

Beyond Unsportsmanlike: What the Nastiest Play in  
NFL History Can Teach Us About Labor Movements

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## **Introduction**

There are many unwritten rules in sports, many of which are observed as a sign of respect for the opposing teams and players. On October 25th, 1987, the Philadelphia Eagles broke one of these rules for the first and only time in National Football League (NFL) history. With possession of the ball up 30-20 on the rival Dallas Cowboys and only a few seconds remaining on the clock, the expected, respectful thing to do was for Eagles' quarterback Randall Cunningham to take a knee, intentionally downing the ball and ending the game. What they did instead was fake the knee and throw a pass to the endzone that, after a penalty, scored a touchdown meaningless to the outcome of the game and the season but important as a message (Pro Football Reference 2000). "Beyond unsportsmanlike," the play has been described as "an unmistakable gesture of contempt," and was carried out in the shadow of the failed 1987 National Football League Players' Association (NFLPA) strike by Philadelphia, the team that stood the most united, against Dallas, the team who crumbled under the weight of owner pressures & demands, and represented the culmination —up to that point— of 19 years of the American major sports labor movement, and carries with it lessons to be learned about how coalition strength affects labor movements' success and failure (Bois 2017; Didinger 2017).

The very first work stoppage in major American sports was the 1968 NFLPA strike. Since then, in total, there have been 27 work stoppages, strikes, and lockouts across the five major sports—including the recently resolved 2021-22 Major League Baseball (MLB) lockout (Passan and Rogers 2022; Staudohar 1999). Together, these collective bargaining actions comprise the 54 year long major sports labor movement. By examining several of these stoppages within the American major sports labor movement, this paper aims to answer the question "To what extent

does unity among players and revenue loss for the owners affect player success in the American Sports Labor Movement?”

### **Literature Review**

There are several different general schools of thought regarding the success and failure of labor movements. In their 2008 book *Solidarity Divided*, Bill Fletcher Jr and Fernando Gapasin detail the inner workings and nature of several different prominent unions. They discuss how a disorganized labor movement whose actors and proponents are not in lock-step with each other is not as able to achieve its goals by largely focusing on the AFL-CIO under former President John J. Sweeney (Fletcher Jr. and Gapasin 2008). This is relevant to the study in this paper as it the threat of lost income via the cancellation of games places strain on the unity of players’ associations, and can impact their effectiveness.

In a 2001 article for the *Monthly Labor Review*, Dennis Coates and Brad Humphreys conducted an examination of the 1998-1999 National Basketball Association (NBA) lockout — in which 32 of each team’s 82 games were cancelled— maintain that a professional sports franchise provides neither economic benefit nor detriment to the cities that they occupy, and a suspension of games or the relocation of a franchise (such as the NFL’s Oakland Raiders move to Las Vegas, the NBA’s Charlotte Hornets move to New Orleans, MLB’s Montreal Expos move to Washington, etc.) has equally has no effect on the surrounding economy (Coates and Humphreys 2001, 746). Therefore, if a suspension of games is generated by the labor movement, it will not generate negative effects on the surrounding area which may sour public opinion against the athletes.

### **Hypothesis**

The hypothesis that will be tested in this paper is that “High levels of unity among players and a loss of revenue for owners increases the likelihood of player success in labor disputes”. This hypothesis has been developed primarily from the work of Fletcher Jr. and Gapasin, and the idea that disunity among workers and actors within labor movements hinders success for those movements.

All but one dispute within the American Sports Labor Movement, the 1969 PDA strike, are struggles between players and a group of owners who are bound together in some sort of league structure. This means that there is a base level of consistency across the cases which can make identifying the differences easier.

### **Research Design**

Aiming to evaluate the factors that impact player success in labor disputes, this paper will assess three variables: player unity, revenue loss, and dispute length. Evaluation will be conducted in a mixed-method fashion. All 27 labor disputes will be considered in a quantitative manner, making numeric comparisons between the cases to identify important factors. A more in-depth qualitative analysis will also be conducted of four disputes: the 1987 NFLPA Strike, 1994-95 MLBPA Strike, 1994-95 NHL Lockout, & 1995 NBA Lockout. These specific cases have been chosen for an deeper analysis as they have represent one dispute from each of the four major American sports, and offer a great deal of variety across success level, use of replacement players, level of picket-crossing, length, and the number of cancelled games.

