The 2005 David Thomasma Lecture

Baseball and Bioethics

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Whoever wants to know the heart and mind of America had better learn baseball.

Jacques Barzun[1]

David's Pitch

David and I were at a conference on Amelia Island in Florida back in 1995. The meeting, sponsored by the University of Florida, was entitled, "Physician-Assisted Death: Implications for Patients, Care Providers, and Society," a title that seems quaint given the controversy over the right to die engendered by the Schiavo case. But that's a different talk for a different time.

Our session had ended and we got to talking. We were in a conference room with a band of windows. The sun was streaming in, casting a shadow on the wooden table that we had huddled around. After we rehashed our talks and confirmed that our views on assisted death were similarly situated, we moved on to more general themes. I remember his raspy voice, his laugh, and my sense of gratitude that one of the founders of my adopted field was actually sitting here talking to me. I felt like a novice talking to St. Thomas Aquinas himself, my mind playing alliterative games with his name. How many other legends in bioethics would spend time with a younger colleague, earnestly trying to get to know him?

Yes, he was a gentle and generous soul. And a nice guy from Chicago, too. No pretensions, though his scholarship was seemingly unlimited. I honestly don't remember much of what was said until we stumbled on a shared love of baseball. It started innocently enough, I suspect, with a comment that it was a tragedy to be in Florida and miss Spring Training.

Well, that was it. Next thing you know, we're talking baseball and commiserating about our two beloved miserable teams. My Mets. His White Sox. Being a Mets fan in New York or a Sox fan is Chicago is sort of like being a marginalized population. Yankee fans wonder about you and your values, and Cub fans look in disbelief that you would love old or—worse yet—New Comiskey Field over the friendly confines of Wrigley. Ultimately it is a question of *voluntariness*. We can't walk with our feet. We were destined to be Mets or White Sox fans because that is what was imprinted on us as kids. So much for *informed consent* or in the case of our teams, *informed refusal*. Some options were never on the table.

Other demographic considerations aside, we felt ourselves minorities, outsiders in our own hometowns, chastised for our beliefs and values and our idiosyncratic choices of teams and players. No sane person could possibly root for the Mets or White Sox, unless they were into palliative care. Was it a question of decisionmaking capacity? Didn't I understand the risks of rooting for losers? Was it not disproportionate to deprive ourselves of the potential benefits of a wining season, of the playoffs, the World Series? Incidentally, this problem has only gotten worse since David and I spoke in 1995 when the Yankees began their

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run of excellence and the Mets began a deep slide into despair.

As we pondered the plight of our beloved yet hapless teams, I suggested to David that baseball had much to say to bioethics. A sort of narrative ethics: the decisions we make, how we hang on to futile aspirations, and even questions of regional variation. Wouldn't that make for a great paper, a fun and interesting essay?

Why yes, he said. That would be great. And then he suggested that I take it on. He'd even publish it in the *Cambridge Quarterly*. So, with the sun at my back, Spring Training just down the coast, and full of inspiration, I told him that I would take it on and write it up. I went back to my room and made some notes on my ancient handheld computer and looked forward to writing the paper. I had already titled it in my head as "Baseball and Bioethics."

Pennant? No, It's Penance

Well, that was 10 years ago and I am sad to report that this was the one paper that I had promised to write that I never delivered. Upon returning home from Amelia Island, there were grants to write, scholarly papers that took precedence, and other academic priorities that displaced this little project. It seemed frivolous and indulgent. After all, how many bioethicists care about baseball?

A quick check on Medline of "baseball and ethics" yields just three papers. One from *Pediatric Dentistry* is "Parental Attitudes towards Mouth Guards."[2] The two others are about organ donation[3]; one written by another Chicagoan, John La Pluma has the great title invoking Yankee legend Mickey Mantle entitled, "The Mick and the Liver: Is Organ Allocation Fair?" But that's it. Aren't the huge contracts in baseball worthy of a Rawlsian analysis, if not critique? The brilliant sports announcer Bob Costas, who in my opinion should be the next baseball commissioner, has already written the Rawlsian critique of baseball inequity.[4] But its not on Medline, so the rest of us don't know it exists. You know the old saw, if a tree fell in the forest and no one heard it. . . .

