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BASEBALL STATISTICS IN THE STEROIDS ERA

By

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Abstract

This thesis examines the presence of steroids and performance enhancing substances in Major League Baseball from approximately 1988 to 2008. This period, informally known as the “steroids era,” has been the source of great controversy in recent years as more and more information on the matter has been disclosed to the public. In particular, this discussion focuses on the records and statistics of this era. In addition to the players who achieved these statistics, these numbers should be under great scrutiny as their validity is questioned.

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Preface

My opinion of steroids and performance enhancing substances in baseball changed on February 13, 2008. That day I sat riveted in front of my television watching baseball legend Roger Clemens fend off questions from Congress about his alleged steroid use and association with a man half his size, former trainer Brian McNamee, who sat just a few feet away from Clemens and shared a story with Congress completely contradictory with Clemens's version of past events. For nearly five hours, I sat and watched the proceedings, only able to pull myself away during the short fifteen-minute recess for a bathroom break and requisite trip to the kitchen. This was baseball in front of Congress in a strange pseudo-confrontation of sport and state, and I could not pull away.

My opinion changed when I started thinking about all the milestone records Roger Clemens set during his extensive Major League career. Then I began thinking the same things about Barry Bonds, Mark McGwire, and others who'd been implicated in various steroid inquiries over the years. It occurred to me that *if* these players (and others) had taken steroids and performance enhancing drugs, then the records they'd set during their illustrious baseball careers may well have been achieved unethically and in violation of everything associated with good sportsmanship and fair play.

Prior to Clemens's day on Capitol Hill, I must confess I'd been ignorant of the steroids problem in baseball. I'd heard snippets of accusations of wrongdoing over the years but never took much of a stance on the matter. I'd grown up a baseball fan in the heart of the "steroids era," so when pressed to inject an

opinion, it was more comfortable for me to side with baseball.

“It’s just part of the game,” I’d say. Or, “Well, they’re all doing it, so does it really matter anyway?” My personal favorite was, “Until I see evidence of a player testing positive for steroids, there’s no proof.”

After listening to Congress pore through the Mitchell Report during Clemens’s hearing, I retrieved the document right away. I reviewed it extensively, and when I was finished I realized two key facts: (1) Steroids had been in baseball for a long time, and (2) many notable records and feats of baseball lore had occurred during this time frame. The relationship between those two facts struck me as indicative of a crisis.

How are baseball fans supposed to reconcile a 20-year period of baseball that was tainted because of performance enhancing substances that were used by an indeterminable number of players to assist (in an indeterminable degree) in playing the game? And what of these milestone statistics that were achieved during this era? It seemed fundamentally wrong that a player who used a substance illegally should benefit through the annals of history, while a player who played “by the book” received none of this recognition. What’s more, how are fans to reconcile a record achieved by a steroids user and the player he passed to achieve that record, who played decades earlier, and did so cleanly? Should both players be treated the same?

Some people say statistics are for losers, but those people likely aren’t fans of baseball. To lovers of the national pastime, statistics are the lifeblood of their existence: the one, bedrock tool used reliably to measure excellence on the

diamond.

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Introduction

Sport does not interest only the young; it interests almost everyone. The fact compels a pause. Why are so many so deeply involved, so caught up emotionally in athletic events? Are they in the grip of some basic drive? Do they only express some accidentally acquired cultural habit of admiration for successful violence? Are they really interested in perfection? Does it perhaps give them a special kind of pleasure?

-Paul Weiss, *Sport: A Philosophical Inquiry*

Long revered as America's "national pastime," the game of baseball has come under fire in recent years as the worst kept, dirty little secret in sports has become public knowledge: Some baseball players use steroids. The seemingly flippant use of these and other performance enhancing substances by current and former players has caused uproars in circles both near and far from the game.

For much of the latter part of the twentieth century, the presence of steroids in athletics has been a bone of contention for sports enthusiasts. Steroids and performance enhancing substances have touched virtually every sport in one way or another, and now as we're beginning a new century of athletics, their presence has never been felt so strongly. As we know today, steroids have been used by professional baseball players for approximately 20 years, in violation of the rules of competition established by Major League Baseball. Not every player in the game used these substances, but their presence was widespread enough to warrant countless investigative articles, multiple Congressional hearings, and one very prominent probe by a former senator.

The days of debating whether steroids should be allowed in sports have long passed us; virtually all professional sports organizations do not condone their use. Today our debates are confined to squabbling over the physiological benefits of various substances and deciding which category of "banned substances" to place them in.

Prohibiting steroids hasn't stopped athletes from using them to enhance their athletic skills, and baseball in particular has witnessed its athletes profit from the added strength and endurance these substances help produce. Countless records were shattered during this 20-year period of professional baseball: hitting records, pitching records, fielding records, and more. Players began showing up for games sporting bulkier physiques, home runs flew out of ballparks at an alarming rate, and suspicions ran rampant that this was all being achieved with the help of steroids.

So what's the problem with all this? If you're keeping the books for Major League Baseball, probably nothing. Fans are flocking to stadiums in greater numbers than ever before, and rarely a summer day goes by without at least one baseball game being telecast on national television. But baseball's profitability can't act as judge and jury for the actions of baseball players in light of what we know today. Fundamentally, the use of performance enhancing substances by athletes in an effort to gain a secret advantage over their competitors is contradictory to the principles of fair play and competitive ethics. Robert Simon, in his book *Fair Play: The Ethics of Sport*, writes that "competition in sports is the attempt to secure victory within the framework set by the constitutive rules." Some even believe it's impossible for those who violate the constitutive rules of a game to win or even play the game when they're cheating these rules.¹

The physiological benefits of performance enhancing substances undermine the spirit of competition by lessening the role of an athlete's skill in the athletic contest and

¹Robert L. Simon, *Fair Play: The Ethics of Sport*, 2nd ed. (Boulder, CO: Westview Press, 2004), 19. The notion that those who violate the constitutive rules of a game aren't actually playing the game is referred to as the "incompatibility thesis." What Simon is referring to here is a common notion in the philosophy of sport.

making success or failure the result of how well suited an individual's body chemistry is to these drugs. In baseball, this creates two major competitive divides. First, on the field of play, players who used these substances had a distinct advantage over those players who didn't use them. Most forms of steroids have been prohibited in baseball for many years, but this didn't stop players from using them. Sadly those players who chose to abide by baseball's rules prohibiting steroids were left at a competitive disadvantage. Second, players of this era who used steroids achieved a level of success in the game that's not indicative of their true place in baseball history. Baseball is left with approximately two decades worth of questionable statistics. What are we to do with these numbers? To simply evoke a desire for professional baseball to put the past behind it and move on is to ignore that many of these landmark feats were achieved improperly. Many baseball heroes of past generations have seen their records surpassed by steroid-using players of the current generation. Does this mean we're to conclude that Rafael Palmeiro is a better power hitter than Reggie Jackson or Mickey Mantle because he hit more career home runs?²

What we're dealing with is the most sacrosanct of all sports appraisals: the statistic. Some may say there's no value in sports statistics, and they're the product of meaningless computations with no relevance outside the confines of the sport itself. But sports statistics carry a much greater weight. They're tools used to make value judgments about athletes of the past and the present, and they're also indicative of what we as the sporting public at-large consider valuable. In baseball, perhaps no statistic is better known or more revered than the all-time home run record. What can we discern

²Palmeiro, who's been implicated in performance enhancing substance use, hit 569 career home runs. Reggie Jackson hit 563 career home runs, and Mantle 536.

from this? We can discern that home run hitting is of great, perhaps greatest value to baseball fans. Maybe it's out of admiration for the athleticism needed to smash a massive home run over an outfield fence or the recognition that such a feat requires a level of physicality not possessed by the average person that we come to venerate such an exploit. Maybe we adore home runs for a much simpler reason: They provide instant progress towards achieving the goal of the game, which is winning. Whatever the reason, it turns us on, and so we note it in the record books. Sports statistics are grounds for making informed, evaluative judgments about participants in sporting events.

This thesis examines the prevalence of steroids in baseball over the last 20 years, the efforts of Major League Baseball to deal with the widespread use of steroids in the game, and the impact of these substances on the game's competitive integrity.

Ultimately, one large question will arise from this examination: How should Major League Baseball handle the records and statistics of this era of widespread steroid use? Despite any positive effects steroids and performance enhancing substances may have had on professional baseball, their presence was damaging to the integrity of the sport. Major League Baseball must now reevaluate the statistics of this era and arrive at a consensus of how to account for such a gaping competitive discrepancy in its record books.

Chapter 1

Historical Patterns of Steroid Use in Major League Baseball

I. The Nature of Performance Enhancing Substances

Sports medicine expert Dr. Augustin Mendoza claims that performance enhancing substances likely came into use after a caveman, following a plentiful hunting expedition, attributed his success to the powers of an unknown root he ingested before hunting. Such an example may be extreme but points out that performance enhancing substances have been part of sports since their inception. Very practically, a “drug” is defined as “any chemical substance that affects human physiology or psychology.”¹

The default term most fans associate with performance enhancing substances is “steroids,” but the parlance shouldn’t begin and end with this term. Performance enhancing substances encompass more than substances that give users an “up” or positive reaction. They also include substances that reduce pain and speed recovery. There are many drugs used commonly for medicinal purposes, so when determining whether an athlete is using a performance enhancing substance, the “intent” of the user should be a large determinant.² There’s a great degree of difficulty in determining what constitutes a drug that will increase athletic performance versus a drug that’s commonly used in everyday living, like vitamins or allergy medication. It becomes even more complicated to define a performance enhancing drug because there are certain drugs that may increase athletic performance in one sport, but hinder performance in other sports. For example, a depressant like alcohol may have negative effects in most sports but positive effects in a

¹Will Carroll and William L. Carroll, *The Juice: The Real Story of Baseball’s Drug Problems* (Chicago: Ivan R. Dee, 2005), 29.

²Ibid., 10-11.

sport like riflery, where a slower heartbeat from the depressant provides steadier nerves with a rifle in hand.

For those who say athletes should only be allowed the use of “natural” substances, they’re disregarding the fact that steroids are derivatives of testosterone, a naturally occurring hormone in the human body. There are many medications without performance enhancing properties that aren’t found in a typical person’s diet, so does this mean they should be banned simply because they’re not “natural?” A person’s blood, which is undeniably “natural,” is sometimes stored and later injected into the athlete to increase his/her oxygen-carrying capacity. This process, known as “blood doping,” involves injecting a substance that’s clearly “natural,” yet major sports organizations treat this practice as an unethical method of enhancing athletic performance.³

Another important distinction to make is that between performance enhancing substances and “restorative drugs” that athletes take to recover from injuries. This distinction can prove difficult because certain substances satisfy the requirements that would place them in the categories of both performance enhancing and restorative.⁴

A. Steroids

The “Cream” and the “Clear,” two substances made famous from the fallout of the BALCO investigation, are often misrepresented. The “Cream” isn’t actually classified as a steroid but a testosterone gel, and the “Clear,” also sometimes known as THG, is a steroid, but one that was “specifically designed to be undetectable by modern

³Robert L. Simon, *Fair Play: The Ethics of Sport*, 2nd ed. (Boulder, CO: Westview Press, 2004), 72.

⁴Drew A. Hyland, *Philosophy of Sport*, 1st ed. (New York: Paragon House, 1990), 51-52.

testing techniques.”⁵ Steroids allow users to work out more often and for longer periods than those who don’t use them because of their ability to prevent muscle breakdown and training exhaustion.⁶ Despite their benefits to the workout regimens of athletes, prolonged steroid use is shown to have potentially dangerous effects on the human body, including liver failure, cardiovascular problems, high blood cholesterol, kidney damage, and stroke.⁷

B. Human Growth Hormone

Human growth hormone, or HGH, exists in the body naturally, but when engineered genetically and injected into the body, it assists the body’s muscle building and fat burning processes. It too is often used for medicinal purposes by individuals whose bodies don’t produce enough HGH naturally, but possible side effects of its use include a metabolic disorder known as acromegaly and the danger that the body will recognize the presence of additional HGH in its system and stop producing the hormone naturally.⁸ HGH use in baseball seems on the rise, and many prominent players were linked to this currently undetectable substance in the Mitchell Report.⁹

C. Supplements

Dietary supplements are themselves a cottage industry, used by all kinds of athletes who pay large sums of money annually to do so. While normal diets usually provide the adequate nutrition an athlete needs, athletes will often analyze their diets and

⁵Carroll and Carroll, *The Juice*, 13.

⁶Ibid., 47-48.

⁷Ibid., 51-55.

⁸Ibid., 68-70.