Unity among players will be measured using three different indicators: the level of defections suffered by the players (or “picket crossing”), the use of replacement players, and the public image of unity. The defection level of each case will be classified as either “high picket-crossing,” “some picket-crossing,” or “no picket-crossing.” The use of replacement players in each case will be classified as “replacement players used” and “replacement players not used.” In the Quantitative analysis, use of replacement players only within regular and post-season games will be considered, however in the quantitative analysis the use of replacement players in other league activities will also be considered. The public image of unity of each case will be classified as either “united,” “largely united,” “sporadically united,” or “disunited.”

Revenue loss will be measured by two indicators: games cancelled, and other league activities that were cancelled as a result of the dispute. Both indicators, level of game cancellation and level of other cancellations, will be classified as “significant cancellations,”

“some cancellations,” and “no cancellations.” Specific to level of game cancellations, if less than 15% of the schedule was cancelled, that will be classified as “some cancellations,” but if 15% or more of the Schedule was cancelled, that will be classified as “significant cancellations” Length of dispute will be classified numerically by the number of days that the dispute lasted. Success in each dispute will be classified as a “success,” “moderate success,” or “failure.”

For the purposes of this paper, franchises will be referred to by their current name unless the original location/name is the object of discussion (e.g. the 1994 Montreal Expos are referred to as the 1994 Washington Nationals because the franchise moved from Montreal to Washington after the 2004 season and rebranded as the Nationals). This is done for two reasons. First, it allows for easier consumption and comprehension of the paper, its cases, and examples by those without a deep background of sports knowledge. Second, it allows for certain franchises who have previously had offensive names and brands (i.e. the Washington Commanders) to be discussed without the use of derogatory language in the paper.

## **Analysis and Assessment**

### Qualitative

#### *1987 NFLPA Strike*

It can be argued that the 1987 NFLPA Strike is the most high-profile failure within the American Sports Labor Movement, and has been described as the National Football League's "darkest day[s]." (Cosentino 2018) The strike began as almost all disputes within the ASLM do, with the expiration of a collective bargaining agreement. In the new collective bargaining agreement (CBA), the players demanded more pension benefits, severance pay, the end of artificial turf, and free agency. Unlike previous strikes however, the owners were not willing to cancel a large portion of the schedule, and after cancelling on week of games –according to a contemporary report from the Chicago Tribune—voted to "to play through a player strike by fielding anyone willing to wear a uniform." (Pierson 1987)

By fielding replacement players and teams, club owners were not only able to continue generating at least some revenue from ticket sales and television revenue that they would otherwise forfeit if the games were cancelled, they were also able to break down the strike by making it easy for players to abandon the strike and cross the picket-line. If there are no replacement teams, players cannot completely abandon the strike and cross the picket-line, their only option to be disloyal to their fellow players is to make public statements. By providing the opportunity for players to abandon the strike –and making threats to get them to—owners had the ability to carve up their teams and breakdown the strike as it was no longer an all-or-nothing deal; if some of the regular players wanted to play, they were not prevented from doing so by the strike.

Best at this strike-breaking was Dallas Cowboys owner Tex Schramm, who during negotiations was reportedly explicit in his plans to use replacement players by likening players to cattle, a commonly traded commodity, saying “You guys are cattle and we’re the ranchers, and ranchers can always get more cattle.” (Breer 2017) Only the Cowboys’ biggest rivals, Buddy Ryan’s Philadelphia Eagles and Joe Gibbs’ Washington Commanders stood entirely unified thorough the strike; by the 24<sup>th</sup> day of the strike 228 players, about 15% of the league, had crossed the picket-line and rejoined their teams. This lead to the strike crumbling. The players got none of their demands, and would go from another six years without a collective bargaining agreement until 1993, when a compromise CBA would see some of their demands, such as a right to free agency, met (The NFL Players Association 2016).

In total, the strike lasted for 24 days, caused “some cancellations,” with 6.25% of the season’s games having been cancelled, and “replacement players used,” as 18.75% were played with replacement players. There was also “high picket-crossing,” with players being “sporadically united.”

#### *1994-95 MLBPA Strike*

Seven years after the NFLPA went on strike, the MLBPA would do the same. Mid-way through the 1994 season, negotiations between the MLBPA and MLB’s owners breaks down. The previous CBA had expired, and the two sides could not reach a consensus on issues such as the implementation of a salary cap, and revenue sharing. The strike began on August 12<sup>th</sup>; the rest of the 1994 season would eventually be cancelled, including the World Series. This was the first and only time that the fall classic was cancelled since the 1904 season (Maske 1994).



