



6 Taking Umpiring Seriously: How Philosophy Can Help Umpires Make the Right Calls

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When I'm right no one remembers. When I'm wrong no one forgets.

—Umpire DOUG HARVEY

There's an old baseball joke that tells a lot about why umpires find themselves in this unhappy position. The Devil challenges God to a baseball game between the residents of heaven and hell. Puzzled, God asks the Devil: "Why would you want to play me at baseball? I have all the greatest players at my disposal." "I know," responds the Devil, "But I have all the umpires." Jokes like this one, and remarks like umpire Harvey's, readily attest that baseball umpires lay sad claim to being the most underappreciated and disrespected participants in sport. Indeed, anyone who has ever spent time in the stands watching ballgames has seen the contempt that is freely heaped on umpires: the boos and catcalls, the kicked up dirt, close up views of oral hygiene, and even at times common assaults.

All this merely recaps what everyone already knows: umpires deserve better. But there is another less obvious, though just as compelling, reason for treating umpires with more serious respect. What umpires do is *philosophically fascinating*. This is a novel concept for the sporting public or, indeed, for umpires themselves, since they are not usually trained philosophers. But as we shall see, a philosophical treatment of umpiring is no mere academic exercise. It can have important practical impli-

cations for determining what umpires actually do on the field. Thus, philosophy and practice cannot be separated here. Taking umpiring seriously means taking philosophy seriously, too.

What philosophy shows us is that umpires have more discretion to change calls and even the rules of the game than is commonly recognized. That umpires could have any significant discretion in either of these areas will seem heretical to many students of baseball. But today's heresy can be tomorrow's orthodoxy, and recent philosophical contributions to our understanding of language and law can now help us to see clearly how this might be true even in baseball. It is convenient, too, that baseball history provides ample resources to illustrate and support these philosophical claims. We shall see that controversies like the justly famous "pine tar incident" (involving George Brett and Billy Martin) and debates over calls absorb much of our attention precisely because they raise interesting philosophical puzzles and problems that call for careful philosophical treatment.¹

Making the Calls

In baseball, as everyone knows, the umpire makes the calls. But this apparent truism raises interesting metaphysical puzzles. Metaphysics is that branch of philosophy that investigates the nature of reality. As such, it sounds too lofty to be connected with baseball or calls. But in fact the study of metaphysics is not only about lofty things. In its broadest sense, metaphysical inquiry is about understanding all the things that make up the furniture of the universe, those that are profound (what is time, matter, love, justice?) and those that are rather more mundane (what is a call?). Baseball, fortunately for us, is part of the furniture of the universe, and calls are part of baseball. Hence, a complete metaphysics of the universe would be able to explain what sort of thing a call is.

The best way to begin is to look at a bad call. Consider the oft-heard rationalization of a bad call: "The umpire makes the

¹ Many of the ideas presented here draw on and are developed at greater length in my "The Concept of a Call in Baseball," *Journal of the Philosophy of Sport*, Vol. 26 (1997), pp. 21–37 and "Are Rules All an Umpire Has to Work With?" *Journal of the Philosophy of Sport*, Vol. 26 (1999), pp. 27–49.

call.” One way of understanding this is that the umpire, *by his call*, literally makes the person out or safe or the ball fair or foul, and so on. As Bill Klem, unofficial dean of umpires and Hall of Famer, once said, expressing this idea with particular succinctness and clarity, “It ain’t anything ’til I call it.”²

Now there is something puzzling about this view. Yet it is not entirely wrong, for the umpire by his call will indeed make it the case that a player is safe or out. Thus, another Hall of Fame umpire, Bill McGowan, expressed the same idea when he reportedly said to a skeptical player, “If you don’t think you are out, read the morning newspaper . . .”³ Both Klem and McGowan seem to agree on a piece of metaphysics, namely, that it is their pronouncements as umpires that in some sense create the main events of baseball, the outs, safes, fair and foul balls, runs, and so forth.

