40.

<sup>27</sup> Pomrenke, *Scandal on the South Side*, 43.

<sup>28</sup> Fountain, *The Betrayal*, 91.

<sup>29</sup> Fountain, *The Betrayal*, 94.

<sup>30</sup> Bachin. “At the Nexus”, 959.

sell to the highest bidder.<sup>31</sup> Except for strikes and the formation of alternative leagues, in which players had some control over their labor and work conditions, players could rarely make demands and either have them met by one club, or threaten to go to another.

This had disastrous economic consequences for baseball. Attendance was down. Revenue was down. National interest was understandably diverted toward the news of the War. The baseball season was shortened from 154 games to 140, to cut losses. Player's salaries were reduced. Owners released players from their contracts, saving themselves \$200,000. By the time the 1919 season came around, player dissention abounded.<sup>32</sup>

Owners, most notably parsimonious Charles Comiskey of the Chicago White Sox, reduced player's salaries and refused to pay bonuses due others. Thus, the stage was set for the play to begin. Far from the notion of early professional baseball conjured up by Norman Rockwell paintings as pure Americana, this would play out more like a David Mamet script. The owners, players and gamblers were each, in their own way, duplicitous and unworthy of sympathy or belief.<sup>33</sup>

The owners were autonomous oligarchs, answerable to no one, least of all the Commissioner of Baseball, whom the owners installed in a puppet regime to do their bidding, under the fig leaf of objectivity and respectability. The players, as noted above, came from the

<sup>31</sup> Pomrenke, *Scandal on the South Side*, 43-44.

<sup>32</sup> Steven A Reiss. "Professional Baseball and Social Mobility." *The Journal of Interdisciplinary History* 11, no. 2 (1980): 239. Accessed October 10, 2020. doi:10.2307/203781.

<sup>33</sup> Pachman, Matthew B. "Limits on the Discretionary Powers of Professional Sports Commissioners: A Historical and Legal Analysis of Issues Raised by the Pete Rose Controversy." *Virginia Law Review* 76, no. 7 (1990): 1410. Accessed October 10, 2020. doi:10.2307/1073240.

lowest echelons of society and should probably be forgiven for acting in conformity with that societal image of them. Despite their relatively high wages, ballplayers were poorly regarded by respectable people. They were categorized with actors and boxers. The New York Times asserted that ‘in every point of view, he (the ballplayer) is an eminently undesirable person and ought to be... completely suppressed...’<sup>34</sup> It was bad enough that that professionals played for pay, but even worse, they did anything necessary to win, like cheating or yelling at the opponents to unnerve them. Players’ behavior off the field fueled this narrative. Players drank immoderately and fought with other players, umpires and even fans. Moreover, they associated with nefarious characters. By example, in 1877 a gambler induced four Louisville men to fix several late season games.<sup>35</sup>

It was no wonder that middle-class parents discouraged their sons from becoming ballplayers, regardless of the attractive pay scale.<sup>36</sup> Indeed, the only “honest brokers” in the equation were the gamblers themselves, who never did anything more or less than what was expected of them. Throughout this Kabuki, they remained true to whom they were.

This amalgam of duplicity proved to be significant for the purposes of this writing, as modern writers and scholars of the events are bereft of any Rosetta Stone, with which to decipher what actually happened during the infamous “Black Sox” World Series of 1919.

<sup>34</sup> Fountain, *The Betrayal*, 34.

<sup>35</sup> Thorn, *Baseball in the Garden of Eden*, 199-200.

<sup>36</sup> Fountain, *The Betrayal*, 39.

## The Legacy of Scandal

In fact, there are at least ten different accounts as to what started the whole scandal in the first place. Popular lore traditionally relied upon the account compiled by *Sports Illustrated* in their 1956 piece about the scandal. This account places gambler “Sport” Sullivan in the Hotel Buckminster with his friend, White Sox First Baseman, Chick Gandil, who was the source for the *Sports Illustrated* article.<sup>37</sup>

Gandil claimed that he and Sullivan discussed fixing the World Series, for the first time with about a week left in the regular season. Gandil represented that he could supply willing players and Sullivan said he knew of interested parties who would supply the money for the payoff. This account served as the conventional wisdom about the origins of the scandal for the better part of the next four decades.<sup>38</sup> There are several potential motivations as to why Gandil came forward. Perhaps he did it to obtain a payday from the magazine for his story. Paydays were hard to come by for players banished for life from the only means of support they had ever known. By the time of the 1956 article, Gandil was then 37 years removed from his main source of livelihood. “Facing retirement was a severe psychological crisis because of the uncertain future and the certainty of a loss in status and income. Examples of earlier players who ended up indigent worried even the most easy-going athlete as he grew older.”<sup>39</sup>

Or perhaps Gandil did it for the notoriety, so that he wouldn’t be just an anonymous individual in the story of “*Eight Men Out*”, the popular book and movie written about the scandal. Or perhaps he said it because it was true.

<sup>37</sup> Pomrenke, *Scandal on the South Side*, 153.

<sup>38</sup> Pomrenke, *Scandal on the South Side*, 154.

<sup>39</sup> Pomrenke, *Scandal on the South Side*, 156.

But perhaps it was really the way a competing narrative told the story. In one account, pitcher “Sleepy” Bill Bums met fellow players Eddie Cicotte and Chick Grandil at the Hotel Ansonia in Manhattan, two weeks before the season ended, and told the players that he had connections to noted gangster Arnold Rothstein and that he would be willing to bankroll a fixed World Series.<sup>40</sup>

This story also had popular support as the public came to believe that Rothstein was behind the scheme all along. The conventional wisdom was so strong in this regard that in 1925, in his novel *The Great Gatsby*, when F. Scott Fitzgerald wanted to describe a thinly disguised Rothstein alter ego he named Meyer Wolfsheim, he wrote, ““Meyer Wolfsheim? No, he’s a gambler’. Gatsby hesitated, then added coolly, ‘He’s the one who fixed the World Series in 1919.’”<sup>41</sup>

This, not insignificant recounting by Fitzgerald, demonstrated that if one wanted to come across as a sophisticated member of the cognoscenti, then by definition, one would have to be in league with those who had the power, will, and means to pull off a scheme as bold as fixing the World Series. “ When Gatsby informs Nick that Meyer Wolfsheim is the gambler who fixed the 1919 World Series, Nick is initially staggered by the idea and thinks, ‘It never occurred to me that one man could start to play with the faith of fifty million people’<sup>42</sup>...However, though the scandal merits just seventeen lines in the entire novel, to think of it as little more than a device to characterize Wolfsheim greatly underestimates Fitzgerald’s subtle and elusive technique (into)

<sup>40</sup> Pomrenke, *Scandal on the South Side*, 157.