⁹More information on the difficulty detecting HGH in athletes is available in sect. IV, D of this chapter.

use supplements to fill any holes in their nutrition, promote muscle growth, and boost energy. Some supplements known as “prohormones” are legal for use but operate in a fashion similar to anabolic steroids.¹⁰ Supplements seem to represent the gray area that lies between banned substances and clean substances. A quick look in the medicine cabinets of most athletes will reveal that the use of supplements is undoubtedly widespread at all levels of athletics.

II. Early Signs of Steroid Use in Major League Baseball

Doping, or injecting drugs into one’s body, began in modern sports after Nazi doctors developed an injectable form of testosterone in 1935. The injections were intended to promote aggressiveness in soldiers, but some members of Germany’s 1936 Olympic team took the injections prior to competition. The end result was an Olympics in which the Germans won more medals than any other country. Following numerous deaths of athletes from 1960 to 1967 that were partially attributable to the use of performance enhancing substances, the International Olympic Committee began developing a drug testing program that made its first appearance at the 1968 Olympics.¹¹

¹⁰Carroll and Carroll, *The Juice*, 80-83.

¹¹*Ibid.*, 34-39.

Baseball's initial response to signs that performance enhancing substances had infiltrated the sport was both tardy and fruitless. Numerous baseball officials who were aware of the steroids problem spoke out publicly about the issue before Mark McGwire's seminal season in 1998¹², but these cries for change never received the same amount of attention that accompanied McGwire's now famous relations with the media in 1998.

Just days after Canadian sprinter Ben Johnson was stripped of his 1988 Olympic gold medal for testing positive for stanozolol, a steroid sold as Winstrol, speculation began about the use of steroids in Major League Baseball. Washington Post baseball writer Thomas Boswell, speaking on the CBS program *Nightwatch*, called Jose Canseco "the most conspicuous example of a player who has made himself great with steroids." Despite Boswell's comments and the negative reaction of baseball fans in Boston, where Canseco and his Oakland Athletics teammates were playing the Red Sox, the Commissioner's Office issued a statement, saying baseball would not investigate Canseco's possible steroid use.¹³

Canseco, one of the stars of the Oakland Athletics during the late 1980's and early 1990's, began using steroids after a 1983 demotion from the Athletics' Class-A affiliate in Madison, Wisconsin to a team in Medford, Oregon. After two years of bulking up his physique, he was retained by the Athletics in September of 1985, where he hit .302 during the remainder of the season. After great success during his early years in the major leagues, including becoming the first player to ever hit 40 home runs and steal 40

¹²Mark McGwire was involved in an incident during the 1998 baseball season when he was found to be using a substance called androstenedione, a testosterone booster, during his pursuit of the single season home run record. This incident is discussed in greater detail in section IV, A. of the current chapter.

¹³George J. Mitchell, *Report to the Commissioner of Baseball of an Independent Investigation into the Illegal Use of Steroids and Other Performance Enhancing Substances by Players in Major League Baseball* (DLA Piper US LLP, 2007), 60-62.

bases in the same season, Canseco became the game's foremost authority on steroids, championing the positive effects of steroids on his game at every turn. Such openness about his drug use, and the possible use by a young Mark McGwire – then a Canseco teammate – put the Athletics and manager Tony LaRussa in an awkward position. While LaRussa never took any action publicly in response to Canseco's claims, neither did Major League Baseball. At the time, baseball was operating a "probable cause" testing program for steroids and drug use. Probable cause testing meant that a player could be tested for steroids and other illegal drugs if there was "just cause." This policy placed the burden on LaRussa to put the wheels in motion and have Canseco tested, but LaRussa did nothing about the actions of his superstar player. He even defended Canseco and verbally abused Boswell following his report. League protocol called for LaRussa to inform his general manager about Canseco's steroid use. From there, it became the general manager's duty to inform the Office of the Commissioner about the problem. But LaRussa said nothing to general manager Sandy Alderson.¹⁴

When Canseco finally retired from baseball in 2004, after multiple attempts at a comeback, he claimed as many as 85 percent of players in baseball were using steroids. His remarks drew criticism from current players who felt betrayed by his comments, including another famous slugger, Barry Bonds.¹⁵

The early allegations of steroid use in Major League Baseball didn't end with Canseco and his Oakland teammates. Despite baseball's slow reaction to allegations of steroid use in the sport, speculation continued to rise that players around the league were

¹⁴Howard Bryant, *Juicing the Game: Drugs, Power and the Fight for the Soul of Major League Baseball* (New York: The Penguin Group, 2005), 104-107.

¹⁵Ibid., 190-92.

using steroids. Philadelphia Phillies center fielder Lenny Dykstra was also suspected of using steroids following numerous articles that speculated about his steroid use between 1990 and 1993. Lee Thomas, former general manager of the Phillies, told Mitchell Report¹⁶ investigators that he confronted Dykstra about these suspicions when he arrived at spring training in 1993, but Dykstra denied using steroids. Jeff Cooper, former athletic trainer of the Phillies, also told Mitchell Report investigators of his strong suspicions of steroid use by one member of the Phillies, but when he confronted the player about it, the player told Cooper it was none of his business.¹⁷ Dykstra's denials to Thomas are contradicted by Mitchell Report informant and personal trainer Kirk Radomski, who knew Dykstra from his days as an employee in the Mets organization. In the Mitchell Report, Radomski claimed Dykstra had admitted to steroid use after reporting to spring training in 1989 with a larger physique. Dykstra later admitted to taking steroids after league officials approached him following their perceived knowledge of his use in 2000, four years after his playing career ended.¹⁸

By the end of June 1996, just a few months into the season, home runs were flying out of ballparks at a startling rate. Traditional power hitters like Mo Vaughn and Ken Griffey were among the players feasting during this long ball smorgasbord, but so were players not usually known for their power like Brady Anderson, who'd already hit 25 home runs. Roger Maris's single-season record of 61 home runs seemed clearly in

¹⁶In early 2006, Major League Baseball Commissioner Bud Selig placed former senator George Mitchell in charge of an investigation into the prevalence of steroid and performance enhancing substance use in baseball. The results of his investigation informally became known as "The Mitchell Report," and are discussed in greater detail in section V, C. of the current chapter.

¹⁷Mitchell, *Mitchell Report*, 66-67.

¹⁸*Ibid.*, 149-50.

jeopardy.¹⁹ Major League Baseball's 1996 season began with such ubiquitous displays of hitting that Commissioner Bud Selig called it "startling," and speculation quickly turned to the use of steroids by players who were hitting so well. Despite this speculation, no public action was taken by baseball officials to probe deeper into the allegations. After a season in which he hit 40 home runs and drove in 130 runs, Ken Caminiti was named Most Valuable Player of the National League that season. Six years later, in a 2002 *Sports Illustrated* article, Caminiti credited the use of anabolic steroids in aiding his performance in his award-winning 1996 season. During the Mitchell Report Investigation, some of his former teammates described Caminiti's openness about using steroids, even dating back to 1993 or 1994, when he first began looking into using steroids.²⁰ Caminiti's story in *Sports Illustrated* was indicative of a shift in the game's attitude about steroids. No longer did people believe that steroids couldn't help baseball players; the steroids, it seemed, did actually help performance. Caminiti's home runs doubled during the years he took steroids, and this showed as well as any example that steroids could make a player exceed his potential.²¹

III. Early Major League Baseball Steroid Policy

The presence of steroids in professional baseball is both illegal and in violation of the sport's policy. According to the Drug Enforcement Administration, anabolic steroids were placed on the Controlled Substances Act as of February 27, 1991. Over 100 different types of anabolic steroids have been developed and they can only be used

¹⁹Bryant, *Juicing the Game*, 83.

²⁰Mitchell, *Mitchell Report*, 71-73.

²¹Bryant, *Juicing the Game*, 195.

legally with a prescription in the United States. Simple possession of “illicitly obtained anabolic steroids” can result in a penalty of \$1,000 and up to one year in prison.²²

Major League Baseball has prohibited the illegal use and distribution of drugs since 1971, and anabolic steroids have been included among the list of prohibited substances since 1991, yet the Players Association didn’t comply with this policy until the 2002 Basic Agreement. Part of the problem with the days of probable cause testing was the amount of warning players received of a possible drug test. Players suspected of illegal drug use were informed well in advance of their tests, making it possible to take measures necessary to pass the test.²³

Prior to the Basic Agreement in 2002, only an undocumented and loose agreement existed between the Office of the Commissioner and the Players Association about the conditions under which a player could be tested for drug use. This agreement called for testing only when suspicions of player’s possible drug use surfaced. The agreement was originally intended to prevent the use of drugs like marijuana, but the policy later expanded in 2000 to test if suspicions of anabolic steroid use came to light.²⁴ Baseball Commissioner Fay Vincent included anabolic steroids in the list of baseball’s banned substances in a 1991 memorandum, making him the first Commissioner of Baseball to do so.²⁵

As suspicions of steroid use by professional baseball players became more frequent, it became clear that baseball’s reasonable cause policy would no longer work.

²²Drug Enforcement Administration, “Steroids,” under “Drug Information,” <http://www.usdoj.gov/dea/concern/steroids.html#foot2> (accessed June 18, 2008).

²³Mitchell, *Mitchell Report*, 25-26.

²⁴Mitchell, *Mitchell Report*, 47.

²⁵*Ibid.*, 41.

Labor negotiations in August of 2002 ended with an agreement for a possible mandatory random drug testing program in baseball. This Basic Agreement between the teams and the Players Association was slated to be in effect from 2003-06, yet would only include random testing if more than five percent of players taking anonymous survey tests tested positive for steroids.

Major League Baseball later announced that these figures had been met and mandatory random testing would begin in 2004. Twelve undisputed positive tests resulted in the more than 1,000 players tested during the 2004 season, although none of these players were disciplined according to the drug testing program's rules at the time.²⁶

IV. Contemporary Steroid Use in Major League Baseball and the Evolution of Testing Policy

Baseball is a game of well-known records and statistics, and perhaps none is more sacred than the single-season home run record held for nearly four decades by Roger Maris. A few challengers to Roger Maris's record of 61 home runs in a season had surfaced over the years, but the record didn't really seem attainable until 1994, when Matt Williams²⁷ threatened the number in a strike-shortened season.²⁸

A. Mark McGwire and Androstenedione

Another slugger with his sights set on breaking Maris's record was former Canseco teammate Mark McGwire. His path to the record, however, didn't come without added attention, mostly related to his possible involvement with steroids and performance enhancing substances.

²⁶Ibid., 53-55.

²⁷Williams hit 43 home runs in 112 games during the strike-shortened 1994 season.

²⁸Bryant, *Juicing the Game*, 115-116.

McGwire generated much attention when, in 1998, it was reported by Steve Wilstein of the Associated Press that McGwire took a supplement called androstenedione, or Andro for short, that boosted testosterone levels. Andro was popularized by a man named Patrick Arnold who earned the nickname “father of prohormones” for his work prospecting scientific journals to develop new anabolic substances. Arnold started selling Andro in the United States in 1996, but the substance became banned from the Olympics and the National Football League by 1998. It wasn’t, however, banned in baseball at the time. Congress didn’t ban Andro until 2005.²⁹ Wilstein noticed a bottle of Andro sitting in McGwire’s locker. When asked about it, McGwire admitted to taking it, but asserted that his improved fitness had been achieved naturally.³⁰

Major League Baseball and the Players Association collaborated following the 1998 season to fund a study into the use of androstenedione in young adult males. A paper released in 2000 concluded that certain doses of androstenedione, taken orally, did increase the levels of serum testosterone and other hormones in healthy men.³¹

McGwire blasted his record-breaking 62nd home run on September 8, 1998 by sending a Steve Trachsel fastball over the left field fence, much to the delight of everybody in attendance, including Commissioner Bud Selig.³² Yet it became clear soon after his historic home run that baseball was in for a rocky road as it dealt with more allegations of steroid use by players.

²⁹Mark Fainaru-Wada and Lance Williams, *Game of Shadows* (New York: Gotham Books, 2006), 50-51.

³⁰Mitchell, *Mitchell Report*, 77-78.

³¹Ibid., 81-82.

³²Bryant, *Juicing the Game*, 113.

By 1998, baseball was knee deep in a rash of performance enhancing drug use by players, many of whom had taken their cues from the game's elite players, such as McGwire, who were using certain substances and seeing productive results on the field.³³ In the 118 years of baseball prior to 1995, only 18 times had players hit 50 or more home runs in a season. In the eight seasons between 1995 and 2002, the same achievement happened another 18 times.³⁴

B. Barry Bonds and BALCO

Major League Baseball superstar Barry Bonds, convinced fellow slugger Mark McGwire was on steroids while in pursuit of Roger Maris's home run record, tried to reinvigorate his own workout regimen after the 1997 season by hiring Raymond Farris to supervise his workouts. Convinced he need to improve his fitness to prolong his career, Bonds took the workouts seriously but soon became disenchanted with Farris's methods, which had earned him high praise in professional football circles.