To return to my own defense, I never got around to the paper. The paucity of publications on baseball and bioethics wasn't exactly a resounding endorsement of the topic and I took it as a good reason to put the paper off. So, I did, always intending to get back to it when there was more time.

The paper stayed with me, even after David's death. Maybe it was him, perhaps it was the paper. I felt a bit of guilt for an obligation I had not fulfilled. It was a missed opportunity to get to know him better and to partially repay a debt incurred that afternoon when he was so gracious and kind.

That was how it was until last year when I was talking to Tomi Kushner about *Cambridge Quarterly* and got around to telling her about the paper I never wrote for the journal. My tone was confessional, as if I apologized to her, all would be right. A few days later she asked me whether I might want to give the talk in David's memory, and, yes, write it up for *CQ*. So this is my penance, and an especially tough one at that.

Baseball as Metaphor

To talk about baseball and bioethics at an international conference in the heart of Europe, 3449 miles from the closest baseball stadium, Boston's Fenway Park, seems off base. For our European friends, that's 8,829 kilometers. But there is a method to Tomi's machinations in asking me to explain the quintessential American sport—we call

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it our National Pastime—to Europeans. Well, it is much like explaining American bioethics to Europeans, a task as difficult as getting the basics of baseball under one's belt.

To review, baseball is a game in which a small, horsehide-covered ball is thrown by a pitcher to a batter 60 feet and 6 inches away. Three bases are arranged in a diamond 90 feet apart. The objective is for the batter to hit the ball and progress from one base to another until returning to *home base* from which the whole journey started to score a *run*. The team with the most runs wins. Though in life, you can't go home, in baseball that is the objective, perhaps explaining its sentimental appeal.

The geometry and aesthetics of the field are truly spectacular and Palladian in their lines.[5] Therapeutic nihilists would have the game played outside, in daylight on natural grass. Like Dan Callahan's critique of medicine's insatiable appetite for new technology,[6] these fans have no use for innovations like astro-turf, nylon uniforms, domed stadia, or a designated hitter.

Like bioethics, the game is full of rules and maxims. The rules are part of our national discourse. When we speak of keeping it within the lines, we implicitly allude to the foul lines that delineate balls that are in play. Each batter gets three strikes, each inning three outs, and each game nine innings, unless there is a tie. There is the infield fly rule, which has been the source of dispute in my home, as well as rules that govern the particulars unique to each stadium. These rules are adjudicated by an on-the-field ethics committee of umpires somberly dressed in black, their contextual analysis a real-time exercise in bridging the divide between theory and play.

If umpires consider the rules of the game, the team managers are more concerned with the maxims, generated wisdom about proper conduct in particular contexts.[7] For example, invoking a careful calculation of probabilities and risk, it is received wisdom that the first out should never be made at third because they'll be two other chances to advance the runner home. A prudential ethic, to be sure. But I digress. . . .

To return to the structure of the game, the objective of the pitcher who throws the ball to the batter standing next to home plate is to confuse the batter and avoid his making any contact.

A good pitcher has a whole array of pitches in his arsenal. A fastball, which is *fast*, can achieve speeds in excess of 95 miles an hour. But the goal is not to overwhelm the batter with velocity alone because a competent Major League player can eventually catch up to that velocity and make good contact.

Catchers flash signs in code to the pitcher as they crouch behind the plate. There is no such thing as disclosure or truth telling in baseball. Instead, the objective is to deceive and *mix pitches* and confuse the batter into thinking that a fast ball is en route but throw an off-speed *change-up* pitch that hovers at 75 or 80 miles an hour. That deception will make the fastballs look faster and make the batter look foolish when he swings his bat spastically before the ball has arrived at home plate.

There are as many pitches in baseball as there are analytical methods in bioethics. The pitches have colorful names, like *splurves*, *screwballs*, *forkballs*, *curveballs*, *split-finger fastballs*, *riders*, *sinkers*, *knuckleballs*, and *tailing fastballs*.[8] Each pitch has a physics of its own and a characteristic trajectory and spin that adds to the confusion of the hapless batter, who, if immensely successful, gets a hit less than a third of the time.