<sup>41</sup> Robert Johnson. "Say It Ain't So, Jay: Fitzgerald's Use of Baseball in "The Great Gatsby"." *The F. Scott Fitzgerald Review* 1 (2002): 32. Accessed October 9, 2020. <http://www.jstor.org/stable/41583031>.

<sup>42</sup> Johnson, “Fitzgerald’s Use of Baseball”, 33.



an exploration of the American Dream as it exists in a corrupt period.”<sup>43</sup>

Accordingly, if society in the *Roaring Twenties* identified with Gatsby as the embodiment of sophistication and elegance, so too did the fictional Gatsby identify with the real-life fixers of the 1919 World Series. Coincidentally, Bums testified to this account under oath in 1921.<sup>44</sup>

Then there were those who maintained that far from an absent peripheral player in the scandal, providing money from afar, Rothstein was actually the mastermind of the scandal, having conceived of it, controlled it and financed the entire operation. This was what Cubs owner Charlie Weegham testified to in 1920 when called to testify before a Grand Jury. The source for his information was a New York gambler from Saratoga named Mont Tennes, who was believed to have nationwide control over all horse racing. Tennes told Weegham (even these names seem as creations for a great work of fiction), that he learned of Rothstein's plot from Rothstein himself. Aside from Rothstein, there was apparently no shortage of gamblers, connected with emerging organized crime elements, who could be held in suspicion for the fix. David Zelcer from Des Moines, Iowa and Carl Zork from St. Louis, Missouri, were not only connected to the story, they were actually indicted along with the ballplayers. Perhaps the fix was retribution for the league withholding \$1,000 from each of the White Sox players after the 1917 World Series, to ensure that the players did not participate in unsanctioned off-season exhibition games for extra money. Fixing the World Series would have ensured that no matter what the

<sup>43</sup>Johnson, "Fitzgerald's Use of Baseball", 35.

<sup>44</sup> Pomrenke, *Scandal on the South Side*, 150.

league front office did with the 1919 World Series money, at least the players would have been compensated.<sup>45</sup>

Another account blames the Federal Government for indirectly providing fertile ground for the scandal. This theory states that in 1918, the government shut down thoroughbred horse racing for the duration of World War I. The degenerate gamblers needed an outlet for their “business”, so they gravitated to the ballparks, where the owners did little to dissuade them. This version coincides with another hypothesis, that the players were disgruntled about ownership’s refusal to increase salaries (that had been reduced during the height of the War) in light of exceptional turnout and revenue during the 1919 season. In this scenario, the disgruntled and the crooked were virtually falling over each other at the ballpark. At this point it is worth a brief digression into the economics of the sport. In the late 19 century, “Average annual salaries were between \$1,300 and \$1,600, with stars getting up to \$2,500, twice the earnings of artisans and four times the wages of all non-farm employees... By 1923, the median salary was \$5,000 and that increased to over \$7,500 within six years. As a comparison, professors in 1929 were earning \$3,056, dentists \$4,267, doctors \$5,224 and lawyers \$5,534.”<sup>46</sup> Thus, the reductions in the players’ salaries was resented as it represented a disturbing potential for downward social mobility.

Another justification for the fix was the conspiracy theory about the year’s previous World Series having been thrown by the Cubs. A publicly held notion had it that the Cubs

<sup>45</sup> David Quentin Voight. "The Chicago Black Sox and the Myth of Baseball's Single Sin." *Journal of the Illinois State Historical Society (1908-1984)* 62, no. 3 (1969): 300. Accessed December 3, 2020. <http://www.jstor.org/stable/40191488>.

<sup>46</sup> Reiss, "Professional Baseball and Social Mobility.", 240.

players had each received \$10,000.<sup>47</sup> This story was circulating around the team during a train ride to Washington. Eddie Cicotte “confessed” this version to White Sox owner Charles Comiskey prior to testifying before the Grand Jury in September 1920.<sup>48</sup> One will remember the star pitcher Cicotte from earlier versions of the scandal, but he was not yet finished figuring prominently in additional conspiracy theories.

Third baseman Buck Weaver, proving the age-old adage that in every affidavit there’s a little bit of truth, claimed that Cicotte’s story was partly true, except instead of Cicotte just hearing the gossip about fixing the World Series, he was actively promoting the scheme a full two months before the season ended.<sup>49</sup> The stories surrounding Cicotte were so numerous and so conflicting, that even he himself had trouble keeping track of them.

What is striking about all of this is that in all these versions of the origins of the scandal, there is no empirical truth. There is conjecture, surmise, hypothecating, and rank guessing, but no certitude in any of it.

Truth be told, it could be any one of these versions, or any combination of them, or perhaps none of them at all. The origins story of the Black Sox scandal serves as a metaphor for the larger story itself. The facts are both muddied and inconclusive. There is no “smoking gun” play, or series of plays, or pitches, or games, that decidedly points one in the direction of the truth.

<sup>47</sup> Reiss, "Professional Baseball and Social Mobility." ,240.

<sup>48</sup> Pachman, “Limits on the Discretionary Powers of Professional Sports Commissioners”, 411

<sup>49</sup> Nathan, *Saying it's so*, 81.

## **The Scandal's Masterminds**

To this point, this analysis has discussed the impact of the Black Sox scandal in a “macro” sense; that is from the perspective of, and impact upon, the game of baseball; the culture of gambling in America (if not the outright criminality); and its imprint upon the American consciousness regarding its National Pastime.

Yet to only analyze the scandal from that viewpoint does not do justice to the topic. To leave the inquiry as just the “Black Sox Scandal of 1919,” connotes a nameless, faceless entity. However, the entire scandal was manmade; human driven; and created by the darkest forces in the human soul. Power; greed; and revenge all played central roles in both the birth and the execution of the scandal. Accordingly, a “micro” analysis is also required. That is, an examination into the histories; backgrounds and motivations of the individual players involved.

This is also necessary because the plot was not a homogeneous affair. It was not carried out with a singular motivation, or uniform participation and guilt on the part of all accused. More pertinent, as a more granular approach is taken, the intricacies of the psyches of the individual players comes more clearly into focus.

One of the leaders of the plot to throw the World Series was Eddie Cicotte. He was born on June 19, 1884, in Springwells, Michigan. He was the son of Ambrose and Archangel Cicotte. By the time Eddie was 16 years old, his father had died, forcing his mother to support her large family as a dressmaker. Leaving school early, Eddie took up work as a box maker to help pay the family bills. Cicotte began his baseball career, according to some sources, as early as 1903,

playing semipro ball for the Greys in Michigan.<sup>50</sup> In 1904 he pitched for multiple teams in Michigan, Wisconsin and Canada in the Northern Copper League, posting a record of 38-4 with 11 shutouts. Based on that dominating performance, Cicotte earned a tryout with the Detroit Tigers in the spring of 1905.<sup>51</sup> The Tigers determined that he wasn't ready for the majors and optioned him to their AA farm team of the Southern League, where he compiled a record of 15 wins against 9 losses. Cicotte not only possessed talent and potential, he possessed an arsenal of a dozen pitches, which was unique in all baseball.<sup>52</sup> In short, he was a star in the making.