Odd perhaps, but there is an important element of truth to these claims. A call in this sense is what the philosopher of language J.L. Austin (1911–1960) termed a “performative utterance.” These are uses of language that bring particular facts, events, or states of affairs into being.⁴ The standard example is making promises. When you say that you promise to do something, you perform an act that makes a fact—the promise that you will to do something. Similarly, when two parties to a wedding ceremony say “I do,” they create the fact that they are married. Or when someone says “I’m sorry,” they make an apology. Words thus can be used in certain circumstances to make important facts—promises, contracts, marriages, apologies, and so on. A similar point seems true about calls. When the umpire calls a strike, it creates a new event or state of affairs, namely, that the batter has another strike added to the count. The idea that the umpire *makes* the calls, then, reflects what seems to be a clear performative element to calls. A call by an umpire is a verbal utterance that, given his role in the contest, brings it about that you are out or safe, or behind in the count 0-and-2. Thus, language in this case begets metaphysics, and Austin’s analysis helps us understand this.

² Cited in G. Sullivan and B. Lagowski, *The Sports Curmudgeon* (New York: Warner, 1993), p. 164. Often quoted as “It ain’t nothing ’til I call it.”

³ *Ibid.*, p. 165.

⁴ J.L. Austin, *How to Do Things with Words*, J.O. Urmson, ed. (Oxford: Oxford University Press, 1962).

So far so good, but we should press the analogy with performative utterances further. Austin also held that performative utterances were unique in that they can't be considered true or false. The statement, "Sosa's bat is corked" is either true or false. Thus, philosophers say that it has a truth value. By contrast, the utterance "I promise to meet you at Fenway Park at 2 o'clock" uses language to bring about the event or fact of making a promise. Facts or events themselves do not have truth values; they are "out there," they exist. A promise, then, is simply a fact, as a corked bat is a fact. Neither is true or false. We don't talk about corked bats or promises being true or false. Philosophers clarify this by observing that only *statements about* facts (like "Sosa's bat is corked") can have truth values—that is, be true or false. Another way of making these points, then, is to say that a promise is not a statement about a fact. It is itself a fact created by language, just as the umpire's saying "you're out!" creates the fact that a player is out.

This clarifies the idea of performative utterances, but it has troubling implications for baseball. For if a call is a pure performative utterance, it cannot be true or false. This is too convenient for umpires. It means they can never make bad calls. It is never the case that an umpire ever mistakes a ball for a strike, an out for a safe, a fair for a foul ball, and so on, for the idea of making true or false statements about events on the field does not apply. Of course, it also means that we can never criticize an umpire for missing a call (or praise him for getting a difficult one right). This would undermine the very idea of a contest as involving the accurate assessment of the relative skills of the competitors.

Philosophically minded persons love paradox, sometimes too much. I have heard both competent professional philosophers and non-philosophers seriously defend this account of calls. And who knows? Umpires, like Klem and McGowan, perhaps overly impressed by the importance of their roles, may even have been tempted to take this idea seriously. But there is clearly confusion here. Umpires do make mistakes—they express false statements about whether someone is safe or out, for example—and good umpires are good because they make the fewest mistakes. The puzzle is how to explain this phenomenon while retaining an obvious performative aspect to the language of calls.

The solution, as Austin himself came to realize, involves recognizing that language can combine both performative and

descriptive functions in the same utterances. The example of baseball umpires at work neatly demonstrates this. What is distinctive about umpires in baseball and in other sports, as compared with judges in most other contexts, is that umpires are *witnesses* to, as well as judges of, the events they preside over. As a result, a call in baseball is also a witness's report or description of events. It is, in effect, a first-hand statement about a fact or an event, as well as a call.