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But don't let the jargon of pitching intimidate you. I would presume that old baseball hands like Don Zimmer have no idea what *we* mean when we talk about deontology. But in reality, baseball and bioethics are trying to say the same thing differently. We share a typology, which becomes apparent with a little study.

Let's return to the pitcher's mound to explore the shared discourse of bioethics and baseball. As they say, it's all in the pitching. . . .

To begin with the *fastball*: It is the purest of all the pitches, straight down the middle of the plate; it is of instant appeal to principilists. Consequentialists would clearly favor the *slider*, sharing so much in common with that proverbial slippery slope. Situationalists and other relativists would resonate with *forkballs*, which could go either way. To invoke that great philosopher Yogi Berra: "If you come to a fork in the road, take it."[9] The *knuckleball* deserves special comment because it is the exception. It has no analogy in bioethics because it is devoid of spin, and, we must admit, all our methods have a bit of that.

Outcome Measures (aka Keeping Score)

We Americans obsessively keep statistics on batting averages, runs scored, and on-base percentages to follow batters and comparable data to assess the abilities of pitchers. When I was a fifth grader and the 1969 Mets won the World Series, I could—on a daily basis—tell you the batting average of every player on the team, how they did the day before, and how the pitcher fared.

In American medicine, we have our jargon and rankings and statistics, too. In baseball we have standings, in medicine we have the yearly hospital rankings in *US News and World Report*.[10] It is the Hospital World Series. These rankings dominate the healthcare market place with each hospital getting a *score*, as if somehow healthcare were a sport with winners and losers. Much of this comes from America's sport culture and baseball's obsession with stats and individual accomplishment, whether it be players, surgeons, or specialized hospitals.

Baseball, like America, is about individual performance, success and failure. Although we speak of it as a team sport, baseball is often as much about individual accomplishments and records as it is about fielding a team of nine. Unlike soccer, or *futbol*, which really is a team endeavour, baseball is about match-ups: the pitcher who throws the ball and the batter who is up there *alone*. Yes, he may play for the White Sox or the Mets, but when it is his time, he is in the batter's box by himself. Offense is not orchestrated as in soccer where one player passes to another to collectively score a goal. In baseball, the contributions of individuals can overwhelm the concept of team. A batter who is on a tear and drives in a bunch of runs can win the game on his own. A pitcher who is dominant can single-handedly score a victory without much help from his mates. At the end of the year he compiles a won-loss record. The centrality of his contributions—or failures—makes them *his* victories and losses, not just those of the team.

Indeed, when we speak of a good player who cares as much about his teammates as he does his own accomplishments, records, and yearly contracts, we speak of him as a *team player*. A bit ironic, no? Shouldn't all players who play on a team sport be thought of as team players? This focus on the individual in baseball is true except when we consider the winning team, which paradoxically inverts cultural expectations by overcoming the grand

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accomplishments of one and focusing on the collective success of the team. I can think of no championship baseball team that did not work together and have contributions over the course of the life of the season from each and every member of the team. Indeed, although we tend to focus on the stars, it is often the team with stars who have sacrificed personal goals for the greater good and a roster of solid good players that wins the final prize.

Playing Defense

You'd think that we would learn the value of teamwork, but in baseball, as in American life, it is all too often about the individual who captures attention. The recent Institute of Medicine report on medical error was startling in its conclusion that most medical errors are not the responsibility of the individual practitioner but the failings of systems of care. And yet when it comes time to affix culpability, we tend to point fingers at individuals and speak of malpractice claims. It is only recently that more attention is being paid to how we can fix systems of care to prevent the occurrence of errors and mistakes.

But the notion of collective responsibility bucks a cultural trend that is at the heart of American society and our bioethics. Though we speak of liberty and justice *for all*, we remain focused on the needs of the atomistic individual. We tend to be more libertarian and less concerned about distributive justice concerns. We have historically favored choice over solidarity and, paradoxically, have embraced the negative right to be left alone while leaving a quarter of our population disenfranchised without health insurance, while ballooning the resources diverted to *defense*.

