The following is the first baseball related article by one of our newest staff members, ***Jeff Levine***

I recently viewed an article by CNBC's sports business reporter Darren Rovell in which he raised an interesting question: as Don Fehr transitions from his role as MLBPA Executive Director into retirement, does he deserve an asterisk (an "*") in addition to those such as Barry Bonds for his involvement in baseball's "steroid era"?

Fehr's hallmark was his unyielding resistance to rules that would potentially violate the "privacy" of the ballplayers which he represents. For years, he fought against stringent drug testing measures, and only recently allowed the Players Union to be subject to more stringent rules relating to banned substances. Although Fehr was successful for years in blocking more comprehensive drug testing measures, one did not have to be an M.D. to suspect that the game was not entirely clean.

In response to being asked whether the Union during his tenure has been unfairly criticized for the way it has handled drug testing, Fehr said:

"…most of the time I think so [that the Union has been unfairly blamed]… but look, we live in times in which issues like this tend to get sensationalized…and the issues we care about in drug testing tend not get the focus…things like issues of privacy …of fundamental

fairness…making sure things are being done correctly. So [if the criticism comes], you explain your position as best you can."

It is not hard to believe that many people believe that Fehr did baseball a disservice by continuing to deny his constituency from being subject to tougher drug testing standards. But, as Executive Director of the Union, Fehr was attempting to safeguard the best interests of his clients, which clearly was hiding from tests that would prove that players were taking performance enhancers. However, Fehr had a partner in crime in keeping the performance enhancing drugs usage quiet. That partner was Commissioner Bud Selig. As part of his stewardship of the league, it was his job to bring the Union to the table and negotiate a CBA that included a strong drug testing policy. However, that did not happen until long after players began facing scrutiny and allegations of performance enhancing drugs usage.

It seems extremely unfair to canonize Selig for how he has successfully grown the profitability (or at least revenue streams) of Major League Baseball while Fehr has been demonized by most every baseball purist and critic. Both Selig and Fehr seemed to be willing parties to the arrangement struck shortly after the 1994 strike, which stole that years World Series from fans, and led to the genius of the Steroids Era.

Selig, as MLB Commissioner, is endowed with substantial disciplinary power pursuant to the League's collective bargaining agreement and constitution. However, instead of using this power to safeguard the integrity of the game, he turned a blind eye. Although this unregulated drug use severely inflated home run numbers, the subsequent discoveries of drug violations stole the game's honor. Selig's failure to act during the last fifteen years cost baseball its dignity, yet Fehr is the one who seems to bear the brunt of the blame.

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