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## ***The Serpent in Paradise: An Examination of Commissioner Giamatti's Case Against Pete Rose***

Since the time of Major League Baseball's first commissioner, only a few men have faced permanent banishment from the game, the first eight being those accused of conspiring to fix the 1919 World Series. Since the 1919 scandal, gambling and association with gamblers, particularly betting on one's own team, have been baseball's cardinal sins. In early September 1989, Pete Rose, baseball's "hit king," was officially demonized for that most sacrilegious of sins, betting on the outcome of baseball games, and was permanently suspended from the game. The evidence accumulated by the legal team employed by the commissioner's office to investigate Rose seemed overwhelming and, with the exception of the most loyal Cincinnati Reds fans, most of the nation were convinced that Rose was guilty, and satisfied with the decision to ban him. Discussion in the media quickly moved on to the possibility of Rose's induction into the Baseball Hall of Fame.

Major League Baseball executives had known of Rose's gambling since the 1970s but it was a federal drug investigation that led prosecutors to a man named Ron Peters who was charged with drug trafficking, gambling, and tax evasion. While investigating Peters, federal agents found a betting slip on which Rose's name appeared, and notified the baseball commissioner's office. Commissioner Peter Ueberroth and National League President Bart Giamatti hired a team of investigators headed by former Justice Department Attorney, John Dowd. Dowd pursued the case against Rose relentlessly and aggressively. Despite the facts that the wealth of evidence against Rose was circumstantial, that he was never given an opportunity to defend himself, and was never convicted by a jury of his peers for crimes against baseball, his guilt was decided by newly appointed Commissioner Giamatti.

This paper deals less with the nature of the fallen hero, or even the validity of the claims against Rose, than with the treatment of Rose by the commissioner's office, the legal firm that investigated the allegations, and the role of the media in swaying public opinion against Rose. The essay examines the questions that arise when an organization appears to be willing to sacrifice one of its own models of success and virtue for the greater good of its public reputation. It also explores the moral underpinnings of all those involved. The primary sources consulted were John Dowd's *Report to the Commissioner* of May 9, 1989; the *Final Report to the Commissioner* of September 11, 1989; transcripts of the court case against Rose for tax evasion; and newspapers and sporting magazines from March through September, 1989.