

The regulatory explosion of the 1960s and 1970s caused baseball to blanch when challenged by players, unions, and society in general. Thinking that internal action was preferable to having the courts act to remove the special status, baseball acted to maintain its special role. Though baseball initially reacted negatively to attempts to remove some of its most odious forms of player control, the baseball owners eventually sought to keep its special place in American life by modifying practices such as the reserve clause. Despite the fact that many areas came under control during the regulatory 1960s and 1970s, baseball was left to deal with its own issues. Those modifications were not reached hannoniously; strikes, lockouts, and work stoppages became part of the sport's very language.

During the 1990s the reversal of the regulatory state, begun in the Reagan years, allowed baseball to continue its anomaly of being the only sport not subject to the Sherman and Clayton Antitrust Acts. Duquette believes that the protection is very fragile in both the courts and in Congress in the late 1990s. He believes that baseball's biggest problem rests with its loss of special status with the American public. Another work stoppage will cause the public enough frustration that nothing will stand in the way of the application of the regulatory legislation that applies to other sports businesses.

This nicely written, if somewhat dry, volume has value in its interpretative style and precise language.

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PIETRUSZA, DAVID. *Judge and Jury: The Life and Times of Judge Kenesaw Mountain Landis*. South Bend, IN: Diamond Communications, 1998. Pp. 564. \$34.95 cb.

Peering from the dust jacket is the “judge and jury” in all his harsh—and harshly contrived?—glory. With left eye at full stare and right eye at half squint, he is caught sternly surveying a baseball diamond somewhere. But the pose is vintage Landis anywhere. With jaw at full jut and white mane mildly askew, he leans forward ever so ostentatiously, as he observes the business at hand ever so grimly.

This baseball business, after all, is serious business. Somewhere in this favored land a ball game is underway, and the professional game's first commissioner is more than simply in attendance. The concentration is total. (Or is it?) The interest is undeniable. (Or is it?) Doubters need only check the chin rest of a right arm that seems attached to the box seat railing. This is “judge and jury” Kenesaw Mountain Landis at full pose.

But was it really an act? Landis, after all, was a genuine baseball fan. He loved the game as no commissioner has ever loved the game. So what? Given that Peter Uebberoth was a Landis successor, that line means next to nothing; so this. Given that Bart Giamatti once occupied the same office, that same line could well mean a good deal. David Pietrusza thinks the latter.

Here we are, better than a half-century after Landis's death, and we finally have the Landis version of the Landis era. Far from damaging the game that he loved, Landis improved it, concludes Pietrusza. In fact, it might even be said that he improved it dramatically. Most prominent among Landis's prominently advertised virtues was his honesty

and corresponding insistence upon honesty from others. "Before his advent fans had a naïve faith in the game. [Landis] changed that naïve belief into a reality." More than that, better than a half-century after his "boots on" death, the game that both Pietrusza and Landis love remains honest. "That is his legacy, and it is no small accomplishment." Buck Weaver (a Black Sock) might not agree, but the rough justice that he received at least helped assure that there would be no future Weavers for future Landises to disappoint.

Not content with praising Landis's actions, Pietrusza also defends his omissions. For example, he absolves Landis of any significant degree of responsibility for preserving baseball's color line. Pietrusza asserts that if Landis was the most important man in baseball never to hit or throw a curve, not to mention ahead of the game on the gambling front, he was no worse than even with it on the integration issue. To see Landis as the "George Wallace of baseball" is to "oversimplify" things and "exculpate" the rest of the game's hierarchy.

On the whole, this is an exculpatory biography. But it is at least a far more thorough entry than Taylor Spink's half-century-old *Judge Landis' Twenty-Five Years of Baseball*. David Pietrusza is deeply concerned with that same quarter-century, but he is equally interested in detailing the half-century of Landis's life that preceded his tenure as commissioner. In fact, he often probes those years more thoroughly and with more insight than he summons for Landis's years as commissioner.

Pietrusza, of course, had choices of his own to make. There are moments when he chooses to peer behind the symbol. But there are also entire chapters when he doesn't. He supplies tremendous detail when telling the story of Landis' life before he became a judge. The same is true when he is unraveling Landis' decisions as "judge and jury" of baseball only. What is missing is not so much a portrait of the man behind the symbol as an understanding of the man who would become the symbol. Or should that be "men," as not just in judge and commissioner, but as in actor and politician as well? This is not to say that Pietrusza has failed to offer (mostly favorable) judgments on the various Landis tenures, whether from the bench or from somewhere behind the dugout. But the parts do not always add up to a whole.

Without question, David Pietrusza has performed a valuable service in giving us this serviceable biography. We learn much about Landis' apprenticeship in the Cleveland administration, his conversion to TR progressivism, his politically successful brothers and his own unrealized political ambitions, his prosecution of John D and Big Bill (Rockefeller and Haywood), his populist and patriotic urges, his feuds with the three Bs (Ban Johnson, Babe Ruth, and Branch Rickey).

This is—and isn't—the complete story. The Landis who emerges is at once full blown and pencil thin. The literal stick figure that he was in real life is oddly reminiscent of the figurative stick figure that he remains better than a half-century after his death. Maybe this is less a criticism of Pietrusza's analysis than it is a testimony to Landis's acting skills, not to mention his determination to leave behind little documentation for any would-be biographer. Chained as he may have been to innumerable ballpark railings, Kenesaw Mountain Landis remains as elusive as he was when he favored this earth and its diamonds with his fierce (and fiercely contrived?) presence.

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