One year later, following a one-game playoff loss to the Chicago Cubs, Bonds began working out with trainer Greg Anderson. Professing knowledge of specialized workouts that could be custom tailored for each individual, Anderson also dealt in steroids like Deca-Durabolin and Winstrol and other substances like human growth hormone. Anderson told Bonds the benefits of his fitness package, including the added stamina and quick recovery that the drugs provided, and Bonds decided to give the program a shot.³⁵

³³Ibid., 142-43.

³⁴Ibid., 150.

³⁵Fainaru-Wada and Williams, *Game of Shadows*, 38-39.

By 2000, Anderson had Bonds taking a new drug called Deca-Durabolin, a steroid frequently used by bodybuilders. He also started taking human growth hormone, which he liked because it enabled him to maintain muscle mass during the baseball season, where opportunities to exercise are rare.³⁶

The book *Game of Shadows* alleges Bonds began using steroids prior to the start of the 1999 season.³⁷ Excluding Bonds's first season with the Giants, 1993, every one of Bonds's best seasons statistically came after he started using steroids. In 2001, at the age of 36, Bonds hit an all-time best 73 home runs, drove in 137 runs, and boasted a slugging percentage of .863 -- a career best.³⁸ In Bonds's record-breaking 2001 season, he hit a home run in every 6.5 at-bats, the best ratio of his career. During his first year in the league, 1986, he hit a home run once every 25.8 at-bats. That figure stayed in double digits until 2000, when he homered once every 9.8 trips to the plate. He maintained that single digit home run frequency through the 2004 season.³⁹ Bonds's home run frequency was even greater than Mark McGwire's home run frequency in his 1998 season (the season he broke Maris's record), when he homered once every 7.3 at-bats.⁴⁰

³⁶Ibid., 75.

³⁷It's worth noting that at the time of this paper's completion, many of these allegations have been met with great resistance from Barry Bonds. He's not the only player mentioned in this discussion who's adamantly maintained his innocence in the face of steroid allegations either. Roger Clemens (who's mentioned later in this chapter) and others have stood resolute in the face of these claims. Doing so has even slapped Clemens and Bonds with perjury investigations. While my intent as a writer isn't to implicate innocent players to further my research, it's also impossible to ignore the corroborated efforts of sports journalists and Mitchell Report investigators, whose combined findings have connected these players to steroids and performance enhancing substances. As a writer, I'm faced with the complicated task of deciding what's true and what's false. Only time will tell if these players' denials are legitimate or flat-out lies, but siding with these players in light of such thoroughly explicit allegations is a tall order.

³⁸Fainaru-Wada and Williams, *Game of Shadows*, 277-79.

³⁹John McCloskey and Julian Bailes, M.D., *When Winning Costs Too Much: Steroids, Supplements and Scandal in Today's Sports*, (Lanham, Maryland: Taylor Trade Publishing, 2005), 67-68.

⁴⁰Bryant, *Juicing the Game*, 145.

Bonds's 2001 season is considered second on the list of baseball's Top Ten all time offensive seasons, second only to Babe Ruth's 1921 season. Three of Bonds's seasons since he began using steroids are considered among the ten greatest offensive seasons ever: 2001, 2002, and 2004.⁴¹

Bonds's trainer Greg Anderson obtained the steroids he gave to Bonds from the Bay Area Laboratory Co-Operative. The list of players who received steroids via the Bay Area Laboratory Co-Operative also included Jason Giambi, Gary Sheffield, Benito Santiago, and Randy Velarde.⁴²

Victor Conte owned and operated the Bay Area Laboratory Co-Operative -- known as BALCO for short -- a nearly unknown supplier of nutritional supplements located in a suburban strip mall near San Francisco International Airport. Conte grew up in California, midway between San Francisco and Los Angeles in the 1950's. He participated in athletics during his high school years and even set a school record in the triple jump by jumping 46 feet, 1 ½ inches.⁴³

BALCO's offices were raided on September 3, 2003 by representatives of more than five different agencies, including Dr. Larry Bowers, the U.S. Anti-Doping Agency medical director. The agents encountered Conte and others during the raid and even convinced Conte to disclose the details of BALCO's business, which he did in great detail. During the disclosure, Conte identified five Major League Baseball players who received drugs from BALCO, including Barry Bonds.

⁴¹Fainaru-Wada and Williams, *Game of Shadows*, 281.

⁴²McCloskey and Bailes, *When Winning Costs Too Much*, 59-60.

⁴³Fainaru-Wada and Williams, *Game of Shadows*, 1-7.

He also described the process whereby Greg Anderson brought in players to receive substances known as “The Cream” and “The Clear,” and the cycles of use they maintained.⁴⁴

Shortly after the BALCO raid, agents tracked down trainer Greg Anderson at a gym and informed him of their intentions to search his apartment. During the search, they found an assortment of drug paraphernalia and \$60,000 cash in a safe in his kitchen. During questioning, Anderson discussed a few of his clients and their drug use, although he was evasive about the drug use of Barry Bonds.⁴⁵

C. 2002 Basic Agreement and Revisions to Joint Testing

Prior to and following the raid of the offices of the Bay Area Laboratory Co-Operative by federal agents in 2003, numerous other lower profile incidents took place throughout baseball. While evidence of possible drug use was usually reported by club personnel, sometimes evidence didn't get reported to the Commissioner's Office or was simply destroyed. It appears that baseball officials were initially less focused on investigating possible use of these substances and more focused on keeping labor peace with the Players Association and stopping this information from reaching the press. More than 25 players suspected of potential illegal drug use during this time were forced into testing on the basis of “reasonable cause,” but these tests took place only after prolonged negotiations with the Players Association. This drawn-out process made

⁴⁴Ibid., 176-79.

⁴⁵Ibid., 183-85.

negative test results the norm. No Major Leaguer ever tested positive during these tests for steroids or other performance enhancing substances.⁴⁶

A January 2005 press release from the offices of Major League Baseball and the Players Association noted changes to the joint drug testing program, including adding human growth hormone to the list of baseball's banned substances and levying harsher penalties to players who tested positive. These penalties included suspensions that ranged in length from 10 days to one year. Further revisions were made in November of that same year at the recommendation of Commissioner Bud Selig, and the resulting program is basically the same program currently in place.⁴⁷

Steroid use seems to be on the decline since the implementation of the current drug testing program in 2002; however, the use of human growth hormone, which is undetectable through urine testing, has risen.⁴⁸

D. Testing Considerations

The findings of the Mitchell Report applauded the efforts of Major League Baseball's drug testing since 2002 but also concluded there's much work to be done for the program to keep pace with new performance enhancing substances. While changes in the drug policies of Major League Baseball have evolved over the years in similar fashion to those of other sports, collective bargaining between the league and the Players Association has caused a few bumps in the road to constructing the best possible testing

⁴⁶Mitchell, *The Mitchell Report*, 86-87.

⁴⁷Ibid., 57-58.

⁴⁸Ibid., SR-1.

policy that organizations like the National Collegiate Athletic Association (NCAA) and the International Olympic Committee (IOC) have been able to avoid.

A commission from Columbia University's National Center on Addiction and Substance Abuse conducted a study in 2000 to examine Olympic sports and the use of performance enhancing substances. Among the study's findings were recommendations that testing of athletes should be conducted year-round by an outside agency.⁴⁹ A 2006 revision to baseball's testing policy allowed for an "independent program administrator," but such a position wasn't exactly what Columbia's study had in mind when recommending an outside agency. The man baseball appointed to fill this position was Dr. Bryan Wesley Smith, but despite Smith's hiring, the Commissioner's Office and the Players Association still controlled many aspects of the testing procedure. In addition, baseball's program fell short in other areas, like transparency. Requests by Mitchell Report investigators for drug testing records from 2003 to 2005 were denied because they had already been destroyed.⁵⁰

Urine testing is the method Major League Baseball and other professional sports leagues currently use to detect performance enhancing substances. Although urine tests aren't able to detect the presence of human growth hormone, efforts are already underway to create a test that fixes this hole in the testing process.⁵¹ In his essay *Privacy and the Urinalysis Testing of Athletes*, Paul B. Thompson argues that while debates over whether a substance should be banned in a sport are healthy, when it's determined that a

⁴⁹Ibid., 258-61.

⁵⁰Ibid., 263-66.

⁵¹Ibid., 275-76.

substance *is* banned in a sport, arguments against the ethics of using urinalysis to detect for that substance are futile. Urine testing is simply a means of enforcing the rules of the sport, and if a substance has been deemed to undermine the predetermined code of competition in the sport, urinalysis is fair game. Arguments that this type of testing violates the privacy rights of the athletes in question are usually made in vain because the athletes, by virtue of their desire to participate in the sport, are agreeing to the rules of the sport and the power of the sport's authority to enforce these rules. It's a different story, however, when the tests are used to detect "criminal activity" by athletes taking place outside of the sport, when they're engaging in their private affairs. Such an offense is especially unjustifiable when the person or persons mandating the testing are sport officials, not elected or "public appointed" officials.⁵²

Despite the Mitchell Report's criticisms of many of baseball's testing practices, it did commend the efforts of the league and the Players Association in respecting the privacy rights of the players and advised that future testing programs do the same.⁵³

Will Carroll, in his book *The Juice: The Real Story of Baseball's Drug Problems*, claims that one of professional baseball's competing professional sports organizations, the National Football League, has long held a "tougher" steroid policy than baseball. The NFL's steroid testing began in 1987 and separated steroid testing from testing for other drugs. Six players are selected weekly from every team in the league and tested for

⁵²Paul B. Thompson, "Privacy and the Urinalysis Testing of Athletes," in *Philosophic Inquiry in Sport*, ed. William J. Morgan and Klaus V. Meier (Champaign, IL: Human Kinetics Publishers, Inc., 1988), 314-17.

⁵³Mitchell, *Mitchell Report*, 306.

performance enhancers. Players who receive three positive tests are given an indefinite suspension from the league, lasting at least one year.⁵⁴

In January 2005, Bud Selig and Don Fehr announced their first new, improved steroid program for baseball. Players who tested positive for steroids once received a 10 day suspension and players with four positive tests received a year long ban. The policy was soon modified, with players receiving a 50 game suspension for one positive test, a 100 game suspension for a second, and a lifetime ban for a third. Kentucky Senator Jim Bruning, a Hall of Fame pitcher himself, voiced disappointment that the new policy ignored the records and statistics produced during this era. Representative John Sweeney, whose district was home to the Baseball Hall of Fame in Cooperstown, New York, asked the game to address the issue of players who achieved records improperly by using steroids.⁵⁵

V. Congressional Intervention and the Mitchell Report

Pressured by *San Francisco Chronicle* reports detailing the steroid use of Barry Bonds and Jason Giambi, the accounts of steroid use in baseball by Jose Canseco in his divulging memoir, and the desire to keep steroids out of the hands of young athletes, the House Government Reform Committee invited Commissioner Bud Selig, players' union chief Donald Fehr, and several current or former big league baseball players to testify at a hearing to discuss the use of steroids in baseball. The players' reluctance to appear at the hearings forced subpoenas to be issued to force them to attend. The hearing took place on March 17, 2005 in Room 2154 of the Rayburn House Office Building. Among the

⁵⁴Carroll and Carroll, *The Juice*, 108.

⁵⁵Fainaru-Wada and Williams, *Game of Shadows*, 263-64.

players who attended, Dominican star Sammy Sosa acted as if he couldn't speak English; Orioles first baseman Rafael Palmeiro issued a firm, finger-pointing denial of his alleged steroid use; and slugger Mark McGwire, despite a heartfelt opening statement, answered questions evasively, invoking a desire to put the past behind him.⁵⁶

A. Selig Announces Mitchell Report

On March 30, 2006, Major League Baseball Commissioner Bud Selig named former Senator George Mitchell head of a full-scale investigation into the past use of performance enhancing drugs in Major League Baseball with “complete independence” in conducting his investigation. While Selig's appointment of Mitchell came on the heels of the release of the book *Game of Shadows*, written by a pair of *San Francisco Chronicle* reporters who alleged in its pages that superstar Barry Bonds was one of the many current or former Major League Baseball players who used performance enhancing drugs at one time or another, Selig insisted in his media briefing that the investigation was fueled by federal grand jury testimony of players possibly linked to the San Francisco area outfit BALCO, and didn't mention the names of any specific baseball players.⁵⁷

Selig and Players Association Executive Director Donald Fehr found themselves back on Capitol Hill on January 15, 2008, testifying as witnesses during a hearing that examined the findings of the Mitchell Report. The event was broadcast live on the

⁵⁶Fainaru-Wada and Williams, *Game of Shadows*, 243-46.

⁵⁷Barry M. Bloom, “Selig Announces Steroid Investigation,” from MLB.com under News Archive, http://mlb.mlb.com/news/article.jsp?ymd=20060330&content_id=1374385&vkey=news_mlb&fext=.jsp&c_id=mlb, (accessed January 25, 2008).

