

# When the (bleep) hits the fans

**D**o sports fans have rights?

By Jim Ford

A new national organization, FANS (Fight to Advance the Nation's Sports), thinks so. Initiated in September 1977 with the backing of consumer advocate Ralph Nader, FANS has grown into a national organization with increasing influence and clout.

Based on the assumption that "sports fans are also citizens, taxpayers and consumers," and that they "have the right to have their interests expressed and represented," FANS is the brainchild of Peter Gruenstein. Gruenstein, 30, a Washington lawyer, former aid to Rep. Les Aspin (D-WI), former bureau chief for the Capitol Hill News Service and co-author of *Lost Frontier: The Marketing of Alaska*, approached Nader in the summer of 1977 with the idea of organizing a sports consumer group. Nader, who had been accumulating sports related clippings for ten years, liked the idea and agreed to provide FANS with a \$10,000 seed loan.

Public reaction was loud. Many people were skeptical of any attempt to organize sports fans. The organization was a seemingly irresistible target for cynicism and satire by sports commentators and columnists. And a lot of people laughed at the idea. But FANS—employing the traditional Nader device of media exposure—also touched some raw nerves among members of the sports establishment.

In October 1977, for instance, Gruenstein appeared on a local TV program in Cincinnati, where baseball fans were upset at an announced 50 cent rise in ticket prices. Based on a 2.5 million attendance in 1977 and player costs of no more than \$2.5 million, Gruenstein calculated that "the Reds could be making a \$6 million profit." He called the price increase unjustified, and issued a public warning that FANS would do a financial analysis on other teams contemplating price increases.

The response was swift. Dick

Wagner, executive director and general manager of the Reds, leaped to the telephone to respond: "I wonder if Mr. Gruenstein was educated in this country or in the Soviet Union." Baseball commissioner Bowie Kuhn's office issued a memorandum to all teams assuring them that FANS would have no impact. Accompanying the memos were anti-FANS articles and a background study of Gruenstein. Each team was instructed to notify the commissioner's office whenever Gruenstein or a representative of FANS appeared in its city.

Not all owners heeded Kuhn's instructions, or were as outspoken as the Reds' Wagner. In November, for instance, Gruenstein participated in a panel discussion with Ray Kroc, of McDonald's fame and owner of the San Diego Padres. Kroc promised to make available to FANS rele-

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vant financial data pertaining to the Padres' 1977 operations. In adhering to that promise, the Padres—perhaps only coincidentally—told FANS they would make a public disclosure of their operating results, an action unheard of for a privately-owned sports franchise.

Although only a few other teams have followed the Padres' example and provided FANS with financial information, they

have provided data on ticket prices and other operating practices. And despite commissioner Kuhn's assurances that FANS would fade away and have no impact, his personal lawyer, Jim Fitzgerald, initiated a "get-together" luncheon with Gruenstein in Washington.

Some of the player organizations have been sympathetic to FANS as well. The NFL Players Association has provided information and has distributed the organization's newsletter to its members.

FANS has also developed some influence on Capitol Hill, where it helped get legislation introduced prohibiting the local blackout of major league sports games by TV stations. It has also supported an end to tax deductions for the corporate purchase of sports tickets, and is pushing the investigation of a variety of improper activities in the sports field.

There has also been some response from the leagues. The NFL, in response to a FANS suggestion, will be experimenting with the use of instant replays in calling controversial plays during exhibition games next year.

FANS publishes a monthly newsletter, *LeftField*, to "develop an effective national vehicle, a network, through which fans can communicate with each other and find out what they need to know to protect their mutual interests." The initial issue in November 1977 focused on professional football ticket policies.

One of the goals of FANS is that "the average fan be able to afford tickets" and that "tickets are made widely available to fans on an equitable basis and are not reserved for an elite few." FANS found that ticket prices in the NFL are the highest of the three major sports, and that often seats are sold only on a season ticket basis. It called upon NFL commissioner Pete Rozelle, the League and individual owners to:

- set maximum prices teams can charge for tickets;
- issue annual audited financial statements;
- lower all ticket prices \$1.00 in 1978;
- offer a minimum of one-eighth of individual stadium tickets for

sale on a per-game basis.