As the beginning of the 1995 season approached, the owners wanted to avoid more cancellations. Replacement players are brought by all but one team. The only hold out is the Baltimore Orioles, who are owned by Peter Angelos, who refuses. Like with the 1987 NFLPA strike, the existence of replacement players makes it easy for players to cross the picket-line. Unlike the 1987 NFLPA strike though, the 1994-95 MLBPA strike does not suffer from the same widespread picket-crossing (Maske 1995). The replacement players were due to start the 1995 season, and it would take action from the Federal Judiciary in order to bring the lockout an end (Allen 2021).

After 232 days, the players received an injunction from Southern District of New York judge Sonia Sotomayor, which temporarily reinstated the expired collective bargaining agreement until a new one could be reached (ESPN 2009; Fleisher 2020). It would take more than a year for the two sides to agree on a new CBA. The strike also had a long term affect on one specific team, the Washington Nationals. At the time of the strike, the Nationals played in Montreal and were poised to win not only the National League East Division, but also the World Series. The strike ruined this dream season and would help lead to their eventual move to Washington after the 2004 season. The strike caused “significant cancellations,” “replacement players [were] not used” in the regular or post-season, and the players were “largely united.”

### *1994-95 NHL Lockout*

The 1994-95 National Hockey League (NHL) lockout began less than two months after the MLBPA Strike of the same years, and was also partially provoked by owners wanting to install a salary cap of sorts, which in this case was a luxury tax on higher than average salaries.

The CBA had expired and, unlike NFL owners, NHL owners were not willing to have a season without one. Fearing a mid-season strike á la MLB's concurrent strike, NHL owners opted to preempt any player action by instituting a lockout on October 1<sup>st</sup>, 1994. Both owners and players seemed willing to miss games; after the first several weeks of the season were cancelled, in early November, 1994, players threatened that, even if the season were started up again, they would hold out on some post-season games because, as a contemporary article in the New York Times explained, "playoff games generate higher ticket prices and profits, as well as more television revenue." (Lapointe 1994)

Rather than weakening, player unity only grew stronger as the lockout went on. Not only did they start putting on their own exhibitions, their stance on the installment of a salary cap became even harder, now refusing a salary cap in any form, rather than accepting a small tax as they had been open to at first.

The lockout would come to an end on January 11<sup>th</sup>, 1995, with nearly 43% of the regular season being cancelled. This was partially because prolonged cancellations caused disunity among the owners, rather than the players as intended. Big-market teams such as the Detroit Red Wings, New York Rangers, and Philadelphia Flyers who would benefit less from the demanded salary cap than their smaller neighbors pushed new NHL Commissioner Gary Bettman to end the lockout (McIndoe 2014).

Owners capitulated on the full salary cap/luxury tax demand, settling for only a rookie salary cap, "changes to the arbitration system, and loosened free agency." (McIndoe 2014) The 1994-95 lockout hurt the NHL on a much broader scale too. The sport had been growing in popularity, and was beginning to threaten the NBA's place as America's 3<sup>rd</sup> most popular sport

(after MLB and the NFL). The strike halted all the momentum the league had, and set it back at least a decade, at which time the CBA that was agreed to during the 1994-95 lockout would expire, causing an even longer and uglier lockout in 2004-05 that would see the entire 2004 season cancelled.(Shoalts 2012) Like MLB's strike, the 1994-95 NHL lockout significantly hurt the sport's presence in Canada. The summer after the lockout, Quebec City's Nordiques would move to Denver to become the Colorado Avalanche, and the original Winnipeg Jets left to become the Phoenix (now Arizona) Coyotes (McIndoe 2014).

By the end, the lockout lasted 103 days, caused "significant cancellations." "Replacement players [were] not used," there was "no picket-crossing," players remained "unified," and the lockout would turn out to be a success for the players.

### *1995 NBA Lockout*

The 1995 NBA lockout was the first of its kind for the NBA. After the previous CBA expired following the 1993-94 season, a patchwork extension was put in place for the 1994-95 season (Friend 1995). Following the expiration of that however, a lockout was put into place. With the exception of the regular 1995 NBA Draft and 1995 NBA Expansion Draft, all activities including free agency, other contract modifications, and summer leagues during the off-season were cancelled (Associated Press 1995; Chass 1995). Like that year's disputes in MLB and the NHL, it centered largely around disputes regarding the salary cap and free agency. (Lockhart 2021)

The lockout would last 75 days, and would end as the beginning of the regular season approached, with owners not wanting to cancel games. The deal that was reached would include

a higher base salary for players and a rookie wage scale, being a moderate success.(Justice 1995)

Throughout the lockout, players would remain “united,” and there were “some cancellations” of activities, but “no cancellations” of games.

