

In theory, when a major league ballplayer files for free agency, he may, after negotiating through an agent, elect to sign a contract with any team he chooses, based on his evaluation of the many factors involved in such an important life decision. In theory. In practice however, the modern baseball player must sign with the team that makes him the highest contract offer. How "free" then, is free agency? Dan Wismar tackles the topic in his latest piece for us, focusing specifically on how the matter has affected the Indians.



In theory, when a major league ballplayer files for free agency, he may, after negotiating through an agent, elect to sign a contract with any team he chooses, based on his evaluation of the many factors involved in such an important life decision.

In theory, that is. Presumably that's why the word "free" is in there.

In practice however, the modern baseball player *must* sign with the team that makes him the highest contract offer. How "free" then, is free agency?

"Cry me a river", you may be thinking. We should all be so constrained. And anyway, the highest offer *is* the best offer, by definition. But what if it isn't?

The way the system works in major league baseball today, if a quality player is approaching free agent eligibility, and wishes to remain with his current club, he will usually have his agent work something out with the team prior to the end of his last season under contract. The problem with doing so is that he may never really be able to determine what his true market value would have been had other teams been able to negotiate in competition with his club. That competition is likely to drive up the value of his eventual contract considerably.

So in order to be fair to himself, he really has to file for free agency, and let the market forces go to work to determine his true value. The problem (again, we should all have such problems) is that he is then locked in to a *de facto* agreement to play for the team with the willingness to pay him the most money, regardless of the other circumstances involved with that team.

Of course, the player's agent is the ultimate gatekeeper, and he consults with the player on which teams will even be allowed at the negotiating table. But at some point after that decision has been made, "the system" takes over, and the last dollar always wins. At least that's my premise here, and I welcome any and all evidence to the contrary.

In the real world, professionals who decide to change employers consider any number of factors in making their decisions, salary of course among them, possibly even right at the top of the list. And I understand that the multi-millionaires in the big leagues need not negotiate health care packages and life insurance details. But like the rest of us, issues like the conditions at their work locations, the personal chemistry with their co-workers and supervisors, the competitiveness of their potential employer within their own industry, and the livability of the work city, all play a role in the decision.

In baseball though, it's pure bucks.

In Cleveland of course, the free agency system has more often than not left the Indians standing at the altar. The most recent and celebrated examples are Manny Ramirez and Jim Thome.

The free agency negotiations for Ramirez and Thome didn't end up being hotly competitive in terms of total dollars, because as crunch time came around, both in the case of the Red Sox with Manny, and the Phillies with Thome, the clubs added an extra year to the deals that they figured wouldn't be matched by Cleveland, making the difference in the final offers something in the double-digit millions. In other words, no-brainers. Both situations came down to only one other team competing for the player's services with the Indians.

And especially in the case of Ramirez, there came to be a certain resignation in Cleveland as the negotiating went along, that no matter what the Indians offered, the Red Sox would top it, because they had simply made a decision that they wanted Manny, and would "one-up" the Indians all day long to get him. In the back and forth of the negotiating, the agent would have been a fool if he had decided to call a halt to the one-upsmanship. That's what he's there for.

And in Thome's case, no matter how many "Rocks" he had influencing him to sign with the Tribe, no rational person would say he should have signed with the Indians out of some sense of loyalty, and left \$20 million or so sitting on the table. At the time, he may have really been convinced that the Phillies were closer to making the playoffs than the Indians were. (*Heh*)

If any of this sounds like the sour grapes lament of a jilted Tribe fan, I can honestly say it is not. The point is that it didn't matter at that point what Thome or Ramirez thought about which team or city was the better "fit" for them. Their decisions were made by *other people*. Even if they were delighted by the final financial outcome, I would contend that they were merely along for the ride.

A significant segment of the conventional wisdom says that "the elephant in the living room" is the players union, and the pressure that they are able to bring to bear on the player, not only to take the highest offer, but (especially for the "premium" player) to file for free agency in the first place, rather than sign with the current team before becoming eligible. At least this is predominantly what the fans seem to think, and to which occasionally team management will carefully allude. But there is very little even anecdotal evidence of this union pressure in the public domain, and it's understandable that it is not something that players want to talk about. It would be naive however, to pretend that this union-based pressure doesn't exist.

I can well understand the players' wish to perpetuate a system that has made them collectively rich beyond most people's imaginations. And if they feel that they owe a debt of gratitude to Curt Flood...or Andy Messersmith...or Marvin Miller, the trailblazers who made the current wealth possible, and as such must go play for the guy with the deepest pockets, I get that too, even if I can't relate.

