

Abstract

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Title: *Examining the “Black Sox” Scandal Through the Lens of Contract Law*

Abstract: In 1919, a massive breakdown in relations between the Chicago White Sox and the teams’ players precipitated a scandal in which several members of the heavily-favored Sox conspired with gamblers to intentionally lose the World Series in exchange for a payoff far in excess of the players’ meager salaries. But for the trade that sent Babe Ruth to the New York Yankees, triggering their ascendancy and turning one of the two best left-handed pitchers of his generation into the premiere power hitter and most popular player of the first century of major league baseball, the “Black Sox” scandal might have killed major league baseball. Contractual and quasi-contractual relations – including Sox owner Charles Comiskey’s refusal to allow star pitcher Eddie Cicotte to earn a bonus for winning 30 games by ordering him benched late in the season, Cicotte and the other players’ parsimonious contracts with the Sox, the unavailability of free agency, Cicotte and the other players’ agreements with the gamblers, the gamblers’ agreements among one another, and the owners’ agreement establishing the office of Commissioner of Baseball, empowering Commissioner Kennesaw Mountain Landis and agreeing to be bound by his rulings “in the best interest of the game” – were integral to the scandal and its aftermath. While a handful of scholarly articles, scholarly and popular books, and an excellent movie (John Sayles’s *Eight Men Out*) have explored the scandal, its contractual and quasi-contractual aspects have been overlooked or relegated to marginalia. I propose to remedy this oversight.