Once again, baseball is helpful as metaphor. We generally do not think of the impact of the defense budget on American life. It is just an accepted premise that is part of political and fiscal reality, often classified and unknowable and funded with patriotic approbation. The centrality of defense is also implicit but unexamined in baseball. We tend to focus on the offensive dimensions of baseball, the sluggers who hit home runs and drive runs in. The legends of the game were all power hitters. Ruth, Gehrig, DiMaggio, Mantle, Mays, Aaron—and now steroid suspects McGuire, Sosa, and Bonds, conducting their own clinical trial of enhancement therapy—all swung for the fences. The pity is that the essential truths of the game will fall prey to pharmacologic intercession. . . .

Although the home-run champ Ralph Kiner once said that "Cadillacs are down at the end of the bat,"[11] the game really turns on defense. We know this because, as the saying goes, "Good pitching always beats good hitting." *My* 1969 Mets (forgive me for being so parochial but they were *my* team) were absolutely anemic from an offensive perspective. Our leading slugger, outfielder Tommie Agee, hit 26 home runs, whereas the league leader, Willie McCovey, hit 45.[12]

In contrast our pitching staff was awesome. We shut out the opposition's offense in a remarkable 28 of 162 games and had a 25-game winner in future Hall of Famer, pitcher Tom Seaver. The pitching staff was rounded out by other greats like Nolan Ryan, Tug McGraw, and the lefty Jerry Koosman. During the course of their careers these four would win 952 games and McGraw would dominate as a relief pitcher saving the victories of others 180 times. This combination of wins and saves is nearly the equivalent of seven full seasons, thus proving the adage about the importance of pitching.

But the centrality of defense is even deeper than pitching. Baseball is unique

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among all sports because defense *controls the ball*. Think of it, in football, soccer, or basketball, the only way to score goals—or points—is to have control of the ball. Baseball is strangely different. The ball begins under the control of the pitcher who hurls a pitch to the batter. Though the batter tries to wrest control of the ball, it remains in the hands of the defense that seeks to make a play. The only exceptions are when a ball is hit out of the park and no one controls it or when a runner crosses home plate and eludes further defensive action. But even in these cases the offense never actually controls the ball. It just redirects its path.

Yes, in baseball, defense is dominant, much like American life where the projected 2005 federal budget earmarks $401.7 billion for the Defense Department. By comparison, the Department of Health and Human Services is projected to receive $66.8 billion and the entire assets of the Medicare Trust Fund are $275.9 billion, not even two-thirds of the yearly defense expenditure.[13] The numbers tell all: In baseball, as in America, the unspoken priority is defense. . . .

When Life Imitates Baseball

But there is more to baseball than a metaphor for public policy and the allocation of scarce resources. There is also an aspirational and mythic quality to the game. Like essentialist myths about medicine, such perceptions help to inspire virtue and transcend the harsher realities of the marketplace.

For many, baseball is a cross-cultural experience about assimilation into something quintessentially American by immigrants and the children of immigrants who learned about *playing the game* by watching baseball, learning its code and traditions.[14] (And it must be recalled that when Jackie Robinson put on a Dodger uniform in 1947, baseball became integrated 17 years before the passage of the Civil Rights Act and a year before Truman eliminated segregation from the military in 1948.[15] Even more remarkable is Lou Gehrig's assertion that, "There is no room in baseball for discrimination. It is our national pastime and a game for all."[16])

For me, the myth begins in childhood and the memories of going to Shea Stadium in Queens to see the Mets. I vividly remember summer evenings with my Dad and grandpa Boo—that's what we kids called him—who played minor league ball for a Cincinnati Reds farm team. Even now when I ascend the circular corridors to my seat, I think back to those earlier seasons: I think of Dad's unrequited love of the Dodgers, who deserted Brooklyn for Los Angeles; Boo's childhood meeting of Ty Cobb on a Georgia sandlot. It all comes back each time I glimpse the beauty of that first swatch of sunlit green through the portal.

The scene is timeless, even as life proceeds: Players warm up on the sidelines; the sound on the mitt generated by a perfectly arched major league toss. No one else throws like that, the precision, the distance, and the ease. These images turn adults into kids with a sentimentality that erases the years and transports each back to childhood outings at the park.