The umpire rightly says "I call 'em as I see 'em." A call, then, is not, strictly speaking, a performative utterance in the sense in which Austin originally used that term. It is also a witness's statement about what actually occurred. Thus, it creates an event (the out or safe call), but as a witness's report or statement it can also be either true or false. This is fortunate. For we have seen that to preserve the game, we must be able to say that whether you really were out or safe depends ultimately on how accurately an umpire is able to report a witnessed event. Tom Connally, another philosophical Hall of Fame umpire, speaking for judges of every kind, got it right then when he said, "Maybe I called it wrong, but it's official!"⁵

A number of important practical implications follow from this analysis. The first one is that if a call is conceptually understood to be a witnessed event, then an umpire has no business making calls that he does not see. Yet in fact this happens often enough in baseball, even in the major leagues. Ron Luciano admitted that he sometimes completely missed calls but made them anyway on the basis that he usually had a fifty-percent chance of being right.⁶ Luciano was a good and unusually candid umpire. There is no reason to think his behavior is unique. Indeed, lapses of attention, distractions, and being out of position are all inevitable. For example, in the first game of the 1970 World Series between the Baltimore Orioles and the Cincinnati Reds, umpire Ken Burkhart was knocked out of position during a critical play at the plate. Recovering, Burkhart called Cincinnati's Bernie Carbo out, though replays showed that Orioles catcher Elrod Hendricks never tagged him out with the ball. Because of the collision, Burkhart was unable to see the missed tag. But it was actually worse than this. Not only was

⁵ Cited in *The Sports Curmudgeon*, p. 164.

⁶ This is an oft-repeated statement in Ron Luciano and David Fisher, *The Umpire Strikes Back* (New York: Bantam, 1982).

Carbo not tagged out, he never touched the plate. So the proper call in this case was no call at all. The “Old Perfessor” Casey Stengel wryly remarked about this play that “it was a dead heat: Carbo missed the plate, Hendricks missed the tag, and Burkhart missed the call.”⁷

Such missed and guessed at calls are only calls in a merely technical sense. They are not fully-fledged instances of calls because they are not witnessed events; and the very idea of an umpire’s call is that it is a witnessed event. In these circumstances, umpires have no responsible alternative but to look for, or accept, help and to consider whether it is possible to revise a mistaken call. Or at any rate, they should be encouraged to do so. Admittedly, sometimes it will not be possible to revisit a blown call, particularly if it occurs during continuous play, since the call may affect subsequent play and it may be impossible to say what would have happened if the right call had been made. But there will be many other cases where a game can be improved by going back and correcting a bad call.

Another example occurs when players deceive umpires into making bad calls, for example, when a fielder feigns cleanly catching a trapped line drive or fly ball or makes a phantom tag. Here successful efforts are made by players to prevent umpires from being effective witnesses to events, for example, by blocking their views or manipulating or intimidating them into wrong decisions by their behavior, including lies (“Look blue! I made the catch!”). Thus, the umpire can be prevented from performing his role as an effective witness through the player’s intentional efforts to deceive. Again, this is a good reason for umpires to look for or accept help, even after a call has been made. There is another compelling reason for reconsidering calls in these cases, for the players’ attempts to deceive umpires create a type of *anti-game*. Here, the contest is settled not just by who is best according to performances of skill that take place within the rules, but also by discovering who is best at deceiving umpires for their own advantage by trying to gain advantages that are clearly not permitted by the rules, for example, by gaining outs on dropped balls.⁸

⁷ Cited in John C. Skipper, *Umpires* (Jefferson, North Carolina: McFarland, 1997), p. 90.

⁸ More about this below. A similar analysis can be extended to failures of impartiality by umpires. Except perhaps at recreational levels, this obvious anti-game behavior is undoubtedly of academic interest.