And since I am left with more questions than answers on the matter of players union pressure, let me ask a couple of them. Is there an example in the modern free agency era of a player who filed for free agency and then accepted an offer that was not the one with the highest monetary value? Are there any prominent players who have gone on record with accounts of union pressure to accept an offer that might not have otherwise been their first choice, in order to stay in line with "the system"?

Peer pressure is powerful, and when someone says "the union" in this context, it is understood to mean that it is a player's teammates, his friends, his colleagues, his "brothers", who are leaning on him to take the highest offer...for the greater good of the brotherhood. Even if it's in Philadelphia.

I am aware that maybe I'm the one who is naive here, and that the reality is that the money is always the most important and overriding factor in the player's decision. But wouldn't there have been at least one case in which the difference between two teams' offers was only a million or two, and

someone

would have made a "quality of life" decision, or taken a "hometown discount" to stay in a preferred community, with a known quantity, even after filing for free agency?

Maybe it has happened. I'm not aware of it.

If only there were a current situation to which we could apply some of these concepts...perhaps even one with a local angle. (*C'mon, you knew where I was going with this right from the top, and you're just wondering why it took me so long to get here.*)

C.C. Sabathia says he'd like to stay in Cleveland when his current contract expires at the end of 2008. It's his preference, he says. He hopes things can work out for him to be a Cleveland Indian for the rest of his career. He seems sincere about this, and has been consistent with these kinds of statements. I'm inclined to take him at his word, even though we heard much the same kind of stuff from Jim Thome a few years back. (I never believed Manny wanted to stay.) C.C. is his own man.

To briefly take note of the obvious, I have no insight into the private thoughts of C.C. Sabathia. I have long suspected he'd like to be in the National League where he could take his cuts three or four times a game. Maybe he'd like to (briefly) set a record for the largest contract ever signed by a free agent pitcher. Maybe he'll be persuaded to return to his native California, in order to play where it doesn't snow in April.

Nor do I have any idea what Larry Dolan or Mark Shapiro are really thinking, although certain parameters of the early Sabathia discussions have found their way into the public sphere. Then there's Hank Steinbrenner, and I don't even want to go there. By the way, our colleague Paul Cousineau has done the heavy lifting on the Sabathia contract issue and you can get all the angles and the background reading his stuff (for example [here](#) and [here](#).) All I know for sure is what *I'm* thinking.

Ever since Sabathia's looming free agency came to be a topic of conversation around the water cooler, I have suggested that he would be well-served to consider a *shorter-term* deal than the six or seven-year deals everyone is talking about. If he signed a four-year deal for...say, \$90 million or so, he could be coming up for a *second* huge payday at the tender age of 31. By that time the going rate for an ace in the prime of his career could be \$30 million a year. His agent's insistence on a long-term deal now could cost Sabathia millions.

Coincidentally, (okay, *not* coincidentally) this arrangement would suit the Indians' purposes as well, and would allow them to once again be a player for C.C. next time around if they chose to, while giving the club more flexibility and requiring them to assume less risk today. For Sabathia's part, if he thinks the Tribe is close to winning a ring, this would give him a shot to see "The Plan" through with his longtime teammates, and then, ring or no ring, still have a chance to spend some prime years in California. Win-win, I thought.

Nobody is listening. I suppose I should be used to that by now.

With the disclaimers out of the way, I'll try to make C.C.'s case for him...and this assumes that he wants to stay in Cleveland like he tells us. Sabathia deserves to file for free agency and to let the competitive market set his value. Once that has been determined, and his family's financial future has been guaranteed for the next several generations, he should be free to choose which team and which contract he wishes to play for, with the understanding that he'll be a fabulously wealthy man in any case.

He should instruct his agent to get the bidding up to its

maximum level, and then go with the city, the team, the management, and the ball club that makes the most sense for him. The total number of dollars should be a factor, not *the* factor. Anyone who insists on making the last dollar be *the* factor should be seen as serving some agenda other than the player's best interests.

I think that sometime fairly soon, a premier major league player will negotiate with two or three teams in free agency, and ultimately decide to accept an offer other than the richest one, because other factors, whatever they may be, will outweigh the money. He will undoubtedly have to be a courageous and principled man. He may have to fire the agent who objects to the decision. He'll probably have to weather brutal criticism from his peers, who will accuse him of selling out his brothers past, present and future.

I have no idea if that man could be C.C. Sabathia. I do think he's a strong enough individual to do it if it came to that. And if someone tries to dictate to him where he will play his baseball based solely on the size of his paycheck, then maybe it *should* be him.

At least if the word "free" in free agency has any real meaning.