Internet by MLB.com.⁵⁸ Mitchell's efforts produced an extensive, 409-page report chronicling the use of steroids and other performance enhancing substances in Major League Baseball, including his conclusions from the investigation and his recommendations for how to move forward. In the report's summary and recommendations, Mitchell stated,

For more than a decade there has been widespread illegal use of steroids and other performance enhancing substances by players in Major League Baseball, in violation of federal law and baseball policy. Club officials routinely have discussed the possibility of such substance use when evaluating players. Those who have illegally used these substances range from players whose major league careers were brief to potential members of the Baseball Hall of Fame. They include both pitchers and position players, and their backgrounds are as diverse as those of all major league players.⁵⁹

B. Investigative Process

During the course of Senator Mitchell's investigation, more than 700 witnesses were interviewed, including 68 current and former players. More than 100,000 pages of documents from the Commissioner's Office and all 30 MLB teams were reviewed, including more than 20,000 electronic documents. For the most part, the Players Association hindered Mitchell's investigation. For instance, a memo sent to every active player in the major leagues by Senator Mitchell, asking for players to come forth if they had any information that may have pertained to the investigation, was met with a competing memo from the Players Association that discouraged player assistance.⁶⁰

⁵⁸“MLB.com to air live video from Tuesday's congressional hearing,” from MLB.com under Press Releases, http://mlb.mlb.com/news/press_releases/press_release.jsp?ymd=20080114&content_id=2345594&vkey=pr_mlbcom&fext=.jsp&c_id=mlb, (accessed February 25,2008).

⁵⁹Mitchell, *Mitchell Report*, SR-1.

⁶⁰*Ibid.*, SR 6-7.

Mitchell's memo to all Major League Baseball players, dated September 6, 2007, states "the illegal use of performance enhancing substances is a serious violation of the rules of Major League Baseball which directly affects the integrity of the game. The principal victims are the majority of players who don't use such substances." It asks for the cooperation of Major League Baseball players and promises confidentiality if the players so desire.⁶¹ Fehr's memo to the players, also dated September 6, 2007, informs the players of their right to meet with George Mitchell and his investigative team, but strongly advises players to "seek the advice of MLBPA counsel and a qualified private attorney before proceeding."⁶²

Throughout Senator Mitchell's investigation, numerous witnesses who were interviewed disavowed all knowledge of anything even remotely related to steroids. Some former players cited a fear of breaking Major League Baseball's unwritten code of conduct that frowns upon the release of sensitive information to the public as their reason for stonewalling the investigation.⁶³

C. Mitchell's Findings and Conclusions

The Mitchell Report's extensiveness was such that it revealed, in great detail, much of the previously public knowledge of baseball's longtime battle with steroids in the game, but also new information about players, their substance abuse, and those who assisted in their abuse. The exploits of baseball's traditional poster boys for steroid use

⁶¹Ibid., B-7.

⁶²Ibid., B-9.

⁶³Ibid., 88-89.

were well documented in the findings, but so were the exploits of players previously unknown to have anything to do with steroid and performance enhancing substance use.

Kirk Radomski, a personal trainer and former New York Mets employee, admitted to Mitchell Report Investigators that he sold performance enhancing substances to many professional baseball players. He began selling illegal substances to Mets players, but his clientele eventually grew as word spread throughout the league of his capabilities in acquiring performance enhancing substances. Some of his business with players was done in person and some through the mail. Radomski dealt in both steroids and human growth hormone, acquiring steroids from users at gyms and HGH from people leaving pharmacies with prescriptions of the substance.⁶⁴ Federal agents raided Radomski's home on December 14, 2005, seizing documents chronicling the trainer's involvement with Major League Baseball players. He signed a plea agreement with the U.S. Attorney's Office in 2007, agreeing to a guilty plea for one count of distribution of anabolic steroids and one count of money laundering in exchange for a lenient sentence, provided he cooperated fully and honestly.⁶⁵

The Mitchell Report also claimed that Cy Young Award-winning pitcher Roger Clemens approached Toronto Blue Jays trainer Brian McNamee about injecting steroids shortly after a road trip that included a stop in Miami to play the Florida Marlins, where Clemens was observed by McNamee meeting with Jose Canseco at a lunch party. Clemens, playing for the Blue Jays at the time, was close to McNamee professionally. McNamee had been identified during the investigation of fellow trainer Kirk Radomski

⁶⁴Ibid., 142-44.

⁶⁵Ibid., 138-39.

as one of his “customers” and “possible sub-distributor” of steroids. McNamee helped Clemens inject steroids on multiple occasions, claiming Clemens approached him with the steroids and needles in hand. McNamee later followed Clemens to the New York Yankees after Clemens was traded in 1999, working as both an employee of the organization and a personal employee of Clemens. He claims to have injected Clemens with both testosterone and human growth hormone while there.⁶⁶ McNamee also admitted to providing performance enhancing substances to two Clemens teammates, Andy Pettitte and Chuck Knoblauch.⁶⁷

Clemens and McNamee both appeared before the House Committee on Oversight and Government Reform on February 13, 2008 to discuss the claims made in the Mitchell Report of Clemens’s use of illegal substances and McNamee’s distribution of them. Throughout the extensive hearing, both Clemens and McNamee exchanged completely contradictory stories of Clemens’s alleged use of performance enhancing substances. Clemens’s passionate denials of his alleged use of steroids and human growth hormone were countered by McNamee’s insistence that he told Mitchell Report investigators the truth. Although Pettitte and Knoblauch were both excused from the hearing, they earlier acknowledged to the Committee that McNamee was telling the truth when he admitted to providing the two players with performance enhancing substances. While the day’s proceedings were “split largely along party lines,” with Democrats directing harsher questions at Clemens and Republicans saving their venom for McNamee, Rep. Tom

⁶⁶Ibid., 167-71.

⁶⁷Ibid., 175-77.

Davis put the days' proceedings in context when he concluded that "Someone is lying in spectacular fashion."⁶⁸

In the Mitchell Report's conclusions, it's evident that baseball's past is tainted because of steroids and like substances that players used to perform at high levels. Many involved in baseball are, in one way or another, at least partially responsible for the steroids problem in the game. Players are responsible for their actions because they knowingly disobeyed federal law and baseball policy; managers and clubhouse personnel turned their heads the other way when they witnessed players using steroids; and baseball officials, including Bud Selig, did little to investigate the rumors that steroids were prevalent in baseball. While it's not certain that everyone involved in professional baseball was motivated by greed, it seems reasonable to infer that the popularity of baseball and the incredible revenue it generated were responsible for management's untimely response to steroids in the game. It's clear that Senator Mitchell is advocating that Major League Baseball needs to move itself past the era of steroid use in the game, and the recommendations of his report are the first step in starting that chapter of baseball:

1. The use of steroids in Major League Baseball was widespread. The response by baseball was slow to develop and was initially ineffective. For many years, citing concerns for the privacy rights of the players, the Players Association opposed mandatory random drug testing of its members for steroids and other substances. But in 2002, the effort gained momentum after the clubs and the Players Association agreed to and adopted a mandatory random drug testing program. The current program has been effective in that detectable steroid use appears to have declined. However, that does not mean that players have stopped using performance enhancing substances. Many players have shifted to human growth hormone, which is not detectable in any currently available urine test.

⁶⁸Ronald Blum and Howard Fendrich, "Clemens takes his lumps on Capitol Hill," *Associated Press*, February 14, 2008, from <http://www.fox11az.com/sports/headlines/stories//kmsb-20080214-apjc-clemenstake.bfae3f9f.html> (accessed February 25, 2008).

2. The minority of players who used such substances were wrong. They violated federal law and baseball policy, and they distorted the fairness of competition by trying to gain an unfair advantage over the majority of players who followed the law and the rules. They - the players who follow the law and the rules - are faced with the painful choice of either being placed at a competitive disadvantage or becoming illegal users themselves. No one should have to make that choice.

3. Obviously, the players who illegally used performance enhancing substances are responsible for their actions. But they did not act in a vacuum. Everyone involved in baseball over the past two decades - Commissioners, club officials, the Players Association, and players - shares to some extent in the responsibility for the steroids era. There was a collective failure to recognize the problem as it emerged and to deal with it early on. As a result, an environment developed in which illegal use became widespread.

4. Knowledge and understanding of the past are essential if the problem is to be dealt with effectively in the future. But being chained to the past is not helpful. Baseball does not need and cannot afford to engage in a never-ending search for the name of every player who ever used performance enhancing substances. The Commissioner was right to ask for this investigation and report. It would have been impossible to get closure on this issue without it, or something like it.

5. But it is now time to look to the future, to get on with the important and difficult task that lies ahead. Everyone involved in Major League Baseball should join in a well planned, well-executed, and sustained effort to bring the era of steroids and human growth hormone to an end and to prevent its recurrence in some other form in the future. That is the only way this cloud will be removed from the game. The adoption of the recommendations set forth in this report will be a first step in that direction.⁶⁹

In light of Senator's Mitchell's findings and the corroborated evidence of baseball officials, journalists, players, and others involved in the game, it's clear that steroids and performance enhancing drugs have been a part of baseball for a period of 15 to 20 years. The performances on the field by elite players, whose use of certain substances seems to have been at least suspected by those in baseball's inner circle, seems to have set the tone for players of all skill levels across the game. Any suspicions that a player may have been using steroids or other banned substances were often cultivated by a noticeable change in a player's physique or a distinct improvement in a player's on-field production.

⁶⁹Mitchell, *Mitchell Report*, 310-311.

A time frame of such length indicates that these drugs and their use by players constituted more than a simple footnote in the history of baseball, but an entire era. Suspicions of steroid use first surfaced in 1988, but Major League Baseball's steroid policy was essentially insignificant until 2005. During this 17-year period, baseball officials paid little attention to the steroids problem. By the time they responded to the problem, nearly two decades worth of players were responsible for taking banned performance enhancing substances and tainting the game's integrity. Baseball's response simply came too late.

Chapter 2

Ethical Considerations of Steroids in Baseball

I. The Prohibition Debate

Having established that Major League Baseball players have used performance enhancing substances, in some cases extensively, various questions come to mind pertaining to these substances and their actual impact on the game. While some examination of the ethical dilemma facing baseball in light of this evidence is necessary, and will be addressed at length later in this chapter, a logical place to start is identifying key positions in the debate over the prohibition of performance enhancing substances.

In his essay *Good Competition and Drug-Enhanced Performance*, author Robert Simon identifies some general criteria that should be at least partially met to consider a substance a performance enhancing substance:

1. If the user did not believe that use of the substance in the amount ingested would increase the chances of enhanced performance, that substance would not be taken.
2. The substance, in the amount ingested, is believed to carry significant risk to the user.
3. The substance, in the amount ingested, is not prescribed medication taken to relieve an illness or injury.¹

In another work, Simon claims that instead of trying to define what, exactly, distinguishes performance enhancing substances from non-performance enhancing substances, it's more appropriate to examine anabolic steroids, which are prohibited by major sports organizations. Then we can determine the reasons for why these substances are prohibited, what moral reasons contribute to their prohibition, and what other

¹Robert L. Simon, "Good Competition and Drug-Enhanced Performance," in *Philosophic Inquiry in Sport*, ed. William J. Morgan and Klaus V. Meier (Champaign, IL: Human Kinetics Publishers, Inc., 1988), 290.

substances should be banned accordingly.² It's clear there are specific distinctions separating the performance enhancing qualities of innumerable substances that athletes use, like the ones that distinguish HGH from anabolic steroids, but Simon's idea will, for the most part, govern the remainder of this discussion.

An examination of the arguments for and against the prohibition of steroids provides a philosophical framework with which to examine the actions of players in Major League Baseball and the game's officials. In particular, two of the traditional arguments for the prohibition of steroids in sports are the impetus for the discussion of their impact on the record books. Steroids provide athletes with a competitive edge, making them the beneficiaries of improved physiology. Such benefits seem to undermine the fairness of competition by making athletic success more easily attainable and providing an advantage over other athletes who don't use steroids.

A. Robert Simon's Analysis

In addition to the criteria he established for determining what constitutes a performance enhancing substance, Simon has also been influential in examining the debate over the reasons steroids and other performance enhancing substances should be banned. In his book *Fair Play: The Ethics of Sport*, Simon lays out the following four arguments for why steroids should be banned in sports:

Various reasons are cited as justification of the claim that competitive athletes ought not to use performance enhancing steroids. Among the most frequently cited are the following: (a) use of steroids to enhance performance is harmful to athletes, who need to be protected; (b) use of steroids to enhance performance by some athletes coerces others into using steroids; (c) use of steroids to enhance performance is unfair, or a form of cheating; (d) use of steroids to enhance

²Simon, *Fair Play*, 72.

performance violates justifiable norms or ideals that ought to govern athletic competition.³

While these four reasons generally form the bulk of the argument for why steroids and performance enhancing substances should be banned, they're not without criticism. These criticisms aren't easily dismissed either.