In modern baseball, pitchers may have a single signature pitch, like Mariano Rivera's cutter fast ball. Many others have two pitches, usually a fast ball and a change-up, a slower pitch designed to disrupt a hitter's timing. The rare pitcher will display three quality or, "plus" pitches, adding a curveball. Aside from his involvement in the scandal, Eddie Cicotte was remembered for having a dozen different pitches, which he would utilize at any time, in any situation.<sup>53</sup> This made him unique in the world of baseball. It was the reason for his success and the reason for suspicions about him as the scandal unfolded. As in most sports, contestants are always looking for distinguishing characteristics that will grant them an advantage over their opponent. Cicotte's multiplicity of pitches were significant for two historical purposes. First, he paved the way for the evolution of the game, wherein future pitchers knew that experimentation with grip, spin rate and changing velocities could keep the batter off balance, giving the pitcher an advantage. Second, it called into question how such a successful and visionary pitcher could

<sup>50</sup> Robert Burke, *Never Just a Game, Players, Owners and American Baseball up to 1920* (North Carolina: the University of North Carolina Press, 1994), 144.

<sup>51</sup> Burke, *Never Just a Game*, 147.

<sup>52</sup> Nathan, *Saying it's so*, 31.

<sup>53</sup> Pomrenke, *Scandal on the South Side*, 94.

suddenly fall apart during the World Series, unless he had an ulterior motivation.

Though he did not invent the pitch, Edger (Eddie) Victor Cicotte was perhaps the first major-league pitcher to dominate with the knuckleball. According to one description, Cicotte gripped the knuckler by holding the ball “on the three fingers of a closed hand, with his thumb and forefinger to guide it, throwing it with an overhand motion, and sending it from his hand as one would snap a whip. The ball acts like a ‘spitter,’ but is a new-fangled thing.”<sup>54</sup>

Cicotte once estimated that 75 percent of the pitches he threw were knuckleballs. The rest of the time the right-hander relied on a fadeaway, slider, screwball, spitter, emery ball (where the pitcher would conceal an emery board, used to create rough spots on the surface of the baseball), shine ball, a cutter, a diver, a 12-6 curve, a screwball and a pitch he called the “sailor,” a rising pitch that “would sail much in the same manner as a bomb hurled by a grenadier.”<sup>55</sup> Whether he was sailing or sinking the ball, shining it or darting it, the 5-foot-9, 175-pound righty had more pitches than an entire pitching staff might. “Perhaps no pitcher in the world has such a varied assortment of wares in his repertory as Cicotte. He throws with effect practically every kind of ball he can imagine.”<sup>56</sup>

The preceding year, 1917, Cicotte moved back to the starting rotation and enjoyed the best season of his career, as the White Sox captured their first pennant in 11 seasons. Cicotte led the way, ranking first in the league in wins (28), ERA (1.53), and innings pitched at almost 350, 109 more than any pitcher in 2009, 90 years later.<sup>57</sup> Eddie also tossed seven shutouts, including a no-hitter against St. Louis (Browns not Cardinals) in mid-April, the first of six no-hitters pitched

<sup>54</sup> Pomrenke, *Scandal on the South Side*, 103.

<sup>55</sup> Pomrenke, *Scandal on the South Side*, 104.

<sup>56</sup> Pomrenke, *Scandal on the South Side*, 107.

<sup>57</sup> Fountain, *The Betrayal*, 20.

in the major leagues that season. In that year's World Series, Cicotte contributed one win to Chicago's six-game triumph over the New York Giants. Eddie was, according to Grantland Rice, "the most feared pitcher of the Series."<sup>58</sup> After Cicotte's breakthrough season, Comiskey offered his star pitcher a \$5,000 contract, with a \$2,000 signing bonus, making him one of the highest compensated pitchers in baseball. However, despite the new lucrative deal, Cicotte failed to produce an encore suitable to his dominant 1917 campaign. He wrenched his ankle in early May and limped his way through the season to a mediocre 2.77 ERA (Earned Runs per nine innings pitched).

While today, those numbers would be impressive, this was during the "Dead-ball Era," where offense was suppressed by a less lively ball. Cicotte was handed 19 losses, tied for the worst in the league.<sup>59</sup> It was not a performance to inspire Comiskey to hand out a raise, and when the 1919 season began, financial troubles were weighing heavily on Cicotte.

According to the 1920 Census, Cicotte was the head of household for a family of 12, including his wife, Rose; their three children; his wife's parents; Eddie's brother and wife; and a brother-in-law and his wife and child. To make room for his large family, Cicotte took out a \$4,000 mortgage on a Michigan farm. Cicotte regained his 1917 form, pitching the White Sox to their second pennant in three years. Once again, Eddie led the American League in victories (29) and innings pitched (306, tied with Jim Shaw). His 29-7 record was good enough to lead baseball in winning percentage (.806), and his 1.82 ERA ranked second.<sup>60</sup>

In early September, first baseman Chick Gandil and infielder Fred McMullin approached

<sup>58</sup> Pomrenke *Scandal on the South Side*, 107.

<sup>59</sup> Fountain, *The Betrayal*, 28.

<sup>60</sup> Fountain, *The Betrayal*, 29.

Cicotte about throwing the World Series. After thinking it over, Eddie agreed to the scheme, telling Gandil privately, “I would not do anything like that for less than \$10,000.”<sup>61</sup> Three days before the Series began, Cicotte demanded to have the money in hand before the team left for Cincinnati. That night, he found \$10,000 under his pillow, his door still locked from the inside.<sup>62</sup>

Yet, as is so often the case in examining the evidence in this scandal, there is often a responsible, opposing viewpoint to otherwise credible evidence. Here, contrary to popular belief, one could contend that Cicotte’s poor performance in the 1919 World Series was neither corrupt, nor a complete surprise to informed observers. Throughout September, reports surfaced that the overworked Cicotte was suffering from a sore shoulder.<sup>63</sup> Prior to the first game of the Series, former pitcher turned league investigator Christy Mathewson noted, Cicotte “has had less than a week, actually two days, to rest up for his first start... And that may not prove to be enough. If he blows up for a single inning it may cost the White Sox the championship, for I think the first battle is going to have a very strong bearing on the outcome, especially if the Reds win it.”<sup>64</sup> With at least six of his other teammates in on the fix, Cicotte led the way in blowing the first game, surrendering seven hits and six runs in 3.2 innings of work, and fueling Cincinnati’s push by throwing slowly to second base on what should have been an inning-ending double-play ball. The performance was so bad that it generated renewed speculation that Cicotte was suffering from a “dead arm.” For his second start, in Game Four, with the White Sox behind two games to one, Eddie pitched more effectively, keeping the Reds to just five hits and two

<sup>61</sup> Nathan, *Saying it’s so*, 62.