In 1978, FANS argued, each NFL team will receive an estimated \$5 million from network contracts—a virtual profit guarantee. The season has also been expanded to 16 games, with each team playing an additional home date. Revenues from this game could also be used to replace revenue lost by lowering ticket prices. Under FANS' proposal season ticket holders would still see seven regular season games, but tickets would be rotated so that one-eighth of all seats would be available for individual game sales. Any season ticket holder randomly excluded from "the big game" would have the choice of standing in line for available seats, along with the rest of the common folk.

Each month, through *LeftField*, FANS polls its membership on a specified policy issue. In November 1977, for instance, fans were asked whether the future installation of artificial turf should be banned (except in domed stadiums). This was an issue of controversy in San Francisco where Candlestick Park was considering replacing its artificial turf with natural grass.

FANS members responded 77 percent in favor of a ban on the future use of artificial turf, agreeing with the NFL Players Association and a majority of the players of the baseball Giants and the football '49ers.

Other member polls have solicited opinions on the use of the 30 second rule (a player must shoot the ball within 30 seconds) in amateur basketball—72 percent favored the idea; whether a playoff system should be used to determine the national championship in collegiate sports—73 percent favored it; whether gambling should be permitted on sports events—58.6 percent opposed, with most of those in favor expressing some reservations.

The March poll asked whether women sports writers should be allowed in the locker rooms. Although the final figures are not in yet, preliminary indications are that FANS members support the right of women to have equal access. And the current issue seeks opinions on baseball's designated

hitter. This comes at a time when the National League is considering its adoption.

Media and press reaction to FANS has been largely critical—if not outraged. Some reporters and broadcasters have been quite creative in interpreting FANS' objectives. Its call for "reasonably priced and reasonably edible food" at sports events, for instance, has been taken to mean that Ralph Nader wants to "replace hot dogs with brussel sprouts."

Said Pat Livingston, sports editor for the *Pittsburgh Press*: "What can FANS do for sports? FANS can be nothing but a frivolous undertaking...perhaps even a criminal one."

George Will, Pulitzer Prize winning columnist: "FANS wants reasonably priced tickets and fair value for fans' money... Anyone with a reasonable sense of the ridiculous will react to this 'Bill of Rights' the way an Englishman reacted to his first sight of an elephant: 'There is no such animal.'... Few sports fans care a patch for formulating sports rules. And they would prefer to be less, not more, informed about the operations of their teams... Like most 'consumer-

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WASHINGTON POST

ism,' FANS is organized resentment of supply and demand."

Then there was a Mike Royko article in the *Chicago Daily News*,





distributed to major league club owners by commissioner Kuhn's office—a parody perpetuating the image of a sports fan as an overweight beer-drinking slob: "Nader believes that sports fans are actually consumers. I guess that's one way of looking at them. They do sort of sit there in front of the TV, chomping and chewing, and swallowing and digesting sports events... They just gulp it all down, burp, and start on the next course... Today's sports fan is, if anything, overfed."

CBS unleashed Eric Sevareid, Jack Whittaker, and James J. Kilpatrick, all reciting the "fans were made to suffer" argument. "Games are inherently irrational. ... They [the fans] ought never to be deprived of the crosses they bear," said Kilpatrick.

(Of course, CBS is not exactly a disinterested observer. The former owner of the New York Yankees, CBS is still heavily involved in sports activities. While it owned the Yankees, CBS was guilty, FANS activists say, of some of the activities that make their organization necessary, including presenting nearly bankrupt New York City with a \$100-200 million bill—nobody seems to know what the exact amount is—for the renovation of Yankee Stadium. Under the terms of their preferential lease with the city, in 1976 the Yankees paid no rent for Yankee Stadium—the city ended up owing them \$10,000. In 1977, the city should have received an estimated \$1 million rent, instead they got less than \$150,000.)