1. Paternalism

One of the criticisms of the first reason why athletes should not use performance enhancing steroids – that the use of steroids to enhance performance is harmful to athletes, who need to be protected – is that such a claim is unfairly paternalistic in nature. As a result, athletes aren't allowed to make their own decisions. Instead, someone else is making a decision for them by telling them what is and what isn't in their own best interest. We're not subject to this kind of paternalism in other areas of our lives, like what foods are best for us or whether or not we can smoke cigarettes, so why should athletes be subjected to a different set of rules that violate human liberty? If athletes are comfortable with the increased performance that accompanies the use of steroids, despite the potential risks that come with such use, who should have the right to stop them?

Before accepting the anti-paternalistic argument we need to determine whether athletes who take steroids are making an informed decision, because unless their actions are the result of free and informed choice, it can't be determined that they know what's really in their best interest.⁴

In another passage, Simon reminds us that paternalistic concerns have limits. Specifically, we should express concern for the possible harm awaiting young athletes

³Ibid., 72-73.

⁴Ibid., 73-74

who take steroids in an effort to impress their elders with improved athletic performance or emulate their sports heroes, who also use steroids. Such considerations garner more support for the complete prohibition of performance enhancing substances.⁵

W.M. Brown's discussion of the argument that steroids and other performance enhancing substances should be prohibited to protect the athletes ingesting them (often in large doses) acknowledges the paternalistic obligations that adults face in educating their children about the many facets of sports participation but reminds us that there are differences between childhood and adult life. In adult life, particularly in a free society, winning and achievement are valued, and the set of values that apply in childhood may not be identical to the values of adulthood. While many condemn drugs in sports on the grounds that the two are incompatible with each other (sports being an arena where drugs harm the "greater good," established through the mutual partnership between athletic participants), Brown points out the contradiction in prohibiting steroids on paternalistic grounds:

We can indeed forbid the use of drugs in athletics in general, just as we do in the case of children. But ironically, in adopting such a paternalistic stance of insisting that we know better than the athletes themselves how to achieve some more general good which they myopically ignore, we must deny in them the very attributes we claim to value: self-reliance, personal achievement, and autonomy.⁶

2. Coercion

The second reason why athletes should not use performance enhancing steroids – that the use of steroids to enhance performance by some athletes coerces others into using steroids – hinges on the meaning of the word "coercion." This justification implies that

⁵Simon, *Good Competition and Drug-Enhanced Performance*, 293.

⁶W.M. Brown, "Paternalism, Drugs, and the Nature of Sports," in *Philosophic Inquiry in Sport*, ed. William J. Morgan and Klaus V. Meier (Champaign, IL: Human Kinetics Publishers, Inc., 1988), 302-04.

professional athletes, whose livelihood depends on performing athletically at a high level, may consent to atypical behavior to stay competitive. A problem arises with the term “coercion” because of its broad use. If we apply the term “coercion” to athletes who use steroids, is that then any different than the pressure or coercion on a law student to study hard during exam week? Some pressures, it seems, are self-imposed.

Still, we shouldn’t simply dismiss appeals to coercion. Some may point out that despite an athlete’s clean intentions for success, it’s possible the athlete could be coerced into steroid use by other competitors for fear that he/she won’t stay competitive with a steroid-using rival. Thus, the athlete may be stuck in a compromising position: take steroids and remain competitive or don’t take them and find another profession. The argument, you see, takes a slight shift here from the trajectory it was on throughout the first justification. It’s no longer about prohibiting steroid use to protect athletes from damaging their own bodies, it’s about preventing them from coercing others into doing the same. Here again, we run into more problems with use of the term “coercion.” One may just as likely claim that students who study hard are guilty of “coercing” other students to study harder so they can keep up academically. Such an argument detracts from the moral force of the word “coercion” because, under such a definition, all competitive pressure becomes coercive and no competitive behavior is left that isn’t coercive.

However we choose to define “coercion,” it becomes problematic when it unnecessarily interferes with the freedom of another person. If one athlete uses a substance that puts competitors in the position of making a potentially hazardous decision, that’s a potential violation of those competitors’ freedoms. The choice to use a

drug that could potentially do bodily harm or become non-competitive is one such choice, and a reason to place a prohibition on steroids, thereby protecting athletes from having to make a choice.⁷ Just because steroids are prohibited, however, doesn't guarantee an end to coercion. Steroids were prohibited during the era of professional baseball that the Mitchell Report investigated, but that didn't stop many players from using them. Ironically, the Mitchell Report alludes to the dangers of coercion in its recommendations, claiming that "the players who follow the law and the rules are faced with the painful choice of either being placed at a competitive disadvantage or becoming illegal users themselves. No one should have to make that choice."⁸

3. Fairness and Cheating

The third reason why athletes should not use performance enhancing steroids – that the use of steroids to enhance performance is unfair, or a form of cheating – indicates that drug users are cheating their opponents by breaking existing rules, assuming there are rules prohibiting the use of performance enhancing drugs, and that they're taking unfair advantage of those who follow the rules. We're forced to consider the nature of the unfairness precisely and, according to Roger Gardner, ask ourselves whether steroid use is unfair because it provides a competitive advantage over other athletes or because it's unfair to the game by making success more easily attainable.

If we were to ask athletes to cast a vote for a rule that either permits or prohibits the use of performance enhancing steroids, and we did so while shrouding the athletes in a "veil of ignorance" that left them unaware of the personal effects of the use or nonuse of steroids, but only keen to the general properties of steroids, can it be concluded that an

⁷Simon, *Fair Play*, 75-78.

⁸Mitchell, *Mitchell Report*, 310-11.

athlete voting in favor of a rule permitting the use of steroids would be doing so irrationally? It seems plausible to conclude that while an athlete would have knowledge of the harmful properties of steroids, he/she wouldn't have any reason to suspect steroids to be particularly helpful in light of the fact that any gains one competitor received would largely be negated by similar gains in others. The health risks to all, however, would still remain. In light of such an example, it seems that any obvious competitive advantage from using steroids is only possible if some athletes use steroids secretly. This argument functions on the premise that steroid use seems justifiable if users only think about themselves and the competitive advantage awaiting them but not if they think objectively about the ramifications of such a practice if it's applied universally. One objection to the "veil of ignorance" argument is that it assumes athletes faced with such a question would only factor two things into their decision-making: health risks and competitive advantage over other athletes. We're also forced to consider whether the governing bodies of sports should force themselves to factor in the particular values of individual athletes or whether they can ignore them and simply judge steroid use on the grounds of just/fair competition. It seems reasonable for such governing bodies, when formulating the rules of competition, to ignore these particular values individual athletes may carry with them and simply focus on regulating competition impartially.⁹

Furthermore, it doesn't seem right that athletes who value their health and well-being should suffer the competitive consequences that their foolish counterparts enjoy on the field of play.¹⁰

⁹Simon, *Fair Play*, 79-83.

¹⁰Hyland, *Philosophy of Sport*, 49.

In response to Gardner's questioning of the precise nature of the unfairness, it seems reasonable to conclude that steroid and performance enhancing drug use not only gives users an advantage over non-users but also makes success come easier because of the temporary physical benefits steroids provide. This second kind of unfairness will be examined in greater detail later in the discussion, particularly when trying to explain the accomplishments of baseball players in this era of widespread steroid use compared to players of other eras.

A discussion of fairness seems incomplete without a sub-discussion of cheating. While our conventional wisdom tells us cheating in sports is wrong, it's harder than you might expect to argue for that position philosophically. Most cases of what we term "cheating" involve the guilty party trying to obtain an "unfair advantage by altering certain conditions of competitive equality." Cheating not only attempts to gain an unfair advantage over one's opponent(s) but also undermines the very nature of the game being played. But deciding what does and does not constitute cheating can be difficult, thanks to what Randolph Feezell calls the "prescriptive atmosphere" of the game being played, which "defines an atmosphere of competitive expectations in which the participants may gain a competitive advantage, and perhaps win, only in the context of an underlying equality expressed in the rules."

Throughout his discussion on cheating in *Sport, Play and Ethical Reflection*, Feezell notes that the written rules of a game can only take us so far. Traditions of a game and baseball in particular, allow for "actions that might appear to the outsider to be inappropriate." Parts of a game like this may not always be violations serious enough to

warrant calling them “cheating,” but simply facets of a game that indicate how it has historically been played.¹¹

Although it’s not a sports example, especially in its present form, imagine a highway full of cars. Signs on the side of the road clearly state that the speed limit is 60 miles-per-hour, but everybody, it seems, is driving at least 65 MPH. Such an example could be considered part of the “prescriptive atmosphere” of driving. But, according to the letter of the law, every driver on the road is breaking the law by exceeding the speed limit. Most often in such an example, a police officer (the “official” of this example) will allow all the drivers to continue driving over the speed limit. But what happens if a driver going 65 MPH gets pulled over and ticketed for breaking the speed limit? He may claim that he was driving as fast as everybody else on the road (no faster), and simply following the “prescriptive atmosphere” of highway driving, but he was technically breaking the rules. Applying this same logic to baseball and steroids becomes interesting. As evidenced in the Mitchell Report, current and former players were difficult to contact and pry for information about steroid use, which leads one to believe that such stonewalling indicated steroids were nothing more than part of baseball’s “prescriptive atmosphere.” There seems to be a difference, however, between using performance enhancing substances and other actions commonly viewed as part of baseball’s prescriptive atmosphere, like sliding outside the baseline to prevent a double play or pitching inside on a hitter to move him back off the plate. These gestures are more prevalent than players who used steroids. They’re also indicative of what baseball managers and coaches refer to as “playing the game hard.”

¹¹Randolph Feezell, *Sport, Play, and Ethical Reflection*, (Urbana and Chicago, IL: University of Illinois Press, 2004), 98-102.

Carolyn E. Thomas examines cheating through its relationship to the rules of a particular sport. While rules in sports aim to direct what is and isn't allowed on the field of play, rules don't allow for every possible scenario that may occur, and certain acts on the field of play may be indicative of an athlete's particular interpretation of the rules. They may also be indicative of an athlete trying to obtain every possible advantage in competition, while crippling the advantage of the competitor. These methods often put the onus on the game officials to make a judgment on the intent of the athlete's actions and remove the responsibility of enforcing fair play from the athlete.

Games require rules to define means and ends. A contest requires an opponent who agrees to play the same game. Choosing not to play the same game by cheating subtly or overtly is to ignore or demean the contract and the opponent.¹²

Baseball officials made a judgment on the presence of steroids in the game. They concluded that steroids and performance enhancing substances demean the contract between players. In light of this, how is it possible to conclude that any professional baseball player taking a banned substance isn't cheating?

4. Norms and Ideals of Competition

The fourth reason why athletes should not use performance enhancing steroids – that the use of steroids to enhance performance violates justifiable norms or ideals that ought to govern athletic competitions – supports the notion that competition in sports should be a test of the athletic ability of persons and that this ideal of competition is corrupted if performance enhancing drugs contribute to its results. We wouldn't accept home runs produced by an innovative baseball bat, programmed by a computer and designed to produce the perfect contact to hit balls out of the park, would we? Such a

¹²Carolyn E. Thomas, *Sport in a Philosophic Context*, (Philadelphia: Lea and Febiger, 1983), 195-97.

contraption wouldn't be a reflection of the batter's skill, but of the use of specialized equipment.

Opponents of this argument raise a four-pronged objection that goes like this: (1) New equipment is allowed in sports, such as fiberglass poles for vaulting and composite tennis racquets that increase performance. Are these innovations any different than performance enhancing drugs? (2) How are changes in diet, such as carbo-loading to improve a race time, any different from taking steroids? (3) Performance enhancers aren't solely responsible for increased athletic results because they only work if used in conjunction with rigorous training; (4) Shouldn't athletes be allowed to choose for themselves whether or not to use steroids, just as they're able to decide whether or not to train in other ways?

While advances in technology do lead to advances in athletic achievement, the equipment that benefits from such advances must still be used by actual people. It could be argued that performance enhancing drugs change the nature of the user instead of the equipment. In doing so, this drug use cuts the legs out from the challenge presented by sports.¹³ The use of performance enhancing substances seems to detract from the basis of competition – that competition should take place between persons under a given set of rules. Performance enhancing substance use makes the competition become about how the athlete's body performs in response to these substances, not about how the athlete performs exclusively.¹⁴

¹³Simon, *Fair Play*, 83-85.

¹⁴Simon, *Good Competition and Drug-Enhanced Performance*, 293.