The *Official Rules of Baseball* are, unfortunately, silent on these specific matters. They do say that an umpire should be prepared to change “a *manifestly wrong decision* when convinced that he has made an error.”⁹ Obviously, such calls should be changed to maintain the integrity of a game as a fair contest of skills. But a deceived call or one that is not witnessed may not be manifestly wrong, although the judgment of other umpires who were able to see the play properly may be that it was mistaken. The integrity of a game can be undermined in these circumstances as well. Unfortunately, the rules pose further impediments by requiring that no umpire may seek to criticize or reverse another umpire’s decision unless his advice is sought (Rule 9.02(c)). Thus, an umpire can easily remain in ignorance of his being deceived, and someone who merely guesses is not likely to seek help on his own. Umpires should have a system of signals in place to alert each other to manifestly wrong calls, but again this may be of no help in these specific situations.

What should umpires do when confronted with the uncertain and to some extent contradictory advice of the rules on these matters? The arguments are compelling that umpires should be prepared to work together collegially to review certain calls to preserve the integrity of games. Can umpires, then, in effect revise the rules so that they conform to these arguments? Where is the authority for umpires to do so if, contrary to the Old Professor, you could not “look it up”? What is the relationship, if any, of the notion of integrity to this authority?

Are Rules All an Umpire Has to Work With?

There is a conventional view of umpiring that I wish to challenge. It is the idea that, as major league umpire Joe Brinkman once put it, “rules are all an umpire has to work with.”¹⁰ The idea expressed here is that the rules of a contest are fully authoritative. They are the only legitimate source of umpires’ authority and action; and, since they are *all* an umpire has to work

⁹ See “General Instruction to Umpire” in *The Official Rules of Baseball* (emphasis added), available at http://mlb.mlb.com/NASApp/mlb/mlb/baseball_basics/mlb_basics_umpire.jsp (July 6th, 2003).

¹⁰ Joe Brinkman and Charlie Euchner, *The Umpire’s Handbook*, revised edition (Lexington, Massachusetts: Stephen Green, 1987), p. 6.

with, he is never to step outside the rules that are officially laid down to govern the conduct of games.

This is a deeply cherished popular view of the nature of rules in sport and of the adjudicative role of umpires. But it is also an erroneous, hopeful illusion. We need to recognize that rules are not so tidy, not in games nor in life more generally. It is not difficult to demonstrate that rules in sport face the same indeterminacies that rules do in other contexts. Once this is recognized, the issue of the proper nature and extent of umpire discretion in amending the rules cannot be ignored.

Baseball's most famous rule dispute occurred in July 1983, in Yankee Stadium, when George Brett of the Kansas City Royals had a potentially game-winning two-run home run disallowed with two out in the top of the ninth after it was discovered that pine tar resin had been spread over more than the bottom eighteen inches of his bat. Brett was called out (the third out) for using an illegal bat, and so the Royals lost the game to the New York Yankees 4 to 3. Yankees manager Billy Martin successfully argued that: Rule 1.10(b) stated (then) that such extravagant use of sticky substances like pine tar shall cause a bat to be removed from the game; Rule 2.00 implied that a ball hit with a bat not conforming to rule 1.10 is an illegally batted ball (it defined "illegal" as "not conforming to these rules"); and Rule 6.06 stated that a batter is out when he hits an illegally batted ball. The logic of the rules seemed inescapable. Brett was out, the game was over, the Royals had lost. But Brett had just as clearly gained no special advantage from having the extra pine tar on the bat (if anything having sticky substances high up on the bat would be a disadvantage), and so it was just as inescapably clear, including to the umpires, that Brett had earned his potentially game-winning home run without the benefit of any undue advantage, and that, therefore, it was "unjust" to call him out.¹¹

Did the umpires make the right decision in calling Brett out? American League President Lee MacPhail thought not. He later reinstated the home run and ordered the rest of the game, which was a crucial one in a tight pennant race, to be replayed from