<sup>62</sup> Nathan, *Saying it’s so*, 63.

<sup>63</sup> Edward White, *Creating the National Pastime Baseball Transforms Itself 1903-1953* (Princeton, New Jersey: Princeton University Press, 1996), 28.

<sup>64</sup> White, *Creating the national Pastime*, 39.



unearned runs, both coming in the fifth inning on two Cicotte errors, including one inexplicable play in which he failed an attempt to cut off a throw from the outfield, allowing the ball to go to the backstop and letting a Cincinnati runner score, who had already stopped at third. The mistakes were enough to ensure that the White Sox lost the game, 2-0.<sup>65</sup> Afterward, Chicago manager Kid Gleason declared, “They shouldn’t have scored on Cicotte in 40 innings... There wasn’t any occasion for Cicotte to intercept that throw. He did it to prevent Kopf from going to second. But Kopf had no more intention of going to second than I have of jumping in the lake.”<sup>66</sup>

Though Eddie had received his \$10,000 before the start of the Series, many of his fellow conspirators had not received the money promised them by the gamblers, so before Cicotte’s third start, in Game Seven of the best-of-nine Series, the players decided to play the game to win. Accordingly, Cicotte put forth his best effort of the Series, allowing just one run on seven hits in a 4-1 Chicago victory. Lefty Williams threw the following game, however, giving Cincinnati the world championship. In the wake of Chicago’s defeat, Mathewson publicly tossed aside rumors that the Series had been fixed, saying, “No pitcher could guarantee to toss a game... Even if a pitcher should let the other side get two or three runs before he was yanked, he could not guarantee that the other side wouldn’t come up the next inning and make four or five. That wipes out any single pitcher and leaves the proposition of fixing on a club. This can’t be done.” Despite the persistent rumors that swirled around the club that offseason, Cicotte re-signed with Chicago for 1920, and put forth another 20 plus win season, posting a 21-10 record with a 3.26 ERA.<sup>67</sup> To some, this return to form called into question whether Cicotte was

<sup>65</sup> Nathan, *Saying it’s so*, 69.

<sup>66</sup> Fountain, *The Betrayal*, 30.

<sup>67</sup> Pomrenke, *Scandal on the South Side*, 127-8.

capable of being corrupted just one year earlier.

On September 27, 1920, the Philadelphia North American ran a story in which Billy Maharg, one of the gamblers in on the Series fix the previous fall, testified to his role in the affair, and specifically named Cicotte as the man who initiated the plot. The next day, Eddie met with White Sox counsel Alfred Austrian and admitted to his role in the scandal.<sup>68</sup> He also implicated seven of his teammates. Afterward, he went to the Cook County Courthouse and repeated his story for a grand jury charged with investigating corruption in baseball. The grand jury responded to Cicotte's testimony by indicting all eight of the "Black Sox" players for throwing the 1919 World Series. In front of the grand jury, Cicotte testified that he began to have second thoughts during the Series.<sup>69</sup>

After losing Game One, he was "sick all night" in the hotel and told roommate Happy Felsch, "Happy, it will never be done again, God help us." He also said that he tried his best to win Game Four, claiming "I didn't care whether I got shot out there the next minute. I was going to win the ball game and the series." But he never offered to return the gamblers' money. "I couldn't very well do that," he admitted.<sup>70</sup>

After admitting to his role in the scandal one year later, Cicotte was banned from the game for life, a punishment that one would argue denied the ace with a career 2.38 ERA a spot in the Hall of Fame. In the 2000s, exactly half of the players inducted into the Hall of Fame have had a lower WAR (Wins Above an Average Replacement Player's Statistics, currently viewed as

<sup>68</sup> Voight, "The Myth of Baseball's Singular Sin", 300.

<sup>69</sup> Fountain, *The Betrayal*, 41.

<sup>70</sup> Fountain, *The Betrayal*, 44.

the best way to measure overall value) than Cicotte's 58.4.<sup>71</sup>

Though he and the other seven accused players were acquitted of conspiracy charges the following year, Eddie Cicotte's major-league baseball career ended with his confession. For the next few years, he played with several of his banned teammates for "outlaw" teams in Illinois, Wisconsin, and Minnesota. By 1924, Cicotte had moved on with his life. He worked deep in the wilderness of Michigan, alone with his thoughts, before he managed a service station. Ultimately, he found a job with the Ford, where he remained until his retirement in 1944.<sup>72</sup>

During the last 25 years of his life, Cicotte became a gentleman farmer in Michigan. Given the nature of the heavy manual labor involved, this was not the optimal retirement job for a ballplayer. "Those athletes who became farmers were nearly always the sons of farmers. But although one-fifth of the major leaguers had farming fathers, only 3.4% made farming their life's work and another 4% worked on a farm part-time after retirement".<sup>73</sup> When Cicotte died, the sportswriters who attended his funeral could not help but notice the humbled and disgraced man's socks, in which he would spend eternity...were bright white.<sup>74</sup>

Joseph Jefferson Wofford ("Shoeless Joe") Jackson was more than a central figure in the 1919 Black Sox World Series scandal. In fact, he serves as a metaphor for the entire scandal itself. He was enigmatic, inscrutable, and the subject of innumerable conflicting stories, some of which were undoubtedly true. Yet separating fact from fiction about Shoeless Joe, and by extension the entire Black Sox scandal, has proven to be an elusive task for sportswriters and

<sup>71</sup> Pomrenke, *Scandal on the South Side*, 131.

<sup>72</sup> Fountain, *The Betrayal*, 237.

<sup>73</sup> Bachin, "At the Nexus", 959.

<sup>74</sup> Fountain, *The Betrayal*, 237.

historians alike.