Figure A: Qualitative Analysis Summary

Case	Length (days)	Unity			Cancellations		Outcome
		Picket-Crossers	Replacement Players	Public Perception	Games	All Activities	
<b>1987 NFLPA Strike</b>	24	High	Used	Sporadically United	Some	Some	Failure
<b>1994-95 MLBPA Strike</b>	232	Some	Not Used	Largely United	Significant	Significant	Moderate Success
<b>1994-95 NHL Lockout</b>	103	No	Not Used	United	Significant	Significant	Success
<b>1995 NBA Lockout</b>	74	No	Not Used	United	None	Some	Moderate Success

## Quantitative

Figure B: Qualitative Analysis Summary

<b>Indicator</b>	<b>Label</b>	<b>Failure</b>	<b>Moderate Success</b>	<b>Successes</b>
<b>Defections (Picket Crossing)</b>	<b>High Picket Crossing</b>	100.0 %	0.0%	0.0%
	<b>Some Picket-Crossing</b>	33.3%	66.7%	0.0%
	<b>No Picket-Crossing</b>	0.0%	81.3%	18.8%
<b>Use of Replacement Players</b>	<b>Replacement Players Used</b>	100.0 %	0.0%	0.0%
	<b>Replacement Players Not Used</b>	0.0%	83.3%	16.7%
<b>Public Image of Unity</b>	<b>Disunited</b>	100.0 %	0.0%	0.0%
	<b>Sporadically United</b>	33.3%	66.7%	0.0%
	<b>Largely United</b>	50.0%	50.0%	0.0%
	<b>United</b>	0.0%	60.0%	40.0%
<b>Games Cancelled</b>	<b>Significant Cancellations</b>	0.0%	75.0%	25.0%
	<b>Some Cancellations</b>	20.0%	20.0%	60.0%
	<b>No Cancellations</b>	15.4%	61.5%	23.1%
<b>Activities Cancelled</b>	<b>Significant Cancellations</b>	0.0%	75.0%	25.0%
	<b>Some Cancellations</b>	9.1%	45.5%	45.5%
	<b>No Cancellations</b>	28.6%	57.1%	14.3%
<b>Length of Dispute (Days)</b>	<b>Average</b>	9.0	77.3	76.4

### **Conclusion**

Figures A and B provide summaries of the qualitative and quantitative analyses respectfully. There is evidence in both analyses to support the hypothesis that high levels of unity among players increases the likelihood of player success in labor disputes. In the quantitative analysis, high levels in the indicators associated with disunity (high picket-crossing, replacement players used, & disunited public image) are all strongly associated with failure, and high levels in the indicators associated with unity (no picket-crossing, replacement players not used, & united public image) are all strongly associated with success. This is also true in the qualitative analysis. In the cases where the players were very unified (1994-95 NHL and 1995 NBA lockouts) and remained so throughout the dispute, the players were successful; conversely the case where the players were not united (1987 NFLPA strike), the players were unsuccessful in that case.

There is also evidence to support the hypothesis that a loss of revenue for owners increases the likelihood of player success in labor disputes within the quantitative analysis. Cancellation of games and other activities was positively associated with player success, where the more cancellations there were, the more likely the players were to be successful. This does not hold as strongly in the qualitative analysis. The 1995 NBA Lockout represents a dispute in which no games were cancelled, but the players were still moderately successful. This could be explained by the fact that --although no games were actually cancelled--the threat of cancelled games was present, so therefore perhaps the owners capitulated more in order to avoid any cancellations.

Another factor that can be seen in both results methods is that the length of a strike is associated with player success. The longer the dispute, the more successful the players. Among the failed disputes, the average length in days was 9.0, much less than the averages of 77.3 and 76.4 for moderately successful and successful disputes.

Ultimately, finding an answer to this question “to what extent does unity among players and revenue loss for the owners affect player success in the American Sports Labor Movement?” is significant as this is an ongoing and ever-evolving movement that affects millions of Americans and Canadians. The 2022 MLB season was impacted by a lockout, the NBA’s current Collective Bargaining Agreement expires at the end of the 2023 season, the NHL’s expires after 2025, and the MLS and NFL just recently signed new agreements (Graziano 2020; Gulitti 2020; NBA 2016; Passan and Rogers 2022; Smith 2021). More broadly beyond the world of professional sports, as labor becomes an even more important discussion in the American discourse, workers around the country demanding more rights, and a new wave of unionization spreading, understanding how labor movements succeed and fail is vital (Goldberg 2022; Molla 2021).

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