¹¹ See the account by Joe Brinkman in *The Umpire's Handbook*, pp. 2–12 and in Ron Luciano and David Fisher, *Strike Two* (New York: Bantam, 1984), pp. 212–18. See also Richard Goldstein, *You Be the Umpire* (New York: Dell, 1993), pp. 99–105 for a careful discussion. Brinkman reports the scores of this protested game incorrectly (as 3–2 and 4–3 respectively).

that point on. The rules were evidently lacking (they have since been amended). Even the umpires agreed that it seemed unjust to take away Brett's home run but felt they had to apply the letter of the law. "It didn't seem right to take away Brett's homer because of a little pine tar, but rules are rules. Rules are all an umpire has to work with," wrote umpire Joe Brinkman in a manual for umpires (Brinkman was crew chief for this game). League President MacPhail accepted that the umpires' decision was "technically defensible" but held that their ruling was not in keeping with the "intent or spirit" of the game itself, declaring that "games should be won and lost on the playing field--not through technicalities of the rules." The Royals eventually won the game 5 to 4 on Brett's reinstated home run.

Brinkman and other umpires understandably received MacPhail's decision as a rebuke for failing to make the correct decision in this case. What was puzzling to them was where they could go to find direction in making the correct decision if they could not find it in the rules themselves. MacPhail justified his decision by acknowledging that the rules looked as if they supported the umpires, but he asserted that following the rules was not in the spirit of the game in this case. But this looks vague and unhelpful. Is there some way to clarify and explain the exercise of umpires' authority and discretion in these sorts of "hard cases," or is Brinkman right to think that the rules are the only source of an umpire's authority?

The noted contemporary philosopher of law R.M. Dworkin has developed an account of legal obligations that is helpful here as well.¹² Dworkin claims that there are authoritative resources outside of the written rules that may be used to resolve legal disputes. His approach represents another, perhaps deeper, way of understanding some of the problems that might arise in sport adjudication. Indeed, Dworkin's views may apply more straightforwardly in this context.

Dworkin has developed two main criticisms of purely rule-oriented approaches to legal reasoning: 1) that a body of moral principles is part of law in addition to its rules, and 2) that such principles must be applied in hard (or controversial) cases to resolve them. The second point implies Dworkin's idea that the

¹² R.M. Dworkin, *Taking Rights Seriously* (Cambridge, Massachusetts: Harvard University Press, 1978), and *Law's Empire* (Harvard University Press, 1986).

supreme virtue of law is *integrity*. Roughly, integrity requires that the law speak in a coherent and principled way. In municipal legal systems, integrity implies that law must be interpreted to aim ultimately toward “some single comprehensive vision of justice.”¹³ To achieve this vision, judges must interpret rules in a way that gives them a principled rationale that coheres with a comprehensive conception of justice. In so doing a judge must also participate in the progress of a legal system toward this goal. He does this by taking account of what went before, by providing the best moral interpretation of previous judicial decisions, in particular by showing those earlier decisions in the best light he can. Moreover, the constraints imposed by moral principles and the notion of integrity mean that judicial officials exercise discretion in only a limited “weak” sense. They cannot simply act arbitrarily or merely as they see fit, but are bound to act according to the relevant underlying principles and an ideal of integrity.

Dworkin and the Pine Tar Controversy

What is the relevance of all this for adjudication in sport? What might the relevant underlying principles be in baseball or sporting games generally? Could they be shown to support the justness of MacPhail’s decision in the pine tar controversy? Can the notion of integrity be applied to sporting legal systems to show games in their best light?

Consider the following principle as fundamental to all sporting games:

Rules should be interpreted in such a manner that the excellences embodied in achieving the lusory goal of the game are not undermined but are maintained and fostered.