In popular culture, the most oft-repeated reference connected to Joe Jackson supposedly took place on the Cook County Courthouse steps, when a young boy approached Joe and uttered the immortal phrase “Say it ain’t so, Joe”. To which the reply in this account has Jackson saying, “I’m afraid it is, Kid.” This popularized account has the fallen baseball icon in the role of disgraced folk hero.<sup>75</sup> Yet there is a counter-story, in which the player is having a conversation with his Manager William “Kid” Gleason, wherein the manager asks his player to deny the story, to which he receives the same response. Yet the “Kid” in this account, is “Kid” Gleason, not a small boy, but an older, father figure of a Manager, whom the player respected and disappointed. Finally, there is the account told by Jackson himself, in which he contends that neither account is true; in fact, he claims, nothing of the sort ever happened. “There wasn’t a bit of truth in it. When I came out of the building, this Deputy asked me where I was going and I told him, ‘To the South Side’. There was a big crowd hanging around the front of the building, but nobody else said anything to me. It just didn’t happen, that’s all. Charley Owens (Newspaper Reporter) just made up a good story and wrote it.”<sup>76</sup> One theory about the enduring legacy of the Owens account is that it served as a useful generational morality play, in which Fathers would tell their sons about the evils of lying, cheating, and stealing, all in one neat, well-circumscribed parable. Talent, fame and celebrity were no shield and no match for the evils that befell those who did not adhere to society’s rules.<sup>77</sup>

Yet this was only one example of conflicting narratives. Varying accounts have him:

<sup>75</sup> Nathan, *Saying it’s so*, 14.

<sup>76</sup> Voight, “The Myth of Baseball’s Singular Sin”, 294.

<sup>77</sup> Voight, “The Myth of Baseball’s Singular Sin”, 299.

absent (or present) for the September 21, 1919 meeting of players to discuss the fix of the World Series; accounts differ as to whether Jackson demanded \$20,000 from conspirator Chick Gandil to participate in the conspiracy; questions remain as to whether Jackson asked the Manager Gleason, or owner Comiskey, to be excused from playing Game #1; evidence is both present and absent that Jackson took \$5,000 from Lefty Williams before Game #5. There are also conflicting stories as to whether Jackson ever willingly took any money.<sup>78</sup>

Casting further doubt onto the narrative is how information was obtained in the first place. It is undisputed that Jackson was, at best, semi-literate. He signed his first professional baseball contract with an "X". Significantly, during this period of American history, reading and writing were often taught as two separate and distinct disciplines. Sadly, Jackson was no more proficient at reading than he was at writing.<sup>79</sup> Such was the consequence of childhood poverty.

This was not a unique circumstance in South Carolina, 1919. Poverty and lack of education were rampant throughout the state. "In 1920, black and white southern tenant farmers and sharecroppers worked 50 acres and on average, earned less than \$200 a year... Poverty had mastery of farmers in the South. Few owned tractors or other mechanized equipment and the typical Southern farmhouse lacked telephone service and electricity."<sup>80</sup> Then, as now, professional baseball offered an escape from poverty, improved living conditions, a chance to travel and see the country and upward social mobility associated with notoriety and celebrity. During the investigation, Jackson was forced to meet with the owner, Charles Comiskey; Comiskey's Attorney; and the State's Attorney, who collectively took a "Statement" from the

<sup>78</sup> Felber, *Under Pallor*, 35-37.

<sup>79</sup> Nathan, *Saying it's so*, 130.

<sup>80</sup> Reiss, "Professional Baseball and Social Mobility." ,248.

unrepresented Jackson. Such tactics would render any present-day attempt to use such a document in a Court of Law unenforceable, for lack of Due Process and adequate representation.

There exists today, no official transcript of the Jackson testimony before the Cook County Grand Jury on September 28, 1920. Speculation is rampant that confederates of gambler Arnold Rothstein conveniently had them removed and destroyed, for fear of what might have been said about Rothstein and his putative involvement in the scandal.<sup>81</sup> Yet there is an unofficial transcript, maintained by the prestigious Chicago Law Firm, Mayer Brown, which sheds some interesting light onto the matter. That transcript contains the following testimony of Jackson in response to questions from States' Attorney Hartley L. Replogle: that Jackson hit; ran the bases; and played errorless defense; all with the intent of winning the Series. Further, Jackson testified that he took part in no activity designed to throw any games.<sup>82</sup>

Given the imprint in the American consciousness about Joe Jackson's complicity in the scandal, this testimony is as remarkable as his World Series statistics. Jackson hit .375, with a World Series record 12 hits. He played errorless ball. Empirically, this statistic line, coupled with the testimony from the unofficial transcript of the Grand Jury testimony, should not only exonerate Jackson, it should render him eligible for the Series Most Valuable Player Award and entrance into the Cooperstown Hall of Fame.<sup>83</sup>

<sup>81</sup> Ronald Briley . "Baseball and American Cultural Values." *OAH Magazine of History* 7, no. 1 (1992): 63. Accessed October 12, 2020. <http://www.jstor.org/stable/25162858>.

<sup>82</sup> Nathan, *Saying it's so*, 48.

<sup>83</sup> Nathan, *Saying it's so*, 167.

In fact, this was exactly how Jackson was regarded in his hometown of Greenville, South Carolina. After his lifetime ban from the sport by Commissioner Kennesaw Mountain Landis, Jackson returned home to a very warm, indeed hero's, welcome. Jackson "was the idol of townsfolk who ascribed the whole talk of a fixed World Series as just another dirty Yankee trick". The South Carolina State Senate and House of Representatives passed a resolution, declaring Joe Jackson to be a member in good standing of professional baseball.<sup>84</sup>

We began this analysis of Joe Jackson by noting that he was, to paraphrase the Churchill reference, a riddle, wrapped in a mystery, inside an enigma. Yet this is less surprising when one looks at the confluence of forces conspiring to defeat a clear and concise narrative. There was individual bias; counter-memories; "interested" memories; regional /tribal alliances; criminal activity; and the most damnable contaminant of all-statistics.

Given that Joe Jackson is undoubtedly the most recognizable name associated with the scandal, it is worth questioning why these forces came together to make Jackson such a polarizing character.

George Daniel "Buck" Weaver was born on August 18, 1890 in Pottstown, Pennsylvania. He was one of five children and the namesake of his iron-worker Father. George had a normal middle-class upbringing, as the iron factory union workers earned a good living. He never was very interested in school though, and at an early age, turned his attention to baseball. He was noted then, and throughout his eventual Major League career, for his hard-nosed play,

<sup>84</sup>Ryan A. Ross "A Bibliography of Dissertations Related to Illinois History, 1996-2011." *Journal of the Illinois State Historical Society* (1998-) 106, no. 2 (2013): 281-326. Accessed October 11, 2020.\. doi:10.5406/jillistathistsoc.106.2.0281.

positivism, and passion for the game. Professionally, “Buck” began his career with the Mount Carmel team in Pennsylvania.<sup>85</sup> Not a recognized part of the vaunted National League, the team belonged to the “outlaw” Atlantic League. Then, as now, professional baseball spared no effort in denigrating rival leagues (cf. Japanese; Korean; and Taiwanese professional leagues). From there, Buck moved on to the Northampton team of the Connecticut State League, where he was noticed by Philadelphia Phillies Manager Red Dooin.<sup>86</sup>

Red signed Buck to a contract for \$175 a month. While in the Phillies minor league system, he was seen by “Superscout” Ted Sullivan of the Chicago White Sox, who arranged for the purchase of Weaver’s contract. Buck then moved to the San Francisco Seals of the Pacific Coast League. This was the team that twenty years later, would train a young superstar named Joe DiMaggio.<sup>87</sup>

As a sign of the changing times, in 1912, when Buck was invited to his first Chicago White Sox Spring Training camp, his Mother took ill and passed away. He wanted to go home for the funeral, but his Father persuaded him to stay in camp, lest he lose his opportunity. Sports writers at the time praised his “grit”. Today, players have fully compensated “bereavement leave”. This demonstrates how cherished a spot on a major league roster was in 1912.