B. Drew Hyland's Argument

Drew A. Hyland's examination of the arguments for the prohibition of steroids follows Robert Simon's four arguments closely, but includes a fifth: athletes are mimicked by sports-hungry kids who may feel compelled to take steroids if they see their heroes doing it. Such imitation only perpetuates the steroids problem.¹⁵

A danger of relying on Hyland's argument is its failure to account for other behaviors and lifestyle choices that athletes make, like drinking alcohol. We wouldn't want our kids to imitate that, but we don't outlaw athletes from having a drink, do we? Why should steroids be any different?¹⁶ Hyland's argument is really an appeal to athletes to be aware of how their behavior can easily influence children. Simply appealing to the importance of model behavior isn't sufficient to outlaw certain actions.

C. Harming the Sport

Laura Morgan, in her essay *Enhancing Performance in Sports: What is Morally Permissible?*, claims that most of the arguments for banning performance enhancing substances in sports are insufficient, particularly the arguments that use the "harm" position as their justification for banning these substances. While she doesn't personally think performance enhancing substances should be allowed in sports, particularly anabolic steroids, she thinks the philosophical community at least owes the issue the decency of a complete and thorough argument.

While traditional arguments that rely on the harm principle focus on individual harm, such as the harm the steroid user subjects him/herself to or the harm the user

¹⁵Hyland, *Philosophy of Sport*, 50.

¹⁶Ibid., 56.

inflicts on others in the sport, Morgan feels there's a greater harm at stake when steroids or performance enhancers are allowed in sports: harm that's inflicted on the actual sport. In refuting the traditional harm argument, Morgan points out its inconsistencies (much like Simon), including the notion that physical harm may come to an athlete who uses steroids, which seems to run completely contradictory to contact sports like football, where bodily harm is not only a consequence of competition, but an expectation.

Her argument that steroids harm the sport itself describes two ways in which the sport is harmed: "(1) steroid use alters the nature of sport in a negative way, and (2) steroid use violates the ethics of competition in sports."

One possible reason for banning steroids in light of this sort of harm argument is to keep athletes from gaining an unfair advantage over their competitors. Another option would be to simply make the same drugs available to everybody, giving them all an equal chance at benefiting from them. In order to put her argument to the test, Morgan advocates an examination of the effects of steroid use on the sport itself to determine if they're good, bad, or indifferent. If the pros of allowing steroids in a sport outweigh the cons then they should be allowed, and vice-versa. If the examination ends in a push, then steroids should be allowed because their prohibition in such an instance would be an infringement of "autonomy."

A competitor who takes steroids does so to gain an advantage over an opponent but, in doing so, is violating that opponent's right to a fair competition. In a scenario where every athlete is taking steroids, a competitor is using these drugs to ensure that his/her opponent is entering into a competition against someone striving to be his/her best, given the rules of the competition. This thinking, however, is inherently corrupt

because it's forcing an athlete to subject him/herself to a potentially hazardous situation just to uphold the standards of competition.¹⁷

Performance enhancing substances aren't golden tickets to predetermined athletic success. A user still must work to refine his/her athletic skills, and some may argue that even if performance enhancers were available to every athlete, it would be the individual skills of those athletes that would determine success. However, if every athlete did have access to performance enhancers, the effects of these substances on their athletic performance would hinge on every athlete's individual body chemistry, and to what extent the substance would be received by the athlete's body.¹⁸

As for an examination of what steroids have done to the game of baseball, it's hard to say steroids have affected the game negatively. The popularity of baseball may well be at an all time high, and fans enjoy watching games where players are hitting home runs. This style of baseball seems to be exciting for the majority of the game's viewers. As a result, more fans than ever are showing up at ballparks during the summer to watch their favorite players smash home runs. These attendance figures have made Major League Baseball a profitable enterprise and, in that regard, the impact of steroids on baseball has been beneficial.

Yet it seems too simplistic to judge the impact of steroids on baseball just by examining the league's financial statements. If the game's popularity has come at the expense of sacrificing the predetermined rules and regulations under which the game is to

¹⁷Laura Morgan, "Enhancing Performance in Sports: What is Morally Permissible?" in *Sports Ethics: An Anthology*, ed. Jan Boxill (Malden, MA: Blackwell Publishers, 2002), 183-87.

¹⁸Simon, *Good Competition and Drug-Enhanced Performance*, 294.

be conducted, then maybe the game has actually suffered as a result of steroids in the sport.

Appeals to paternalism and coercion are relevant, but this thesis examines how steroids impact records and statistics. Two of the reasons for prohibiting steroids in sports – that steroid use is unfair, or a form of cheating and that steroid use violates norms that ought to govern athletic competition – bridge the gap into this discussion’s primary focus: the impact of steroids on baseball’s records and statistics. These two reasons for prohibiting steroids warn of the dangers that steroids pose on a sport’s competitive equality, and they’re two of the problems baseball is facing following the steroids era. Baseball historians who’ve raised concerns that success came too easily to players using steroids have an important argument. Many may argue that the success steroid users have seen, whether it be hitting more home runs than ever before or pitching more innings per start, has come too cheaply to these players. Maybe Hank Aaron would have hit 900 home runs had he used steroids; we’ll never know. But should Aaron be forced to take a backseat in the record books to Barry Bonds, a user of steroids and HGH? Sports statistics are used as a tool to judge players and their accomplishments against one another, but it’s presupposed that the statistics have all been achieved through measures taken to preserve competitive equality. Steroids, however, corrupt that competitive equality.

II. Records and Statistics

Now that we’ve examined the moral arguments for the prohibition of steroids, let’s return to why they’re relevant to records and statistics. Whoever coined the phrase “records are made to be broken” probably should have said, “records are made to be

broken fairly.” Such a qualification would have been more appropriate. In his June 3, 2002 article *Baseball, Steroids and the Truth*, then-ESPN columnist and radio personality Dan Patrick referenced a recent interview he’d conducted with sports personality Bob Costas. Costas concluded that baseball has experienced three distinct eras in its history, and the most recent of these eras should be referred to as the “steroids era,” characterized by statistical spikes in the number of home runs and power hitting – the likes of which the game had never before seen in such widespread proportions. Patrick also questioned the validity of the statistics produced during the steroids era, asking whether statistic-hungry baseball fans are victims of “consumer fraud.”¹⁹

As many already know, baseball enthusiasts adore statistics, using them to make value judgments of players, teams, and managers. Fans use these numbers to compare players and events that are years removed from each other.²⁰ In his 1969 book *Sport: A Philosophic Inquiry*, author Paul Weiss discusses the role of records in sports:

We cannot of course talk of records today with much feeling of confidence. An amazing number of what we once thought were the absolute limits of achievement have been discovered to be but momentary stops which better health, greater dedication, more favorable circumstance, more appropriate equipment, and new training methods have enabled men to pass beyond. Records, as we now understand them, are also comparatively new – hardly more than a hundred years old. Not only are the reports of performances of athletes before that time not reliable, but the conditions under which they were achieved are so dissimilar to our own that any comparison between them would be of little value.²¹

Weiss notes that changes in the way sports are conducted now and the way sports were conducted before, thanks to changes in equipment and approach, don’t do records justice.

¹⁹Dan Patrick, “Baseball, Steroids and the Truth,” ESPN.com, June 3, 2002, under “talent,” <http://espn.go.com/talent/danpatrick/s/2002/0531/1389144.html> (accessed January 25, 2008).

²⁰Jay Bennett and Aryn Martin, “The Numbers Game: What Fans Should Know about the Stats they Love,” in *Baseball and Philosophy*, ed. Eric Bronson (Chicago: Open Court Publishing, 2004), 233-34.

²¹ Paul Weiss, *Sport: A Philosophic Inquiry* (Carbondale, IL: Southern Illinois University Press, 1969), 14-16.

Still, records allow comparisons to be made between different athletes and teams of different eras so judgments can be made about the value of a given achievement made at a particular place and during a particular time.

Weiss claims sports records have “an attractive mathematical precision.” They list an account of individual and team achievement which can then be compared against the attempts of others who try and better that achievement. In the case of baseball, a team sport, individual elements are still documented, accounting for every play during a game. Over the course of an entire career, we can then use this data to encapsulate “what a man not only has done, but what he can do, and therefore what he truly is.” Weiss tells us “the records in which we are most interested, tell us the limits beyond which no one has yet been able to go.”²²

Sports records don't always tell the whole story. Certain matters that contribute to the achievement documented in a sports record simply go unreported due to the finite nature of the documentation process, which doesn't account for every single contributing element in a competition.²³ Take the following example: A golfer, during the final round of a championship, hits a drive on the final hole that travels 362 yards, making him holder of the record for the longest drive during that particular championship. The record only accounts for the fact that the ball traveled 362 yards. It doesn't account for how it got there. Perhaps the golfer, despite making reasonably solid contact with the ball, was aided by a gusty wind of 40 miles-per-hour at his back and a strong forward bounce off a metal sprinkler head in the fairway that propelled the ball an additional distance down the

²²Paul Weiss, “Records and the Man,” in *The Philosophy of Sport: A Collection of Original Essays*, ed. Robert G. Osterhoudt (Springfield, IL: Charles C. Thomas, 1973), 11-13.

²³Ibid., 15-17.

fairway. The records don't account for these benefits, for a lot of reasons, namely that the resources needed to carry out these calculations would be overwhelmingly difficult to acquire and a data recording procedure to account for such unexpected randomness, like a forward bounce off a sprinkler head, would be nearly impossible to design. In the case of this golfer, the record only accounts for where the ball finished, not the factors aiding its arrival. This is why statistics and records are somewhat limited. Yet, they're still valuable in many ways, mostly in indicating results.

An examination of the 10 year period in baseball between 1994 and 2004, a period Nate Silver refers to as the "Juiced Era," reveals a greater number of "Power Spikes" than any other era in baseball since 1949. "Power Spikes," a term used to denote an abrupt increase in home run frequency by veteran players, actually rose the highest for players during the "Juiced Era" who are typically considered average power hitters, rarely exceeding the 30 home run plateau in a single season.²⁴ As a result of the changes to baseball's drug testing policy, 76 baseball players (65 from the minor leagues and 11 from the major leagues) tested positive for steroids or performance enhancing substances in 2005. A common misconception among fans is that all these players were power-hitting position players, but almost half of them (36 out of 76) were pitchers. Studies of the suspended pitchers from the 2005 season reveal that the pitchers pitched slightly worse following their returns from steroid suspensions, but hardly enough worth noting statistically. A possible explanation for this subtle change is that steroids don't

²⁴Nate Silver, "What do Statistics Tell us About Steroids?," in *Baseball Between the Numbers*, ed. Jonah Keri (New York: Basic Books, 2006), 328-33.

necessarily assist a pitcher with the finesse aspects of pitching but instead allow a pitcher to work more often and with less rest between outings.²⁵

Silver concludes his analysis of the “Juiced Era” by pointing out that his examination of “confirmed” steroid users from 2005 illuminated only a modest benefit to these players statistically.²⁶ It’s worth noting that Silver’s analysis of these numbers only took into account confirmed steroid users from one season, 2005. There were likely many players who were steroid users prior to baseball’s new testing policy, implemented in 2004 and modified in 2005. It’s possible these players simply quit using steroids before they were tested during or after the 2004 season or were simply using a substance that was undetectable in testing at that time.

Pinpointing exactly how much impact steroids and performance enhancing substances had on baseball numbers is a decidedly complicated task. It’s impossible to overlook the evidence that links star players of the last two decades to steroid and performance enhancing substance use, but other complications like smaller ballparks and league expansion cloud the issue even more. While there isn’t the strongest evidence to implicate steroid use when we examine the number of runs scored per game over the last hundred or so years, the home run rates have risen significantly in the last 20 years, including an 11 year period from 1993 to 2004 when they were at an all-time high.²⁷

One theory voiced by many to explain the sudden surge of home run hitting during the 1990’s is that expansion of the league watered down the pitching ranks,

²⁵Ibid., 334-38.

²⁶Ibid., 341.

²⁷Carroll and Carroll, *The Juice*, 201-204.

making the task of hitting significantly easier. Two expansions have taken place during the era in question: one in 1993, which added two teams to the National League and one in 1998, which added one team to each league and sent one team from the American League to the National League. These expansions would seem a likely culprit of greater power numbers, but Will Carroll concludes in *The Juice* that the actual effects of introducing new franchises to the sport are “either the result of randomness or merely short-lived.”²⁸ Carroll also debunks claims that newer, smaller ballparks have contributed to the power hitting surge, as well as rules changes in the game, such as a smaller strike zone for umpires.²⁹

Bill James, baseball’s foremost statistical elder statesman, believed that the era from 1994 to approximately 2004 “surpassed the 1930’s as the biggest hitter’s era of *modern* baseball.” James, whose well known *Baseball Abstracts* have been used for decades by baseball insiders to quantitatively analyze the game, still had trouble pinning down steroids as the sole cause of this explosion of offense.³⁰ James had long believed that ballpark evolution was the greatest contributor to increased power numbers, but he debunked this theory after examining the issue more closely, eventually concluding that new parks accounted for “less than 20 percent” of the rise in runs scored:

Although the parks have changed enormously, in any five-year period you can find a good array of parks which have not been changed at all. Let’s say 1990 to 1995...yes, there is a new park in Colorado (Mile High Stadium at the time), there are new parks in Baltimore, Chicago, and Cleveland, but Fenway Park didn’t change in that era, Yankee Stadium didn’t, Royals Stadium didn’t, Tiger Stadium

²⁸Ibid., 206-209.