The “lusory goal” (or playing goal) of the game is winning, or attempting to win, by overcoming certain obstacles or inefficiencies that the game sets in its participants’ path. It is a fundamental feature of sporting games that they establish physical obstacles to achieving certain goals. Thus, in baseball the test is not merely “can the batter hit a ball?” but “can the batter hit a *pitched* ball, a ball with late movement or real pop?” The com-

¹³ *Law’s Empire*, p. 134.

petition in a game is designed to test how well participants are able to demonstrate their physical and mental skills in surmounting such obstacles. The rules set those obstacles and determine the related skills or excellences (the “lusory means”) that are available to overcome them.¹⁴

The principle just described requires us to recognize and respect this fundamental feature of games. It forces us to recognize and respect that the very idea of a game requires setting obstacles which must be overcome through the development of skills that are permitted by the rules. Call this “the first principle of games adjudication.” There are undoubtedly other principles of games as well, but many can be shown to flow from this basic principle.

In the pine tar controversy, MacPhail justified his decision to reinstate Brett’s home run with the oft-stated but vague chestnut that games should be won and lost by events on the field, not by mere technicalities of rules. It should now be evident that the authority for MacPhail’s decision was drawn from the first principle of games adjudication. For since Brett’s excellence in using a wooden bat to hit a ball, surmounting the substantial physical obstacles of major league pitching and a 300-to-400-foot distance to the fence, was achieved without any extra advantage conferred by the pine tar, the role of the pine tar is simply irrelevant from the point of view of this principle and the competition itself. That is, since the basic idea of a game is to create a context for the establishment of such obstacles, and the development and exercise of related excellences in surmounting them, the umpires’ decision to discount Brett’s home run undermines the very goals and purposes of the game. MacPhail’s decision is compelling when viewed in this context.

Perhaps it will be argued that part of the obstacles that are to be overcome in some games is the strategizing that may be employed to come up with picayune rule interpretations (à la Billy Martin) that would give one participant an advantage over another. Here, then, is another sort of excellence that is involved in playing certain competitive games. But games do not set out to create a context for this type of rule quibbling to flourish. On

¹⁴ I borrow the terms “a lusory goal” and “lusory means” from Bernard Suits’s classic discussion of games, *The Grasshopper, Games, and Utopia* (Toronto: Toronto University Press, 1978), pp. 36–37.

the contrary, they do their very best to anticipate and eliminate such possibilities. This is because employment of such stratagems amounts to another instance of an anti-game, in this case a game played with the rules of the game as a way of circumventing the lusory goal.

Such stratagems should rarely, if ever, be given serious weight, since their aim is to evade facing the very obstacles and related excellences that define a game and without which there would be no game at all. The stratagems aim to succeed in a game by not playing it, attempting a sort of free-ride to the game's goal. Again, the first principle of games adjudication opposes such stratagems by insisting that games be run so that the excellences they embody are maintained and fostered, not evaded.

The Integrity of the Game

We can see that the first principle of games adjudication clarifies and provides a reasoned justification for MacPhail's decision to reinstate Brett's home run. In fact, looking at the history of baseball, it is easy to find instances of this principle and other related principles of games at work qualifying and amending rules in a typically Dworkinian fashion. Baseball is a fertile ground for demonstrating these ideas, given the complexity of its rules and the prominent role that umpires play. Take the decision of umpire Wes Curry from the early days of baseball.¹⁵

In 1887, in an American Association game between Louisville and Brooklyn, a Louisville player, Reddy Mack, who had just safely crossed home plate, turned around and interfered with the Brooklyn catcher, preventing him from making a tag on the next runner. While the jostling continued, another runner made use of the opportunity to cross the plate. The umpire, Curry, called the runner out who immediately followed Mack and disallowed the next run. Curry's decision occasioned much controversy among the baseball public, for the rules at the time stated that no *baserunner* may interfere with a fielder, but when Mack crossed the plate he was, of course, no longer a baserunner. The

¹⁵ David Nemeč, *The Rules of Baseball: An Anecdotal Look at the Rules of Baseball and How They Came to Be* (New York: Lyons and Burnford, 1994), p. 174. (An official publication of Major League Baseball.)

rules said nothing explicitly to prohibit non-baserunners from interfering with fielders.¹⁶

Did Curry make the right decision? His decision was not explicitly covered by the rules at the time, but his actions seem irreproachable, were not overturned, and were the basis for a subsequent rule change (now Rule 7.09(e)). The offensive player's interference had prevented a runner from being tagged out. That runner should be out. The interference made the play dead from that point on, and so the next run should have been disallowed. Any other decision would have invited a nine-inning-long wrestling match.