Baseball is about memory. It stops the clock, even though in baseball there is no clock. There is an allotted number of innings, a life span if you will, but the duration of a baseball game is not fixed. Like life, baseball games take as long as is fated. And there are always intimations of immortality. Some games are short, some are long, but all have a beginning, middle, and end. Each game is its own lifetime. A metaphysics to ponder between innings. . . .

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Or so suggested the late A. Bartlett Giamatti, a renaissance scholar who served as President of Yale before he went on to the higher office of Baseball Commissioner. A life-long Red Sox fan, it is said that he joked, "All I ever wanted to be was president of the American League."[17] He loved the game and sought to define its rhythms. In a now distant season before the BoSox actually won the World Series, he sought to capture the game's temporality. Lamenting another Boston loss, he penned his elegiac piece, "The Greenfields of My Mind":

> The game begins in spring, when everything else begins again, and it blossoms in the summer, filling the afternoons and evenings, and then as the chill rains come, it stops and leaves you to face the fall alone. You can count on it, rely on it to buffer the passage of time, to keep the memory of sunshine and highs skies alive, and then just when the days are all twilight, when you need it most, it stops.[18]

Giamatti gives us yet another reason to think of bioethics through the prism of baseball: The season mirrors the life cycle. So many of our courses in bioethics are taught by drawing upon each of life's chapters. Wouldn't mention of baseball enrich these introductory offerings? If not for the student, perhaps for the professor?

Just think, when we talk about reproductive ethics we could talk about how players join the team. In the good old days they arrived the old-fashioned way, gestating through the minor leagues up to the parent club. The minor leagues were a pregnant pause, awaiting the player's potential. Players remain pluripotential like stem cells, yet to make their way toward differentiation as infielders (mesoderm), outfielders (ectoderm), or pitchers or catchers (endoderm). Some never make the cut, their careers miscarriaging en route to the majors. It is a perilous process for players who must progress through three graded leagues, trimesters if you will, before they are "called up" to the majors and achieve baseball personhood.

But now, teams, ever eager to accelerate their own evolution, skirt the risks of nurturing players and seek refuge in the fertile market place of *free agency*, a sort of assisted reproduction where talent goes to the highest bidder.

Agency, of course, means something else to bioethicists, as the entire analytical infrastructure of what we do is predicated on the ability to exercise one's right of self-determination. In America, we even have a law called the Patient Self-Determination Act, which allows each of us to direct our care autonomously even after the loss of capacity. The law passed Congress and was signed by the first President Bush in 1991. It is interesting as a cultural marker, though the astute fan of baseball will know that, well, baseball came first when it came to agency.

The story is legend of Cardinals outfielder Curt Flood, who, in 1970, refused a multiplayer trade, asserting his right not to be tethered to a particular team as chattel.[19] Legal battles ensued and players were given rights to negotiate contracts, move from team to team, and refuse trades after being in the league for a certain number of years. And thus were opened the flood gates of free agency and huge contracts like the $119 million deal signed by the Mets this winter with ex-Astro Carlos Beltran.

Would it be safe to say that bioethics' best and brightest were following these developments in baseball? That notion of self-determination we talked so much about in the 1970s and 1980s looks a lot like free agency.

The right to say no, the ability to veto trades after being in the league for a number of years, bears an un-

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canny similarity to rights that accrue to adult competent patients. I'll let you decide, but it seems to me that baseball was there first. . . . Perhaps we need to amend that oft-cited notion that bioethics was a first cousin of the rights movements that brought broader entitlements to African-Americans, women, and consumers. It may be time to add baseball free agents to that list.

To Every Time There Is a Season

However players arrive on the team, through the natural process or the assisted means of free agency, hope springs eternal. As the winter months recede in Florida and Arizona, Spring Training brings verdant fields, swaying palms, and warm breezes from Vero Beach to Northern climes.

