

POINTS OF THE LAW

The Morals of Some Recent Decisions.

BY HENRY LEACH.

Two or three of a recent batch of decisions revised by the Rules of Golf Committee of the Royal and Ancient Club of St. Andrews have been attracting special attention in golfing Britain, and causing much comment. These official questions and answers on problems of play and the proper application of the rules to them do not appear to be quite so numerous as was once the case; but what they lack in quantity they certainly do appear to make up for in quality, and short as was the memorandum issued from headquarters the other day, it was brimful of technical and human interest, and I emphasize the human interest specially because those little disputes about golfing things and the curious points that arise in play do always seem to expose human nature in its simple plainness as few other processes in modern life are capable of doing.

Now the Lee-on-the-Solent club has raised a point which in England at all events seems more and more likely to cause trouble in these days. It is that question as to what you may or may not do in a bunker in the way of allowing your club to touch the sand or whatever it is that the hazard is chiefly made of. The rule on the subject, which is Rule 25, is as plain as anything can possibly be. It says: "When a ball lies in or touches a hazard, nothing shall be done than can in any way improve its lie; the club shall not touch the ground, nor shall anything be touched or moved, before the player strikes at the ball." Five

little exceptions are made to this firm stipulation, the chief being that, "in addressing the ball, or in the backward or forward swing, any grass, bent, bush, or other growing substance, on the side of a bunker, wall, paling, or other immovable obstacle may be touched." All this seems very clear, and yet a general doubt is arising, and to some it begins to seem that the Rules Committee is beginning to vacillate in the matter. Up to about eight or nine years ago golfers in one part of the world were very certain of the proper course of procedure, and in no circumstances did they permit any of their clubs to come into the smallest contact with the bunker until the swing was being done. I know that in many cases the respect and awe in which this law was held were such that players carrying their own clubs would not lean their bags against the side of a bunker or lay them on the floor thereof, for fear that the heads of the clubs should touch the hazard and the penalty should thereby be incurred.

But since then a little change has taken place, and it has been prompted by special attention to the first sentence of the rule, which lays down the proposition that nothing must be done to improve the lie of the ball, and to some extent suggests that that is the whole essence of the rule. Of course you must generally do nothing to improve the lie of the ball elsewhere, be it in a bunker, in the fairway or the rough, or on the putting green; but it is right to mention the injunctions specially in this rule, because the mere

resting with its own weight of the head of the club behind the ball in light dry sand might very materially improve the lie when such a proceeding would have no beneficial effect when carried out on any other part of the course. So we see clearly why we should not ground. But if one walks into a hazard with one's niblick in one's hand, should one be penalized (and the penalty is loss of the hole in match play and two strokes in the score game), for carelessly and unthinkingly allowing the club to touch the sand, quite clear of the ball and the place of a play? It might be said that this is not "grounding" the club, because it is not deliberate grounding; but remember then that the rule does not put it in that way, but says simply that "the club shall not touch the ground."

It is such a case as this which is put forward by the committee of the Lee-on-the-Solent club, the player in their case grounding in the bunker about four yards from the ball before taking his stance, and "without improving the lie of the ball." In the old days we should have said that the man must certainly pay the penalty. More recently we might have been disposed to let him off, because he had done nothing to improve the lie of the ball and the state of the bunker remained the same. But still more recently there would have been great doubts in our minds, and now the Rules Committee say plainly that the man must lose the hole in match play or two strokes in the score game. At the moment I am not so situated that I can consult any complete records of the committee's rulings in the past; but I have a strong impression that they have said something which is not in entire accord with this last

pronouncement, and those who urge that it is unfair and absurd to inflict the penalty when the lie of the ball cannot be affected, must bear in mind that though that may be the case, the player may be very materially assisted in his task by merely allowing the head of the club to fall lightly for a moment onto the sand in any part of the hazard. When he comes to play a bunker shot he is often in considerable doubt about the state of the sand, its capacity for resistance, and therefore the distance behind the ball that he should direct his stroke. Mere walking in the bunker will not give him the knowledge that he requires; but a touch of the sand with the club in his hand might very well do so. This is a good point, and it is entirely in favor of the committee's ruling in the recent case.

But, again, in the case of a very large bunker of the British seaside kind, say one of a distance of a hundred yards or more in the length of its carry across, is the player who steps into it on the tee side, club in hand, to be penalized for touching the sand with his club when his ball is a hundred yards or more away? There are such cases. It might happen at the third or Sahara hole at Sandwich, or at the fourth at Westward Ho! where there is the great cape bunkers to be crossed from the tee. This would seem absurd and I am sure no opponent would dream of exacting the penalty, and yet if our last point has any reason in it, it would not be absurd. These are matters which after all may very well be left to players' ideas of equity and common sense. The Rules Committee is being attacked for its disposition to deal with unnecessary points and needlessly to enlarge and complicate the rules. One way or the

other it must be firm and decisive on this point. Its disposition here is to protect what we may call the integrity, the inviolability of the bunker, and nobody will complain of its doing so.