Umpire Curry's exercise of discretion, in effect, adding a rule to regulate the behavior of non-baserunners, seems justified by the way it preserved the opportunities for fielders to demonstrate their skills in fielding and throwing balls and tagging out runners. It's also a nice illustration of the idea of integrity. The principle of integrity attempts to portray the rules governing a legal system and the practices they embody in their best light. The first principle of games adjudication does the same: it directs adjudicators to interpret rules in a way that maintains and fosters a context for games-specific obstacles and related excellences to be realized. But there is an important backward-looking aspect to integrity. Integrity is committed to making the best of a practice, taking account of what went before, and showing that practice in its best light. This prevents adjudicators from making wholesale revisions to a practice. They do not start with a clean slate, but must try to show the practice, as it has emerged to a particular point in history, in its best light. Umpire Curry did this with his decision as well.

Tackling of fielders by non-baserunners (how about flying blind-side tackles from the bullpen?) would hardly be baseball as we know and think of it. It would not be the same game at all. As early as 1887, the rules went to considerable lengths, as they do today, to prevent actions by offensive players that interfere with defensive players' abilities to field balls and to make plays. The fact that the rule was so quickly changed and has occasioned no subsequent controversy is compelling evidence that Curry's decision respected the integrity of the game.

¹⁶ I discuss other examples in "Are Rules All an Umpire Has to Work With?"

Talk about the integrity of games is common when it comes to umpiring controversies, and Dworkin's theory nicely clarifies this idea. Baseball's strike zone is one of the better on-going examples. Although there have been many official efforts to change the size of the strike zone, umpires themselves have rarely, if ever, followed the letter of the rules, preferring instead to call the strike zone "according to what the game demands."¹⁷ This particular use of discretion by umpires has often seemed arbitrary and unjustified to fans and others, but it has produced exceptional consistency in one respect. It is a remarkable fact that despite the many changes to the strike zone, the creative tension between official changes to, and umpires' interpretations of, the strike zone has resulted in overall major league batting averages at around .260. This average has remained constant for about 100 years.¹⁸

The principal anomaly over this period occurred in the 1990s, primarily in the American League, when batting averages zoomed into the .270s. Averages are now coming down somewhat. This is due in part to recent official efforts to change the strike zone. But it remains true that essentially no umpire calls the strike zone as it is written in the rules (it is generally called smaller). If we assume that league batting averages of around .260 represent something close to an optimum for testing and displaying the skills of the game, umpires have evidently interpreted and adjusted strike zones with astonishing consistency so that the skills of the game can be demonstrated to best advantage. Thus, the strike zone has changed many times, officially and non-officially, during the course of the history of the game, and there is apparently remarkable integrity in this. What this also means in practice is that, as batters, pitchers, and fielders develop new strategies, it will be important to preserve the nature of the contest as a meaningful opportunity for the exercise and display of relevant sport-related skills.

¹⁷ Attributed to major league umpire Jim Evans in D. Tuttle, "Zoned Out," *Inside Sport*, Vol. 19, No. 6 (1997), pp. 24–28.

¹⁸ See American and National League statistics at Baseball-Reference.com, available at <http://www.baseball-reference.com/leagues> (July 5th, 2003). For discussion of the .260 average statistics, see Stephen Jay Gould, *Tragedy and Triumph in Mudville: A Lifelong Passion for Baseball* (New York: Norton, 2002), pp. 163–66.