²⁹Ibid., 216-220.

³⁰Bryant, *Juicing the Game*, 246-49.

didn't, etc. That's from memory, but you get my point; in any five-year period, a certain number of parks are "constants."³¹

James had difficulty quantifying the effects of steroids on the era and stopped short of rendering a final judgment on their impact to the game.

We can now be certain there is evidence of increased power numbers over the last 20 years in baseball. It's now well known that steroids were prevalent during these two decades, and their presence in bodies of players was in direct violation of the rules of baseball. While there are possible exceptions to such a statement, like the fact that when Mark McGwire took androstenedione in 1998, the substance wasn't prohibited by baseball drug policy, for the most part, players who used steroids did so in violation of the rules of Major League Baseball. We shouldn't view this era as a disgrace only on the grounds that the steroids actually worked. What if every player in professional baseball over the past two decades used steroids, but failed to hit a single home run? Are we to ignore the fact that their actions were still in violation of baseball's drug policy? Imagine a scenario where a group of men are attempting to pull off the biggest bank heist in history, but get caught by authorities in the act of robbing the bank. Their intent was to do something illegal and deceptive. But they wouldn't receive a more lenient sentence just because they were lousy thieves who got caught in the act, would they?

The results of the so-called steroids era don't have to matter for there to be a serious problem with their presence in the game. If a player's intent was to gain an unfair advantage and deceive his competitors by using steroids, his intentions define his actions.

The records and statistics of the steroids era carry a great deal of significance because they're indicative of the lengths baseball players went to in disobeying the law

³¹ Ibid., 251-53.

and the rules of baseball to gain a competitive advantage. If history is to judge the performance of athletes, and baseball players in particular, by the extent of their statistical accomplishments, it's understood that these judgments should be made as fairly as possible. For this reason the "steroids era," defined by such great statistical accomplishments, should be under the eyes of scrutiny questioning the validity of its statistics.

Let's revisit the ground we've covered so far. Many players in professional baseball used steroids to enhance their performance over a period of approximately 20 years, despite the fact that these substances were banned from the game. Two of the reasons commonly voiced for the prohibition of steroids in sports – that steroid use is unfair, or a form of cheating and that steroid use violates norms that ought to govern athletic competition – raise important questions about the competitive integrity of the game and the numbers it's produced. Inflated statistics, one of the results of the steroids era, have forced us to ponder what steroids and performance enhancing substances have done to jeopardize the integrity of baseball itself and the integrity of these very numbers. Finally, while we shouldn't consider steroids in baseball a problem only on the grounds of inflated statistical data (because players violated predetermined rules regardless of their impact on the record books), these numbers force us to consider their validity in relation to the statistical accomplishments of previous generations of baseball players.

Chapter 3

*Asterisks and Distinguishing Marks

I. Problems of the Steroids Era

Moving beyond the steroids era will be a difficult task for baseball. The Mitchell Report made it clear that the national pastime has arrived at a crossroads. The game's popularity may not be in jeopardy in light of the steroids era; it may even be at an all time high thanks to the pervasiveness of home runs and power hitting, which many fans view as an appealing style of baseball. But the game's integrity is arguably in a more fragile state.

Coming to grips with an era some two decades in length, where players used steroids and performance enhancing substances with such frequency as to warrant Congressional intervention, involves arriving at a consensus of how the achievements of this era should be viewed. Whether steroid use in baseball reached the epidemic proportions described by players like Jose Canseco or was actually a much smaller problem, the fact that certain players were placed at a competitive disadvantage doesn't change. Even if we're to assume that performance enhancing substance use never exceeded the five to seven percent of players that triggered mandatory random testing in 2004, that still means over 90 percent of the players in baseball were playing at a competitive disadvantage. Furthermore, these numbers don't account for the advantage steroid users of the current era have over other players throughout the history of baseball: the DiMaggios, Mantles, Ruths and Aarons, who played in a time when steroids weren't even on the roadmap of competitive shortcuts.

The information that the baseball public has been privy to in recent years leaves many questions. Are we to conclude that Barry Bonds was a better home run hitter than Hank Aaron because he hit more career home runs than Aaron? Or are we to disregard Bonds's accomplishments because he used steroids and human growth hormone while playing? Perhaps we could accept Bonds's accomplishments as legitimate up to a time when he began using steroids, but doing so accurately would be an exhausting task, and doing so for every player in baseball would be nearly impossible.

Disregarding considerations unrelated to the fairness and statistical achievements of the steroids era – considerations like the health risks associated with steroid use or the dangers of young children imitating their sports heroes – four specific problems arise from the steroids era that pertain to the competitive integrity of baseball: active competitive disadvantage, historical disadvantage, stereotyping, and game legitimacy.

A. Active Competitive Disadvantage

One of the tragedies of the steroids era is the injustice committed against players who didn't use performance enhancing substances. Despite following baseball's drug and steroid rules, many active players during the steroids era were playing at a competitive disadvantage. One can argue that we'll never know the exact impact steroids had on baseball, but that's irrelevant considering players who used banned substances committed rules violations.

Disciplining a baseball player for using steroids would be simple if we could be certain that the specific player in question was the only player on the field using steroids. This player would have an unfair competitive advantage over the pitcher and eight other position players on the field. The player could simply be expelled from the game,

washed from the record books, and that would be the end of it. But the situation becomes more complicated if one or more additional players on the field are also steroid users. Say, for example, that the batter in this scenario is Barry Bonds and the pitcher is Roger Clemens. Following the release of the Mitchell Report, it's possible these two players are the only people on the face of the earth convinced that they didn't use steroids and HGH. Assuming both players are performance enhancing substance users, is the at-bat a legitimate, pure contest of athleticism, untainted by attempts at gaining an illegal competitive advantage? A knee-jerk reaction is to say "no." But it's possible to argue that the contest is actually untainted because both players used forbidden substances to gain a competitive advantage over the other, which wouldn't be the case if only one of the competitors had done so. Does the act of both players using performance enhancing substances negate the advantage one would have over the other if only one was using? Maybe the most important question to ask in such a scenario is whether the game is unfair for the eight position players on the field whose rights to competitive equality were taken away by the two players who used performance enhancing substances. In that sense, the competition would be tainted.

B. Historical Disadvantage

The second problem under the microscope takes place, not on an actual baseball field, but in the record books. Many revered baseball milestones held by former players were supplanted by new records set by steroid users, placing these former players at a historical disadvantage. Maybe the most prominent example of this is Barry Bonds's pursuit of the single season and all-time home run records, the latter being set in 2007. If the allegations of his steroid and HGH use are accurate, Bonds broke those records using

banned substances to enhance his performance. The player whose all-time record he broke, Hank Aaron, did not use banned substances to hit his home runs. It seems problematic if the baseball community recognizes Bonds's achievement as greater than Aaron's. Doing so seems to condone Bonds's actions. Baseball aficionados judge players by examining their statistics, but former players from the pre-steroids era compiled their statistics without the aid of steroids and performance enhancing substances. In many cases, players didn't even have the opportunity for such blatant disregard for the rules because these substances weren't in existence yet, at least in the form we see them now. This seems to be a problem. While it could be argued that the players of yesteryear didn't have access to other modern advances, like state-of-the-art training rooms, digital video monitors, and smaller, contemporary ballparks, these advances are all within the confines of the rules. Steroids, however, are not.

Some may ask why former players would even care about records and statistics years after they retire. It's a worthwhile question, and it's reasonable to assume that when a player retires from baseball, he leaves it completely behind him. Maybe some former players don't care at all about who broke whose record and how it was done, but for others these marks may be sources of pride, and seeing them erased by players who did so while using banned substances may create a lot of angst and resentment, and rightfully so. Furthermore, the divide created in baseball history by the steroids era makes it more complicated than ever for baseball historians to formulate evaluative judgments of players based on statistical information. Deciding who made the better third baseman or designated hitter now involves double checking to see if any of the players in question played from 1988 to 2008.

C. Stereotyping

Another problem arising from the steroids era is the widespread stereotyping of players from the era. Just as some people make assumptions like “all people from Las Vegas like to gamble” or “all basketball players are abnormally tall,” there’s a tendency to lump all baseball players from the steroids era into one group of steroid-using cheaters. The fact is, not every player of this era used steroids, so to group them all into one category is unfair.

It’s likely many clean players of this era set records themselves. For instance, Cal Ripken, Jr. set the record for consecutive games played in the heart of the steroids era, and his name is yet to surface with anything related to performance enhancing substances. Certainly there are other players whose achievements will be unfairly scrutinized just because of the time period in which they played, regardless of whether they played clean.

There’s also a tendency by steroid critics to focus their criticism of the steroids era on high profile players like Barry Bonds and Mark McGwire. To a certain extent, these players seem to be victims of their own success. Players of a lower profile, by their very nature, don’t pose the same sort of sensational target for the media that well known players do.

D. Legitimacy

Arguably the broadest consequence of the steroids era is the uncertainty with which the baseball public at-large views the game of baseball. Many baseball fans may feel deceived when they look back on the steroids era, wondering whether the game they saw was a pure and admirable contest of athleticism. While there are likely legions of

baseball fans that trust that the game is a legitimate, authentic contest in every sense of the word, others may put baseball on par with other forms of entertainment like professional wrestling, where a clearly staged soap opera masquerades as an actual athletic competition.

These four problems stemming from the steroids era are all equally relevant, but two in particular seem especially important: active competitive disadvantage and historical disadvantage. Certainly stereotyping players is a problem, but there's little Major League Baseball can do to keep fans from making snap judgments about players. As for preserving the game's legitimacy, perhaps the smartest thing baseball can do is find the best possible solutions to the problems of active and historical disadvantage, thereby restoring whatever faith the public may have lost in the game's authenticity.

At this time, there's nothing Major League Baseball can do to retroactively eliminate the competitive advantage the users of performance enhancing substances had over non-users. What's done is done. What it can do is make sure that similar competitive grievances don't take place in the future. The efforts to enact a more thorough testing policy seem like a good first step in that direction. It can also, if it so chooses, take steps necessary to note the extent of this competitive discrepancy in baseball's history books. How Major League Baseball goes about doing that is another problem.

The precedents for dealing with such a widespread violation of rules by so many players in one sport at one time – and a lengthy time at that – really don't exist. There are precedents for handling isolated incidents of performance enhancing rules violations but none for dealing with such a large movement over the course of two decades. The

Mitchell Report dug into the history of performance enhancing substances in baseball but stopped short of being a document that acts as a “decisions book” or sorts, much like a legal dossier used to chronicle precedents and establish criteria for rendering judgments. Perhaps Major League Baseball should consider commissioning the publication of such a document. This “super document,” perhaps hundreds of pages in length, could act as a dossier to make judgments about the legitimacy of baseball achievements. Surely the combined efforts of baseball historians, journalists, and medical personnel could quantify the extent to which performance enhancing substances contribute to baseball success. Aside from first person revelations in the Mitchell Report – many of them anonymous – the data to determine how much baseball has changed since steroids and performance enhancers entered the sport isn’t yet available. This document, if it’s ever created, will greatly assist Hall of Fame voters when it comes time to decide which players have earned admittance into the Hall of Fame and which players haven’t.

II. Precedents

Only time will tell if Bud Selig (or his successor) and Major League Baseball will apply an asterisk to the steroids era. Sportswriters and sports enthusiasts alike have voiced their opinions about what should be the appropriate course of action, but a good place to start is to look at the disciplinary methods of other sports that have dealt with similar offenses.

A. Olympics and Ben Johnson

After testing positive for steroids at the 1988 Seoul Olympics, sprinter Ben Johnson not only had his gold medal taken away, but was also discredited for the world

record he set in the hundred-meter dash.¹ The list of other Olympians and world class competitive athletes who've either had their medals stripped or have been barred from competition is extensive, and stretches from the 1970's to today.²

B. Marion Jones's Olympic Medals

Track and field sensation Marion Jones is currently serving a six month prison sentence after lying about her use of performance enhancing drugs. Jones starred at the 2000 Olympics in Sydney, Australia where she won five medals. Jones recently admitted that she lied to federal investigators when they first questioned her about performance enhancing substances in 2003.³ Jones has been stripped of her five Olympic medals and a silver medal she received at the 2001 World Championships in Edmonton. Her silver medal from the World Championships has since been awarded to Greek sprinter Ekaterina Thanou, who finished one spot behind Jones in the 100-meter race that year. This move prompted Australian sprinting legend Raelene Boyle to say, "I still believe all of Marion Jones's medals should be put in a collection, in a part of a sports museum and it should be a hall of shame."⁴

C. Rodney Harrison

Rodney Harrison, a professional football player for the New England Patriots, admitted to investigators that he bought HGH off the Internet from the Palm Beach

¹Carroll and Carroll, *The Juice*, 43.