From several other questions that were submitted by golf clubs "at the same sitting of the Committee, there are three to be selected which make up a sequence and lead to a climax in which the committee is overcome. In the first case of these three which I take for the argument, "a player's ball was in a rut in a road; he went fifty yards down the road and practised shots in a similar rut without a ball. What is the penalty, if any?" This fine enterprise was conducted at the aforesaid Lee-on-the-Solent. The answer given by the committee, quite exact and proper, is that the penalty is loss of the hole in match play and of two strokes in stroke play, the whole of the road having, according to Rule 25, to be treated as the hazard. Very well. Next, at St. Anne's, there are two men playing a match and both of them are putting on the green. One of them putts and holes his ball; the other, putting for the half, misses, but his ball, after passing the hole, hits the feet of the other player. When all the rules of golf fail in application to a peculiar case our legislators give us a covering rule to the effect that the point shall be decided by equity. If there were fewer laws and more recourse to the principles of equity the troubles and doubts of golfers would be less. In this St. Anne's case there could clearly be no difficulty if equity only were considered. The second player failed to get his half and, therefore, lost the hole, but in their nature the rules of golf almost invite him to an appeal which makes some promise of success. It is, therefore, in-

quired if this is a win for the first player under the very first rule of the game, which lays it down that the side which holes the ball in fewest strokes wins the hole. Or, alternately, whether the second player, though he missed his putt for the half, did not after all win the hole under the eighteenth rule, stating that, "if a player's ball when in motion be interfered with in any way by an opponent or his caddie or his clubs, the opponent's side shall lose the hole." Or, as a third finding, can it not be made a half under Rule 33, which says that "when a player has holed out and his opponent has been left with a stroke for the half, nothing that the player who has holed out can do shall deprive him of the half which he has already gained?" The golfers of the Old Links Club at St. Anne's, who suggest these alternatives wish to know, if the third suggestion is the one which applies, "what is to prevent a player left with a difficult putt from deliberately trying to secure a half by hitting his opponent instead of finding the hole?"

Such a question is amazing enough, but it is perhaps as well that it should have been asked. The committee answers that Rule 33 does apply, and, therefore, the man who missed and hit the other man's boots gets an undeserved half as the result. But the committee could not leave the answer in this simple state; the honor of the game and the good of its laws demanded some comment, and so they wrote at St. Andrews that the "rules of golf are framed on the supposition that golfers play honestly." They could not have added that golfers are supposed also to apply common sense to their game, as in that case there would have been no halving of the hole and

no question of honesty could have arisen. The committee adds that if the first player had conformed to the first clause of the etiquette of golf it is very unlikely that the incident could have occurred. Yes; but then, though etiquette may be more than law, yet it is not law, and the first player is not penalized for being so near to the other man's ball, which he is warned against being in that first point of etiquette. The laws of golf do not come well out of this problem.

In the third case there is a dispute as to the position occupied in the first place by a ball which has been knocked away by the opponent's on the putting green. When its owner replaced it a stymie was presented to the other man, who thereupon declared that it was not replaced correctly and that there should be no stymie. They cannot agree. What then? The committee gives it up. "If neither side is prepared to give way it is not possible to arrive at any decision," says St. Andrews.

And this is the point at which we arrive after our pages and pages of interminable golf law, our hundreds of decisions on set cases, and the supposed attempts of the legislators to simplify the laws and make them easy and certain of application! Important deductions and plain morals are to be drawn from these cases. The policy of St. Andrews, perhaps framed and pursued unconsciously, has been to provide a rule for every case that

could arise on the links. It is impossible ever to do this, because in a game like golf, played on ground and nature an extent of which is not and cannot be defined, it is impossible to conceive all the situations that can arise. As we see, new ones are arising all the time. The attempt to make definite law to cover all cases must inevitably lead, and has led, to the enlargement of the code until it is cumbersome beyond comprehension, and it has also inevitably led to overlapping and contradictions. If golf were a game like football, cricket, or tennis, played on ground which is practically the same in all cases, definite law could be made to suit all situations. Also, when there is the attempt to legislate for every possible case, to tie the player down tight to words and clauses, there is a human disposition to evade them when opportunity presents itself, and that is what is done in the problems recently submitted to St. Andrews. Players who are not trusted act accordingly. The fact that all situations cannot be covered by law must be recognized; it must be better realized that, in the committee's own phrase, "golfers play honestly," or are expected to do so, and there must be a greater dependence on common sense, and the simple elemental principle of the game that "the ball must be played from wherever it lies," which covers so much and is generally quite equitable. If this policy is pursued the rules may be simplified so that all can understand them.