The evolving nature of sport implies another principle of games adjudication, namely, that *rules should be interpreted to achieve an appropriate competitive balance*. I do not mean that umpires should set out to ensure a basic equality of skill among participants in a contest. Rather, there is a more formal idea of competitive balance that is fundamental to games and that umpires should seek to preserve. If we think of sports as games involving the mastery of certain physical excellences in the pursuit of a lusory goal, then competition should be designed to provide fair and meaningful opportunities for participants to exercise such skills. The opportunities should be fair in the sense that the rules should not unduly prejudice the outcome from the beginning in favor of some of the participants. And the opportunities should be meaningful in the sense that they genuinely allow for the exercise of sport-related physical skills by participants. To the extent that either of these conditions fail, competition will be undermined along with the opportunity that it affords for the development, mastery, and display of a game's distinctive physical excellences.

Finally, an obvious principle of games adjudication is that *rules should be interpreted according to principles of fair play and sportsmanship, and so that the good conduct of games is maintained*. Again, this is evident from the first principle of games adjudication, for failures of fair play, sportsmanship, and good conduct all have the potential to undermine the opportunity for a game to be a contest that compares competitors' physical excellences in overcoming common barriers.

Examples abound here. Interventions to prevent the intimidation of players so that a contest does not become a melee—or so that a player has no fair opportunity to demonstrate his skills—are instances of this principle at work. Another common violation of this principle in baseball is the use of delaying tactics. For example, this principle is violated when a manager of a team that is ahead in a game engages in delaying tactics hoping that a rain delay will bring an early end to a game. Umpires should intervene in these contexts, even though the rules may appear to permit such practices, since these actions are an attempt to evade the game as a contest of athletic skills. Again, this can be another type of anti-game strategy, and it should not be permitted for that reason.

And lastly, participants' disrespect toward umpires cannot be tolerated. Roberto Alomar's expectoration on umpire John Hirschbeck is one of the more vile examples of player misconduct toward umpires from recent baseball history, but Billy Martin kicking dirt, Lou Piniella throwing bases, and Earl Weaver refusing to return a base are over the top as well. These antics are great theater, but they are also intimidating and disrespectful, and cannot be tolerated if umpires are to uphold the good conduct and fairness of games.

Umpires often say that theirs is the only profession where you have to be perfect when you start and then improve from there. Enough has been said here to explain how umpires can perfect their activities through the application of certain principles that are fundamental features of games. By now, it should also be evident that there is a compelling principled basis for umpires to interpret the rules of baseball to permit review of bad calls on more occasions than is now the case. Indeed, the argument could undoubtedly go further to defend the use of video replays on calls in some circumstances, for example, for certain crucial plays like tags at the plate or for suspected cases of deceiving umpires. However, this is not something umpires could put into effect themselves. The basic criterion to apply to any suggested rule change concerns whether the integrity of a game will be upheld. Will the change maintain or foster the display of excellences that are the basis of the competition, while preserving the good conduct of the games themselves? All the principles of games adjudication play a role in addressing these issues. Given the complexity of the rules in baseball, there are many hard decisions waiting to be made (as thoughtful umpires know). Also, a myriad of hypothetical situations and the principles that underlie them not only provide for lively conversation but also for education and enlightenment about the goals and purposes of the game.

Will my proposals give umpires too big a role in determining the rules and terms under which baseball is played? I doubt it. Umpires, like judges everywhere, are by nature conservative and will generally act with restraint. They are also constrained by the idea of integrity. This leads me to finish with one last heretical idea. It is likely that misunderstandings about umpiring and the principles that lie behind games adjudication contribute

to participants' and fans' frustration with umpires who themselves fail to recognize the real nature and limits of their role. If so, taking umpiring seriously from a philosophical perspective cannot be separated from improving the status and respect that umpires are due. In this respect, responsibility for reform lies not only with fans and participants, but also with umpires themselves. Let's "play ball!" for the game itself.