Other critics took a different, more liberal, tack, admitting that there were problems, but arguing that there already existed mechanisms to solve them, most notably the media. According to the *Washington Post*, for instance, "There are a good many things wrong with the world of sports. It is full of arrogance, greed, cheating, brutality, and cold hot dogs. These ought to be attacked—and are each day—by sports writers and broadcasters."

Except when there is a conflict of interest, FANS partisans respond, like when writers and broadcasters are employed by a company with a vested interest in

a sports franchise. Then there is the more common conflict of interest, "freebie" tickets given to the press by almost every major arena and stadium in the country.

A national copy editor at the *New York Times* elaborated on how the press is pacified in the December 1977 *LeftField*: "Should I have been surprised, then, when in 1966 I offered to write a story about the Mets ticket situation and was told not to bother—just to see the sports editor when I wanted tickets?"

"Or should I have been surprised when in 1970 I tried to get into print something about the overall [Madison Square] Garden situation and was told in writing by the sports editor that he didn't want to put the 'zing' on the Garden?"

In 1973 the sports editor referred to above was down for ten freebies at Madison Square Garden, valued at \$5,574 a year, while the entire *New York Times* staff got 42 freebies valued at \$24,980.

FANS is particularly concerned with the public subsidization of major league sports. There is something acutely wrong when taxpayers underwrite the construction costs of municipal facilities and subsidize the operating costs of businesses using those facilities at the same time that those same taxpayers are barred—by price and ticket policy—from entering them. FANS has discovered that 78 percent of all baseball season tickets and 54 percent of all hockey season tickets go to corporate buyers. Not only are corporations better able to afford higher prices, they can deduct the full cost of the tickets as a business expense. In the meantime, poor and working class fans are squeezed out by high prices, while others, who might be able to afford tickets, find them unavailable.

Washington, D.C.'s Robert F. Kennedy Stadium, home of the Redskins, for example, is a federally-owned facility situated in a predominantly black city. Less than 5 percent of home attendance at Redskin games comes from the city's black majority, however. Tickets to Redskins games are available only on a season ticket basis. In a letter to

Interior Secretary Cecil Andrus, nominally responsible for the stadium—as well as in calls to five other localities where season-ticket-only policies are practiced in municipally-owned stadiums—FANS recently voiced its concern that such policies might violate federal, state and local statutes, particularly the Civil Rights Law of 1964, requiring equal access to places of public accommodation.

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Further action is being contemplated.

Many fans are also sports participants, and FANS is interested in their needs as well. They are concerned that public subsidization of major league sports often has negative consequences for participatory sports, as community parks, fields, courts and other facilities have to take a backseat to upkeep on professional arenas.

FANS has asked the major networks to give time and space in their sports coverage to non-profitable sports activities by promoting participatory community sports and drawing attention to the sports efforts of ordinary people.

FANS has also been working with a variety of student and campus groups to make sure that student activity fees are not siphoned off into major sports, and that they are used to ensure equal access to sports facilities and programs by all those who

pay for them.

Participatory sports is a new area for FANS, but one that they hope to expand and develop as they grow.

Although the organization is still young and relatively weak—current membership is around 1,100—it has been more successful than it had anticipated in representing individuals and groups with specific consumer complaints—tickets, seats, treatment and other individual complaints. While it wasn't one of their original priority concerns, consumer representation will be pursued as long as people come to FANS for help.

At the heart of the FANS approach is the realization that sports aren't subject to free market restraints or common law; that big time sports is, by its very nature, a monopoly, a legal monopoly. If the sports industry actually were competitive, or if teams remained in the hands of those owners with a genuine love for the game or were publicly owned as are the Green Bay Packers, this situation might be tolerable. But major sports has become a big money proposition, dominated by giant corporations and conglomerates. FANS recently completed a financial analysis of the NFL for the past year that demonstrated that each team will make a minimum profit of \$4 million, with some teams earning considerably more. But even if a team should lose money, it can be written off on taxes, providing a convenient tax shelter.