Buck had trouble transitioning to the big-league team. His batting average dropped to .224 and he committed a league high 71 errors at shortstop in 1912. He didn’t fare much better in 1913, committing 70 errors, but at least he raised his batting average to .272. This prompted his shift to his eventual defensive home, third base, where he was much better suited.<sup>88</sup>

<sup>85</sup> Burke, *Never Just a Game*, 44.

<sup>86</sup> Burke, *Never Just a Game*, 44.

<sup>87</sup> White, *Creating the national Pastime*, 117.

<sup>88</sup> Nathan, *Saying it’s so*, 92



Despite his uneven start in the major leagues, Buck never lost his positivism or value in the clubhouse as a team leader. He was so popular, that in 1913, he was invited by team owner Charles Comiskey to join a world touring All-Star team. Equally significant, he was named team Captain. Weaver continued to have difficulty in 1915, as he was slow recovering from tonsil and adenoid surgery. Worse yet, he had to file for personal bankruptcy when his billiard parlor operation went under financially. Not to be dissuaded, the following year, Weaver assured the team owner, publicly, that they would be the 1917 American League Champions.<sup>89</sup> Weaver delivered on that promise, batting .284. He also excelled at his new third-base position. He eventually became so proficient at the position, that he was the only third baseman on whom the great Ty Cobb refused to bunt. For all of baseball, 1918 was a difficult year, as the War had still to wind down. Baseball was not considered an “essential industry”, so professional baseball players had to make the choice of either joining the active military or getting a job in an industry that supported the war effort. Weaver got a job at the Fairbanks-Morse manufacturing plant and played for the company’s semipro team.<sup>90</sup>

At the beginning of the fateful 1919 season, Weaver negotiated a three-year contract with team owner Charles Comiskey, for \$7,250 per season. The length of the contract was as rare as the average annual value, yet it was still less than half of what star second baseman Eddie Collins was able to make. Just as the backgrounds of the players were diverse, so too, were their involvements in the scandal. Cicotte is generally believed to be guilty; Weaver was just as clearly not involved; and Jackson has been the subject of claims both for and against this involvement.

<sup>89</sup> Nathan, *Saying it's so*, 93.

<sup>90</sup> Nathan, *Saying it's so*, 94-5.

As is now well-known, during the 1919 season, there was a mood of discontent that permeated the team. In September of that year, when influential players met in September to discuss throwing the World Series, Weaver twice joined them. But he wanted no part of the scheme. He told the players and gamblers alike that, "It couldn't be done."<sup>91</sup>

Not only did Weaver not go along with the scheme, he played better than he ever had. He batted .324. He had four doubles, a triple, and scored four runs. In fact, he earned the praise of local sportswriters for his singular efforts. "Though they are hopeless and heartless, the White Sox have a hero. He is George Weaver, who plays and fights at third base. Day after day,

Weaver has done his work and smiled. One by one, his mates gave up. Weaver continued to grin and fight harder." This being the case, one would properly ask, why is Weaver part of this story? Why was he ever included in the saga of, "Eight Men Out?" Indeed, even within the internal investigations involving confessions by teammates, there were only seven conspirators ever named. Weaver has earned his place in history not for what he did, but rather for what he did not do—that is, turn in all of his teammates, once he learned of the conspiracy. For that omission, Baseball Commissioner Kennesaw Mountain Landis banned him for life.<sup>92</sup>

Landis stated, "No player who sits in conference with a bunch of crooked players and gamblers, where the ways and means of throwing baseball games are discussed and does not promptly tell his club about it will ever play professional baseball." In all, eight players were banned for life. This included the guilty (Cicotte); the ignorant (Jackson); and the innocent (Weaver). The consequences were more about sending a message to the players and the public, than acting in accord with a just result. Commissioner Landis was a shameless self-promoter, and

<sup>91</sup> Nathan, *Saying it's so*, 96.

<sup>92</sup> Nathan, *Saying it's so*, 130.

this action kept him in the public eye for the rest of his life.<sup>93</sup>

While there may be a certain superficial appeal to Landis' "logic", upon closer examination, the justification doesn't hold up. This is why the story of the 1919 Black Sox has withstood the test of time. It is layered and nuanced, and subject to much debate and criticism. In many ways, it speaks to the ethos of a bygone era, where it's viewed as wrong and weak to leave Spring training to attend the funeral of one's Mother, yet the institution so revered had no hesitancy to ban for life a player who played above his abilities in that World Series, by every measurable metric.

Specifically, Weaver had a lifetime .272 average. In the 1919 Series, he hit .324. His lifetime On Base Percentage was .315, yet in the Series it was .324. His lifetime Slugging percentage, a measure of power and extra base hits, was .401, versus .500 for the Series. Significantly, not one player or gambler ever alleged that Weaver ever took any money, from anyone.<sup>94</sup> This lifetime ban, and the injustice it created, must be viewed in the light of additional factors. One of the main reasons that the more culpable (or perhaps more artfully stated, only) culpable players were not criminally convicted was that there was no law against gambling on baseball games. Indeed, the only thing that kept the attention of the adult population on this children's game was gambling. It is what launched the game into the national consciousness. Gamblers had their own section in the stands from where they would roundly jeer non-corrupt players.<sup>95</sup>

Games were so routinely thrown that there even developed a name for it,

<sup>93</sup> Nathan, *Saying it's so*, 132.

<sup>94</sup> Pomrenke, *Scandal on the South Side*, 189.

<sup>95</sup> Thorn, *Baseball in the Garden of Eden*, 31.

“Hippodroming”, meaning a gaming event whose outcome had been pre-determined.<sup>96</sup> Yet the injustice to Weaver can be measured by a more empirical standard, Federal Law.

In essence, Weaver was banned for life because he was seen as being in league with the conspirators and the gamblers; that by his silence, he was aiding and abetting them. Yet, under Federal Law, which is applicable in every state in the country, this is not so.