²McCloskey and Bailes, *When Winning Costs Too Much*, 11-13.

³Jeff Carlton, "Ex-Track Star Marion Jones Enters Prison," *Associated Press*, Mar. 7, 2008, <http://ap.google.com/article/ALeqM5iXnLPgciL0jL4vB8IzqqTNB3pvQD8V9052G2> (accessed April 2, 2008).

⁴Mike Hurst, "Boyle calls for Hall of Shame for Marion's drug medals," *The Daily Telegraph*, April 3, 2008, <http://www.news.com.au/dailytelegraph/story/0.22049.23474122-5001023.00.html> (accessed April 3, 2008).

Rejuvenation Center in Palm Beach Gardens, Florida. Harrison was subsequently suspended for four games of the 2007-2008 NFL season, before resuming playing with the Patriots. The two brothers who sold Harrison the HGH, Glen and George Stephanos, were charged with 28 counts of selling steroids and HGH in July of 2007. Both plead guilty.⁵

Most of these cases involve stripping a competitor of his/her prize for a single athletic competition, not an entire career's worth of accomplishments. Baseball players, on the other hand, didn't take steroids just to excel during one game or one series. They took steroids to receive benefits day in and day out over the long haul of a professional season or an entire career. Unlike the Olympic sports, Major League Baseball doesn't hand out medals for significant personal achievements. Instead, these achievements are simply noted in the record books. It's here where individual success is documented: in the columns and ledgers of almanacs, abstracts, and media guides.

III. Asterisk

In a 2004 article in *Sports Illustrated*, writer Tom Verducci questioned whether baseball should put an asterisk next to the accomplishments of the whole era, to denote the questionable validity of these statistics. Verducci quoted other sportswriters, like Rick Morrissey of the Chicago Tribune, who found flaws in the methods used to achieve such tremendous physical accomplishments. As the following quotation reveals, Bonds was chasing down Willie Mays at the time for third place on the all-time home run list:

The past decade has been the greatest extended run of slugging the game has witnessed. At the same time it has been the first decade of documented steroid

⁵Paul Leighton, "Brothers plead guilty in steroid investigation," *The Salem News*, March 28, 2008, http://www.salemnews.com/punews/local_story_088222654.html (accessed April 3, 2008).

use in baseball. Indeed, Bonds will pass Mays in the first season in which players will be tested for steroids with risk of penalty, a program triggered by anonymous, penalty-free testing last year that revealed enough steroid users to fill approximately three teams. The temptation to connect these dots fuels the growing debate.⁶

In a 2007 piece for *Sports Illustrated*, Verducci again weighed in on baseball's plight, this time following the release of the Mitchell Report. Calling the steroids era "legally and ethically corrupt," Verducci forecast that the Mitchell Report's greatest contribution to baseball may not be as a document that shocked the sports community with its revelations, but as an "agent of change." Of all the changes it may lead to, none is more complicated than the way fans of baseball view the era's statistics.

But the legacies of the players? Damaged severely, though only time can reveal how permanent is the harm. Selig will never apply asterisks because he knows they are too problematic and because he knows that we, the public, already have done so with our own unofficial stigmas. The Hall of Fame awkwardly has evolved into a kind of imprimatur of legitimacy, not just greatness, and the likes of Mark McGwire, Bonds and Clemens will need the prevailing winds of change if they hope ever to be welcomed there.⁷

Asterisks certainly aren't a foreign subject in baseball. Roger Maris's pursuit of Babe Ruth's home run record also sparked asterisk talk some four decades ago, in what may be the most prominent use of distinguishing marks in the history of sports.

A column by *New York Times* writer Arthur Daley in the fall of 1960 speculated that league expansion would force a change in the scheduling of the 1961 season. Daley speculated that the season should expand by eight games, from the usual 154 to 162. His column also made mention of the complications a longer season would pose to traditionalists who feared the change would put many of baseball's records in jeopardy,

⁶Tom Verducci, "Is Baseball in the Asterisk Era?," *Sports Illustrated*, March 15, 2004, 38.

⁷Tom Verducci, "Now What?," *Sports Illustrated*, December 24, 2007, 29-32.

which had been set in 154 game seasons. Comments from then-Commissioner Ford Frick in Daley's column indicated that he (Frick) would consider the possibility for multiple sets of records depending on the length of the season. A month after the column ran, the American League went public with the information that it would indeed expand its season to 162 games.⁸

As the 1961 baseball season reach its midpoint, two New York Yankees were threatening to eclipse the single season home run record: Mickey Mantle and Roger Maris. Shortly after the midseason All Star break, Mantle and Maris were hitting home runs at such a breakneck clip that they were actually ahead of the pace that then-record holder Babe Ruth had established during the 1927 season. Maris's 35 home runs were 19 games ahead of Ruth's pace, and Mantle's 33 long balls were eight games ahead. The Babe's record of 60 home runs was in such jeopardy that Commissioner Frick declared that any player wishing to be credited with tying or breaking Ruth's record would have to do so within the first 154 games of the season. In addition, if any player was to equal or exceed the 60 home run plateau after the first 154 games, that achievement would go into the record books with "a distinguishing mark." In other words, an asterisk.⁹

By the time Maris reached the 154th game of the season, he had hit 58 home runs. He homered off of Milt Pappas in the third inning of that game, but was unable to muster up another long ball, and finished the game one home run shy of the Babe's record. When asked about Maris's achievement, commissioner Frick insisted that his comments about "distinguishing marks" next to any records were misinterpreted. He claimed he

⁸Ralph Houk and Robert W. Creamer, *Season of Glory: The Amazing Saga of the 1961 New York Yankees* (New York: G.P. Putnam's Sons, 1988), 45-47.

⁹*Ibid.*, 185-87.

meant that a separate set of records should be kept for the longer season, which he viewed as a temporary change until baseball expanded and realigned again. The 162 game schedule, however, became permanent.¹⁰ As we now know, Maris went on to break the Babe's mark over the season's final eight games. It wasn't until 1991 that commissioner Fay Vincent ruled Roger Maris was the one, official holder of the single season home run record.¹¹

Does this event qualify as a precedent for Major League Baseball using an asterisk in today's record books? Certainly, it seems, the answer is yes. But an asterisk may also present new problems. One of the problems of placing an asterisk next to an entire era of records is that many players would be stuck with an asterisk next to their career marks when they may have been innocent of steroid use. The inclusion of an entire era's worth of players seems unfair to the players whose scruples forbade them from using banned substances. Perhaps Major League Baseball could put asterisks only next to the records of players who've tested positive for performance enhancing substances or players who've admitted to using banned substances. Such a measure would at least show a distinction between true records and records in question.

IV. Era Divide

Arguably the most drastic amendment to baseball's record books would be a complete division of eras in baseball statistics. This would mean designating a specific time as the starting point of the steroids era in baseball, as well as an endpoint. All the statistics prior to this era would be classified as the "pre-steroids era." The achievements

¹⁰Ibid., 246-49.

¹¹Verducci, "Is Baseball in the Asterisk Era?," 38.

of the steroids era would be classified as such, and everything thereafter as the “post-steroids era.” An era divide isn’t without its own complications either. For starters, determining with any accuracy when the steroids era started and ended in baseball would be difficult. And can we now assume that the era has finally reached its conclusion? What Major League Baseball would likely do is err on the side of caution and pick conservative dates on both ends of the era to protect against a renegade player claiming he took steroids before the actual steroids era began. As a result, players who played during the steroids era but didn’t use steroids would get unfairly lumped into an era that’s viewed as tainted. It’s the same problem we’d be facing by placing an asterisk next to the entire era, and such a dramatic move by Major League Baseball seems unlikely. Such a move, however, would be unprecedented; perhaps an era divide is exactly what baseball needs to regain whatever national confidence may have been lost in the game during the steroids era.

V. Status Quo

At this point, suggestions that Major League Baseball should stick an asterisk next to the records of the steroids era or create an era divide in the record books are only speculative. The extent to which Bud Selig punishes steroid culprits and others mentioned in the Mitchell Report remains to be seen, but it’s quite possible that Selig and Major League Baseball executives will do nothing but push for a more stringent testing program and try to move past the steroids era as quickly as possible. So far, every possible scenario devised to compensate for the steroids era in baseball’s record books borders on being too inclusive, too indecisive, or too complicated to institute from a logistical standpoint. If we put a distinguishing mark next to the entire era’s statistics,

many innocent players will be perennially incriminated through association; if we try to account only for those players who've admitted to using steroids or have tested positive, we risk letting some players off the hook whose steroid use has to this point gone undetected; and if we set out to find the exact dates in history when every player began using steroids, we risk getting involved in an impossible puzzle that may never get solved.

So what does this leave Major League Baseball to do? Quite possibly, nothing. Perhaps baseball's simplest course of action is to leave the events of the steroids era as they are, and just look toward the future. This would leave baseball fans in the court of public opinion and Hall of Fame voters to render a final judgment on these players.

VI. Assessment

At this point an assessment of these options is necessary. The least aggressive course of action Major League Baseball could take – and possibly the most likely – is to do nothing but enact a more stringent testing policy and move forward. Deferring the responsibility of casting a decision into the hands of baseball fans and Hall of Fame voters would be a simple end to an incredibly complex problem but would seem to condone the behavior of two decades worth of baseball players who defied MLB policy by using steroids and performance enhancing substances. Pretending the steroids era never happened is a mistake, and condoning such blatant disregard for the rules sets an ugly precedent for professional sports in the future. Ultimately, the route Major League Baseball takes to account for the steroids era will be the decision of Bud Selig. His actions to this point haven't been bold, but he shouldn't be held solely responsible for baseball's dilemma. Other in baseball share in the blame. Players, owners, and

clubhouse personnel should all be accountable for the steroids era. Boldness from Selig may not be in order until a thorough examination of this issue has been completed. As commissioner, he's the figurehead of an institution. Dramatic amendments from institutions are rare. There's a built-in level of conservatism that follows institutions, and this conservatism may help explain why Selig hasn't yet taken action to account for the steroids era in the record books. After all, it took 30 years for Roger Maris to earn the distinction of being the official record holder for single season home runs.

Inserting a division of eras into the record books also seems problematic for the same reason that placing an asterisk next to the statistics of the entire era is unfair: inclusion. Lumping every player from these two decades into one category, regardless of whether or not they used steroids or performance enhancing substances, treats them all the same. Players who followed the rules, by the very fact they followed the rules, have earned the right to have their career achievements measured in perpetuity and shouldn't have to suffer the consequences of an asterisk or era divide.

That leaves us with placing an asterisk next to the statistics of only those players who've admitted to using steroids or have tested positive for steroids at some point during the steroids era. This option avoids including players who played cleanly; these players won't suffer the consequences of being lumped into the discussion unfairly. This course of action risks not penalizing every single player who used steroids; after all, one or two is bound to get overlooked. But placing an asterisk next to these players demonstrates that Major League Baseball doesn't condone the behavior of the steroids era and won't stand for such violations of rules in the future.

At the very least, Major League Baseball must footnote the steroids era. If it, as an institution, is unable of rendering a final judgment on the fate of two decades worth of statistics, then it should at least note a competitive discrepancy during these years. Fans of the game have never shown the same timidity towards making judgments that Major League Baseball's governing body is suffering from at this moment.

Conclusion

Steroids and performance enhancing substances sullied professional baseball for approximately two decades. Their presence wasn't indicated by one or two isolated incidents but an entire era of players of all abilities who used these substances to improve their baseball skills. The Mitchell Report was a landmark document that helped chronicle this event. It concluded that Major League Baseball's efforts to enforce its drug policies were insufficient; in relation to the drug policies of other sports it seems baseball's testing practices weren't at all stringent from the start. Senator Mitchell's investigation was helpful in framing the extent of the steroids problem in baseball, but it stopped short of calling for Major League Baseball to reevaluate its statistics during the steroids era.

Steroids and performance enhancing substances create an uneven playing field both actively and historically. The bulked-up physiques of baseball players may have fattened the wallet of professional baseball, but they also damaged the integrity of the sport. The uneven playing field these substances helped create must force baseball to reevaluate the statistics of the steroids era. In doing so, baseball officials – with an asterisk or other classification method – must set the record straight about the legitimacy of baseball's records.

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