The wave of the future was expressed by Richard L. Leshner, president of the U.S. Chamber of Commerce: "Any form of entertainment, including sports, is a luxury... And these days an alternative is just a channel away." It is the TV then that will occupy our leisure time in the future, providing us "with the thrill of victory and the agony of defeat," mediated appropriately through the corporate eye.

It is this future that prompts FANS. Only through organization will fans have any say in determining what sports will look like in the future. If it seems improbable, consider that there was a time not long ago when athletes had no organization and

thus no representation. Stadium and arena employees lacked a voice until they organized.

There have been past efforts to organize fans, but they failed because of apathy beyond the limits of particular localities, which is why FANS was envisioned as a national organization.

Despite its small size, FANS says that it has already made a difference. It is looking down the road to the point where it can form local chapters and bring pressure to bear on the grass roots level. Progress in this direction has been made in a variety of cities around this country and in Canada, and there is the possibility of a local group beginning in New York sometime this summer. Such chapters, while affiliated with the national FANS organization, would remain independent.

Whether FANS can overcome the numerous obstacles that confront it—small size and limited resources, the hostility of the press, the awesome power of corporate sports, and the seeming indifference of the majority of fans—remains to be seen. The odds seem to be stacked against it, but as sports fans all over the world know, spirit, determination and teamwork can bring about miracles—sometimes

Jim Ford is a Washington writer associated with FANS.

## FANS

FANS is a non-profit organization, with annual member dues of \$9.00. Members receive a membership card, a FANS button designed by Jeff Millar, co-creator of the Tank McNamara comic strip, a scroll listing the FANS Bill of Rights, and the monthly newsletter, *LeftField*.

Persons wishing to join FANS, receive a copy of the newsletter, or wishing to organize on FANS' behalf should write: FANS, P.O. Box 19312, Washington, DC 20036.



# IN THESE TIMES

Editorial

## The old politics can't beat inflation

American politics is renowned for its supposedly non-ideological pragmatism: Americans solve problems by dealing with concrete realities rather than chasing after grand ideas in pursuit of some utopian myth.

The persistent failure to solve the "problem" of inflation, however, suggests a breach in the American political tradition—or the traditional view of it. Either the reputation for pragmatic realism is itself a utopian myth (which would make the U.S. like most other countries), or the crisis of the social system runs so deeply that nothing short of openly recognizing the system itself as "the problem" can be both pragmatic and realistic.

Prevalent American politics has never been simply problem-solving oriented. It has always been ideologically tied to preserving capitalism as a social system, even though doing so has made it impossible to achieve practical concrete goals like universal quality education, good housing for all, full employment, equality of opportunity and—non-inflationary prices.

This ideological politics worked enough in the past to make it seem pragmatic and realistic. President Carter may look personally ineffective, but he is simply a more or less adept practitioner of a politics that no longer works. Committed to preserving corporate-capitalism, his "responsible statesmanship" depends on keeping critical discussion of the corporate investment and pricing system out of politics. As a result, none of his programs, however concrete, can achieve stated goals. Carter's anti-inflation program (like his earlier urban program) illustrates the general predicament.

The Carter inflation program calls for a cap on federal employees' pay raises and a freeze on federal executives' salaries, as an example to private sector workers and executives. It opposes new congressional proposals that would raise the federal deficit. It would cut back on currently authorized government purchases of goods and services. It recommends airline deregulation and passage of hospital cost containment legislation. It proposes expanded harvests from public timber lands, the expansion of exports, and the restriction of oil imports if necessary by raising the price of foreign oil through tariffs.