Specifically, Section 18 of the United States Code Annotated, subsection 2(a), as that statute is embodied in the Patterned Jury Instructions for the Federal District Courts of the First Circuit, states, “A general suspicion that an unlawful act may occur, or that something criminal is happening, is not enough to prove aiding and abetting. Mere presence at the scene of the crime and knowledge that a crime is being committed are also not sufficient to constitute aiding and abetting”. Nationally, this has become known in legal circles as the “mere presence; mere knowledge, mere acquiescence” rule, which is not enough to convict someone of aiding and abetting.<sup>97</sup>

Taken together, we have a player who played better in the 1919 World Series than he ever had in his life; he took no money; he attempted to discourage the conspirators; he committed no crime; his conduct is specifically delineated as innocent conduct under Federal Law, yet he was banned for life.

The reason for this ban ultimately had nothing to do with guilt, or innocence, or even justice. It had to do exclusively with the power structure in place in the country at the time, where moneyed interests could appoint their hand-picked sycophant as Commissioner of Baseball, then have him wax moralistically as he swung a terrible swift sword that felled the

<sup>96</sup> Pomrenke, *Scandal on the South Side*, 7.

<sup>97</sup> Pachman, “Limits on the Discretionary Powers of Professional Sports Commissioners”, 419.

innocent with the guilty.

“...Overzealous action by a Commissioner should not, and probably would not, merit the intervention of the courts because, as the jurisprudence in this area has indicated, Commissioners are regarded as the best judges of what conduct is detrimental to their sport.”<sup>98</sup>

This is the reason that George Daniel “Buck” Weaver, is both remembered by history and why he is a part of this subject analysis. Throughout the following decades, Weaver (six times) and his family, would attempt to have him reinstated.<sup>99</sup> It was all to no avail. The ultimate irony is that Major League Baseball is presently formalizing its relationship with organized gambling for “Fantasy Baseball”, driven not by high-minded morals, but by the almighty dollar.

<sup>98</sup> Pachman, “Limits on the Discretionary Powers of Professional Sports Commissioners”, 426.

<sup>99</sup> Nathan, *Saying it's so*, 200.

## Conclusion

At the conclusion of this analysis on the Centennial Anniversary of the 1919 Black Sox scandal, it is fitting to ask, why is this relevant to the study of History, in particular, American History? The response begins with the notion that almost everything believed about the scandal, according to conventional wisdom, was wrong. It is as simplistic as it is wrong, to say that eight amoral and immoral individuals, conspired to destroy the integrity of America's Pastime-baseball.

More accurately, this construct was a product of American mythology. "For cultural critics, the sellout of the 1919 World Series was a signal event in American life. The *New York Times* called it, 'an American tragedy'. An editorial in Chicago's *Herald and Examiner* stated: 'A case like (the Black Sox) might seem unimportant in comparison with disarmament, or world commerce, or the race problem, or prohibition. But at the bottom of every issue lies the national character'." <sup>100</sup>

Yet, the reality is much more nuanced and poorly understood than the conventional wisdom. Most Americans believe that the term itself, "Black Sox Scandal" relates to the players "blackening" the good name of baseball. That is not the case. In reality, the owner of the Chicago White Sox, Charlie Comiskey, was so penurious, that he wanted the players to pay for the laundering of their uniforms from their own salaries.<sup>101</sup> The players revolted, choosing to play in soiled uniforms, rather than pay to have them cleaned. Comiskey, publicly embarrassed by this

<sup>100</sup> Pomrenke, *Scandal on the South Side*, 4.

<sup>101</sup> Fountain, *The Betrayal*, 18.

display, relented and paid to have the uniforms cleaned, but then deducted the cost from the bonus checks the players received for winning the 1917 World Series.

This example is a metaphor for the unhealthy relationship between the owner and players, which was manifest in many other areas, from denying players pay raises despite their successful performance, to having the Manager, Kid Gleason, deprive the players of innings played to prevent them from reaching milestones associated with bonus clauses in their contracts. This toxic relationship serves as the backdrop for the scandal. It did not materialize out of the ether. Yet given the power and financial imbalance between the players and the owner, America was content to let the victors write the history. It is merely coincidental that the revised history served as an American Morality play for generations to come, where Fathers would tell their sons that this is an example of what happens when one breaks the rules of society.

“On the athletic field, and in the practice of games in the gymnasium, the instructor (or Father) should praise every tendency of a boy or a girl to sacrifice himself or herself for the good of the team. Show them that this is the only way to succeed-by unity of action. If you can develop this spirit you have laid the foundation of cooperation, politeness and good morals.”<sup>102</sup>

Again, it is useful to see the scandal fused with the larger, contemporaneous concerns of the day. In neither the Black Sox scandal nor the steel strike, did work conditions, wages, or collective bargaining rights reach prominence in the discussion in the popular press. Instead, the national debate surrounding the scandal and the strike focused on Americanism.<sup>103</sup> There were grandiose and overstated American values, institutions, and loyal citizens. Those who were

<sup>102</sup> Kirby. "The Year They Fixed the World Series.", 69.

<sup>103</sup> Reiss, "Professional Baseball and Social Mobility." ,249.

believed to disrupt the ‘return to normalcy’ and the patriotic fervor following World War I were labeled, ‘aliens’, ‘outsiders’, and ‘radicals.’ Significantly, Baseball Commissioner Judge Landis, who was appointed to ‘clean up baseball,’ was the same judge who presided over the trial of Industrial Workers of the World (“I.W.W.”) Union leader, ‘Big’ Bill Haywood.<sup>104</sup> During the war, he sentenced Haywood and ninety-two of his supporters to prison for sedition and alleged obstruction of the nation’s war preparations. The campaign for ‘100% Americanism’ recast the meaning of American identity of the status of being a loyal American was denied to those who posed challenges to industrial Capitalism and American homogeneity. The 1919 Palmer Raids, the Espionage and Sedition Acts, and the Immigration quotas of 1921 and 1924 made this widespread paranoia the law of the land.”

The significance of re-examining this scandal 100 years later, is that with the perspective of the passage of a Century, it has become apparent that the great American pastime was never as pure as its various marketing agents would have one believe.