This truly is the birth of the baseball season, when clubs are still incubating, always born prematurely, in need of additional time to get in shape and round out the roster. Like infancy itself, Spring Training is a time of unbridled hope and unlimited potential. At the dawn of each camp—it is called a *camp* to convey the rustic and quaint ambiance of seeing millionaire players in the lesser settings of smaller parks and fields—young prospects are compared to Gibson and Koufax, *deja vu all over again*, to invoke Yogi again. Fans invoke a sort of nongenetic inheritance, which connects baseball's past to its future. One era's players are compared to the next, a kind of analogic reasoning and casuistry that would make Toulmin proud. Optimism prevails, every team a winner and every player another Willie Mays.

But like life, reality soon takes hold and like all good things, Spring Training must come to an end. There comes a time when the team breaks camp and heads north for the season to begin, in earnest. And with the start of the season there also comes a time when fantasy recedes and reality takes hold: Your team is terrible and has a horrific prognosis.

For most seasons, fans like David and me would engage in a collective denial of the inevitable mortality of our team. In the first month of the season, we would say it was too early to tell. We would blame poor performance on the weather in New York or Chicago. We looked for excuses: The rain and snow disrupted the pitching rotation, the turf was in poor shape, and the team is yet to be at full strength. Like the patient confronting a potentially life-threatening illness, the fan starts the journey each season with a sense that whatever is wrong can be fixed and that salvation—and the pennant—are just a player or two away. And, of course, this delusion is fostered by the teams and local media, who have a stake in the *economic* success of their local franchise. Attendance and revenues dry up once the team is perceived to be in critical condition.

The team and press engage in a collective invocation of the *therapeutic exception*, withholding the true prognosis of our beloved teams. At least until All-Star Break, they act paternalistically, protecting us from information we are still unprepared to hear so early in the season. After all, there could still be a miracle in the second half.

Truth telling is not big in baseball, but there are signs of denial and deception. One bad omen is when you have just one player representing your club on the All-Star team and you know in your heart he would be a third-string utility infielder on the Yankees. He's only there because every team must field a representative. Another baseball maxim.

It is said that the standings of the clubs in early July portend the ultimate outcome. (That is, by middle-age, you have either made it or not.) Hope begins to fade and continued

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play is, in truth, futile. The pennant will have to wait till next year.

That is when the object of the game is not winning, but art, the single play at short that sparkles even though in the end it means nothing and because of its beauty, everything. This time of year, the game is a palliative. I remember one fall night when the stands were sparse and kids were already wearing coats emblazoned with football logos. Their baseball ware couldn't protect them from the cold. So attired, fans look for closure—and grace—exchanging one set of goals for other transcendent ones. The latter often linger in memory longer than forgotten victories.

I think of the poor Red Sox fans, embodied in the late great Giamatti, and wonder what they will do now that they have won and have their ring. What will unite New England now that they have exorcised the Curse of the Bambino and won a series with players already lost to free agency? What is left to replace the yearly pathos bequeathed from one generation to the next? For, in the end, win or lose, the last pitch of the World Series ends the baseball life cycle. Then all that is left is memory and the stats. Giamatti reminded us of all that when he wrote of a particularly tragic Red Sox loss at season's end:

> It breaks my heart because it was meant to, because it was meant to foster in me again the illusion that there was something abiding, some pattern and some impulse that could come together to make a reality that would resist the corrosion; and because, after it fostered again that most hungered-for illusion, the game was meant to stop, and betray precisely what it promised.[20]

Epilogue

But, ultimately, it must be said, baseball is but a game. A rich source of entertainment and perhaps even metaphor. We are reminded of this when players cross the lines and return to mortal life like young Moonlight Graham in *Field of Dreams*. Away from their mythic expanses of green, they become as vulnerable as the rest of us to human finitude and frailty, perhaps even more so because of the wear and tear of competitive sport. Though their acts are for the ages, like David Cone's perfect game, the aneurysm in the artery supplying his pitching arm is a reminder that all of it is of the flesh.[21] Though metaphor is instructive, it is not life, which can be more complicated and even cruel. We need only recall the lithe DiMaggio who retired before his time, elegant and even. He was eulogized as a figure bigger than life. Yet in death he lingered for months, long after his time. All of America knew his life would end, though none had believed his hitting streak ever would.

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