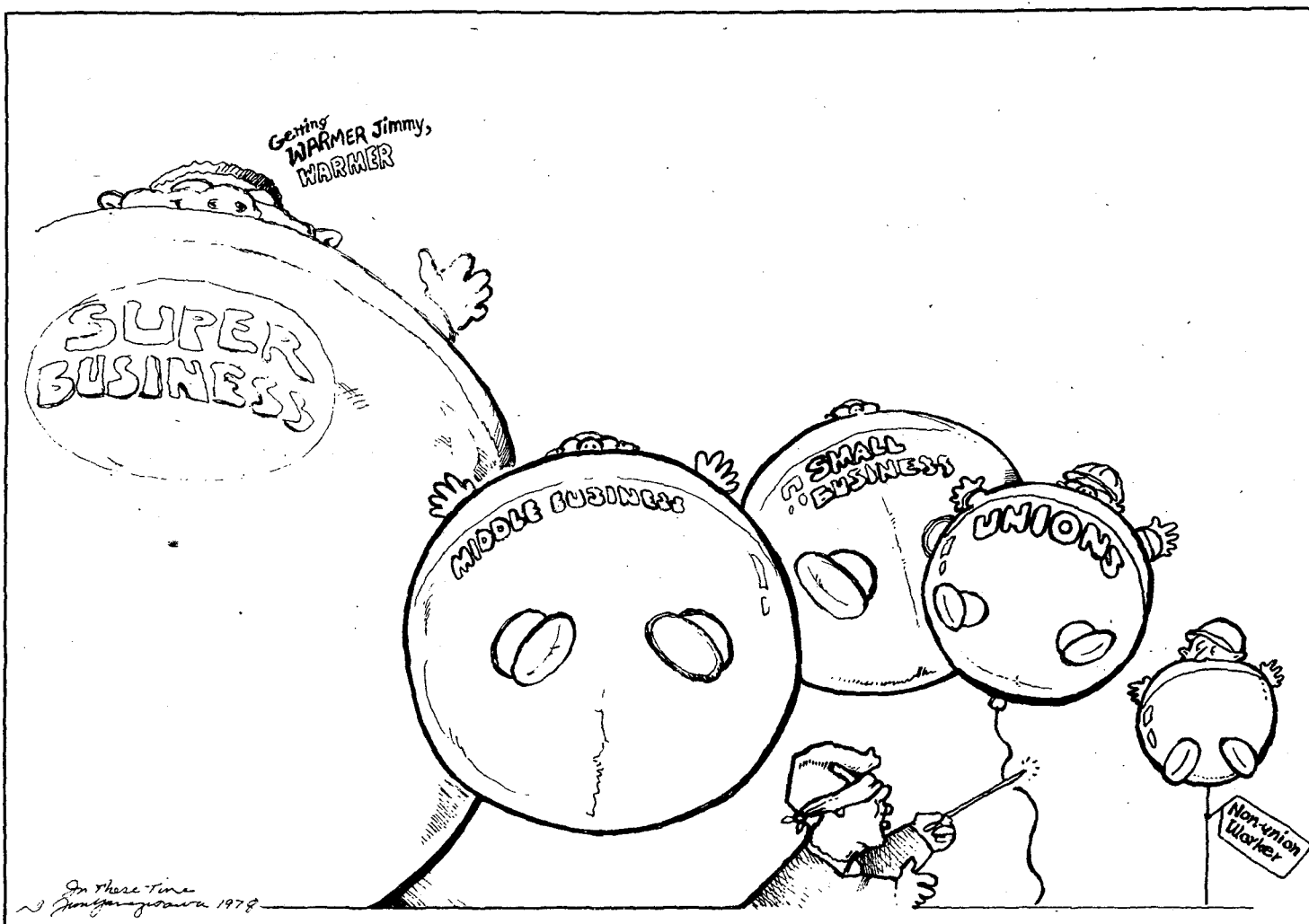
No informed observer believes the program will have anything but a marginal effect (an oil tariff would add more to inflation than all the others combined would subtract from it). The significant thing, however, is the absence of alternative programs with credible chances for adoption.

It is generally agreed that in modern circumstances inflation is a malignant disease threatening social disintegration. Failure to deal with it foreshadows the social system's eventual demise.

Yet Carter's program, with no alternative in sight, represents such a failure. It evades the heart of the matter—corporate price and investment practices. It is there that the root cause of modern inflation lies. The proof of the pudding is in the business response to Carter's program. Corporate executives and spokespersons applauded the President for renouncing the "extreme" of wage and price control, and in the same breath noted that his program was not serious.