In fact, two weeks before the World Series scandal in October 1919, two Hall of Fame players, Ty Cobb and player manager Tris Speaker, both of the Detroit Tigers, conspired to lose an otherwise meaningless game and bet on the outcome. American humorist Will Rogers commented, “I would like to have seen them play when they wasn’t selling”. But because this scandal came to light in the aftermath of the Black Sox, at a time when the American public was scandal-fatigued (the Teapot Dome political scandal, regarding Federal oil leases, also occurred in this time frame), the Commissioner of baseball kept the matter quiet.<sup>105</sup>

More recently, Pete Rose, former player-manager of the Cincinnati Reds, was banned for

<sup>104</sup> Pachman, “Limits on the Discretionary Powers of Professional Sports Commissioners”, 428

<sup>105</sup> Pachman, “Limits on the Discretionary Powers of Professional Sports Commissioners”, 429



life in 1989, for betting on his team-to win.<sup>106</sup> This uneven application of the rules, from rampant and open betting before the 1919 Series; to the lifetime ban of the Black Sox; to the “looking the other way” by Commissioner Landis, when the Cobb-Speaker scandal broke; to Pete Rose being banned for life, up to the present day, presents a patchwork quilt of guilt and innocence. The only constant is inconsistency; the prevailing moral code is hypocrisy.

Unlike Pete Rose, “Baseball legends Leo Durocher and Denny McClain were (only) suspended for associating with gamblers, while Willie Mays and Mickey Mantle were temporarily removed from post-retirement jobs in baseball because of their involvement in the commercial promotion of casino gambling.”<sup>107</sup>

Lest one think that this paradox has remained quiescent since 1989, the relationship between gambling and professional baseball has only grown more complicated. In *Murphy v. National collegiate Athletic Association*, No. 16-476, The United States Supreme Court overturned a 1992 Federal law banning gambling on sports contests. Citing her displeasure in her dissenting opinion, Justice Ruth Bader Ginsberg wrote, “The court wields an ax, instead of using a scalpel, to trim the (1992) statute.”<sup>108</sup>

Given that Major League Baseball is that great bastion of American morality and integrity, they did the only reasonable thing that could have been done under the circumstances. They immediately formed a partnership with the largest Fantasy Baseball gambling in the country, Draft Kings.

Suddenly, Major League Baseball seems to have lost its moral compass, as soon as

<sup>106</sup> Pachman, “Limits on the Discretionary Powers of Professional Sports Commissioners”, 431

<sup>107</sup> Pachman, “Limits on the Discretionary Powers of Professional Sports Commissioners”, 410

revenue was announced to be a projected \$150 Billion. Once fully in place, betting on games will appear to be a quaint anachronism from a bygone era. Now, bettors can wager on individual at bats, indeed individual pitches, as well as all manner of exotic bets enabled by current technology.

It would seem that this complete obliteration of all prior historical precedent in baseball prudent has flung Pandora's Box wide open.

It has been widely reported that in 2017, the Huston Astros used a complex technological scheme to steal pitching signs from unwary opponents. Subsequently (most observers would refine to, "as a result"), the Astros won the World Series. Once exposed by Mike Fiers, a former Astros pitcher now playing for another team, baseball searched far and wide, for its terrible swift sword to impose suspensions on the General Manager and Field Manager; levy a \$5 million fine; and cause the Astros to forfeit two seasons of top draft picks.

While nominally, that would have seemed to have quieted the national outrage, that was not the end of the story. Now with baseball's Faustian deal with the Draft Kings betting operation in full swing, a smaller betting operation, Daily Fantasy Sports ("DFS"), took exception to the Astros' scheme.

In fact, DFS brought suit in the Federal District Court for the Southern District of New York, charging that because of the Astros players cheating, their betting clients were defrauded, as all bets were placed with the express understanding that the games were being played legitimately, without any advantage taken by one side over the other.

Astoundingly, Defendant Major League Baseball, represented by one of the best law firms in the country, Cravath, Swaine and Moore, took the position that baseball does not owe the DFS players a duty to produce a cheating-free game! The "idea that all baseball teams, or all

sports teams are making an implicit representation about compliance with... the quote-unquote rules, that is a difficult standard to hold all sports to,” according to the Cravath attorney.

MLB’s attorney continued, “When you get involved with sports, you know, some things go wrong. You can’t predict things. And one of those things is, unfortunately, rules violations.”

Then the following exchange ensued between Judge Jed Rakoff and the defense attorneys:

Judge Rakoff: Is there an implicit representation that by baseball, especially since 1919, that the games are honest, played by the rules and so forth?

MLB Attorney: Having rules and the enforcement that happens certainly indicates that baseball is trying to do that. However, in terms of that being translated into some sort of legal obligation to fans who are disappointed when the enforcement of rules is not done as quickly as they want, or as effectively as they want; no, I don’t think there is any legal claim to that.

DFS attorney: This concept that... you can run a tournament, and that the material information upon which the tournament is based, is without disclosure to the participants, corrupted or compromised, or whatever word you want to use, render those statistics meaningless... the concept that’s not actionable”, is not correct.

Judge Rakoff then asked the parties whether the bettors in the 1919 Black Sox scandal should have been entitled to compensation. Which is exactly the point. This romanticized notion of baseball as a pristine integral component of the American Dream, never existed in the real world. Major League Baseball and their administrators have exhibited a certain “moral flexibility,” when determining the course of conduct that is most optically and financially expedient.

The case before Judge Rakoff was decided on April 3, 2020. He dismissed the case brought by the gamblers. While the decision is couched in legal niceties, such as lack of privity of contract and lack of standing to sue, the result of the decision was that neither the gamblers, nor the American public, have any legal right to expect that their National Pastime is free from corruption, cheating and an uneven playing field, literally and figuratively.

Judge Rakoff's decision poses more questions than answers for Major League Baseball. One could contend that this should change both the past and future of the game. For example, consider Buck Weaver's repeated appeals for reinstatement. He never took a dime; discouraged the other conspirators; and played the best baseball of his career in the 1919 Series. If baseball is content with some naturally occurring corruption levels, surely his rightful place in the history of the game should be restored.

Further, consider Pete Rose. He was banned for life for betting, on his own team, to win. Now that Major League Baseball has a lawful partnership with professional gamblers, and a judicial edict saying in effect that the game needn't be corruption free. It is hypocritical to continue Rose's lifetime ban and exclusion from the Hall of Fame. Which brings us to the very essence of this analysis. Professional baseball is wonderful; corrupt; historically significant; hypocritical; and an essential element of American life.<sup>109</sup>

We know that the past is prologue. That has certainly proven to be the case here. Yet perhaps it's time for Major League Baseball to look at itself in the mirror and take a stand. They cannot simultaneously occupy a position as part of the pantheon of truth, justice and the American way,

<sup>109</sup> Pachman, "Limits on the Discretionary Powers of Professional Sports Commissioners", 437.

while at the same time being a cog in the machinery of the betting and gaming industry. The time has come to lay aside forever, the American mythology that has persisted for 150 years. The American conceit was that we wanted our mythology to be true as well. Ultimately, that proved to be more than any society had a right to expect of its mythology, because after all, it was just mythology.

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