Given the categorical imperative in a business society of looking out for Number One, Carter's appeal for voluntary restraint has no more chance of fighting inflation than Herbert Hoover's appeal, a half century ago, for voluntary benevolence had in combatting the depression.

To call for mandatory price and wage controls would be to bring debate about



"The foreigners [flocking to buy U.S. corporate securities] like U.S. companies because they like U.S. political stability. As one of [Salomon Brothers partner] Ira Harris' European clients explained to him: 'We've got five to ten years of capitalism left, and you've got 15 to 20. We want to be in on those last ten years.'"

*Fortune, May 8, 1978, p. 91.*

the corporate system of prices, profits, income distribution and investment into the mainstream of politics. It would open the door to realism about the property system in everyday political debate. It would make it less possible for party politics to mask the realities of class interests. But that kind of realism can scarcely be tolerated by the prevalent political pragmatism in the U.S.

So long as corporate power and other highly organized interests control the investment-price system in the private sector, the scope and volume of government spending are not the primary factors in generating inflation.

Government must provide services and employment that the private sector refuses or is unable to deliver, in order to contain social conflict that would otherwise threaten normal politics. It also maintains consumer demand needed for profitable investment.

Government spending buys goods and services at prices set largely by corporate power in the private sector. If those prices were lower, so would be government spending, on everything from military hardware and federal employees' wages to Medicare and welfare payouts.

That is why, for all the rhetoric, few politicians or corporate executives are serious about major cutbacks in government spending: It would knock the bottom out of markets and prices; it would also

swell unemployment and discontent to such proportions as to bring into question if not the preservation of capitalism, then its continuance in a democratic form. Government spending ratifies and buttresses corporate-generated inflation, but does not cause it.

Similarly with taxation in the absence of price and investment controls. The great corporations insist upon high returns on investment, beyond what is needed to expand capacity, as their "incentive" to maintain employment even at less than full levels. They raise prices in booms and also in times of slack, to maintain their profit margins. The recent stock market explosion testifies to the huge glut of capital beyond what the capitalists will productively invest. This is where modern inflation begins. Income taxes are not a deduction from net corporate revenues but are added to prices. The corporations in effect collect taxes for the government through the price system, over and above what individuals pay in their own income taxes. Taxes "cause" inflation insofar as they leave the corporate pricing system intact.

Deficit spending, on the other hand, amounts to borrowing from the rich and paying them interest rates set in private markets rather than taxing them—and taxing the rest of the people to pay the debt.

Government spending, taxation and deficits sustain the corporate investment-

price system that erodes the purchasing power of wages. In that sense they contribute to inflation.

But without moving toward social control of investment and prices, and a public sector offering goods and services at cost (including the cost of replacement and expansion), inflation will continue unabated, short of a ruthless suppression of unions and political democracy.

In this sense, the "sentimental" part of Carter's inflation address contained more realism than all his practical proposals. He said: "We all want something to be done...except when the solutions affect us.... We favor sacrifice, so long as someone else goes first.... We need to change from the preoccupation with self that can cripple our national will to a willingness to acknowledge and to sacrifice for the common good."

In effect, Carter (like Hoover) is asking the American people to act like socialists to save capitalism. But people can't act like socialists if the system punishes them and rewards those who act like capitalists. As one trade union leader said, "If we're good guys, our people will lose more and more..."

To act like socialists would involve moving away from the old pragmatic politics that leaves corporate power in control of the investment-price system, something that "practical" politicians like Carter are not prepared to do. It would involve rejecting the equation of private profit aggrandizement with "the American Way" and constructing a new political realism committed to government programs nurturing social justice and economic democracy. Either that, or the inflationary deluge.

More and more capitalists see the endemic "stagflation" afflicting the capitalist world as symptomatic of their system's passing from the stage of history.

But if the inflationary crisis is to become the prelude to a new social order, rather than to a long and ghastly decay, more and more Americans will have to discover the path to a new politics that puts "the common good" above corporate priorities.