

Spring 2019

Teach the Controversy

Rob Neyer

The National Baseball Editor for SB Nation, and former ESPN.com writer on baseball

Follow this and additional works at: <https://ecollections.law.fiu.edu/lawreview>



Part of the [Other Law Commons](#)

Online ISSN: 2643-7759

Recommended Citation

Rob Neyer, *Teach the Controversy*, 13 FIU L. Rev. 949 (2019).

DOI: <https://dx.doi.org/10.25148/lawrev.13.5.10>

This Article is brought to you for free and open access by eCollections. It has been accepted for inclusion in FIU Law Review by an authorized editor of eCollections. For more information, please contact lisdavis@fiu.edu.

TEACH THE CONTROVERSY

Rob Neyer*

A good friend of mine—a friend with some measure of credibility, as we will see in a moment—has various plans to improve just about everything, including, I was hardly surprised to learn, baseball’s ancient, rarely questioned Infield Fly Rule.

So, by way of introduction, I will now present to you, for the first time anywhere, Rob Nelson’s “Routine Fly Rule”¹:

When the batting team has baserunners on first and second, or has the bases loaded, with less than two outs, and the batter hits an easily playable fly ball to an infielder, an umpire shall bellow “Routine Fly” and the batted ball is BY RULE a foul ball no matter where it lands. If the ball is caught by a fielder, the batter is out. If the ball is not caught, it’s a foul strike and the batter’s turn shall continue.

Who is this Rob Nelson, who thinks he is smarter than a century of conventional baseball wisdom? Way back when, Rob created a concoction called Big League Chew, and forty-something years later kids all over America are still shoving wads of shredded gum into their mouths and blowing bubbles of unusual size (BOUS). Rob’s brain just works differently than ours. And try as I might, with my little brain, I just cannot seem to poke any real *procedural* or *practical* holes in Rob’s new rule.

Do the fielders really deserve an out when *not* making a (usually) routine play? No, of course they do not. We have been giving the fielders *one* out merely to keep them from taking *two*. When, let us be honest, *if* they make that (usually) routine play, they deserve just one. And if they do not make that play, they deserve nothing at all.

In Professor Howard Wasserman’s book, *Infield Fly Rule Is in Effect: The History and Strategy of Baseball’s Most (In)Famous Rule*, Wasserman explicates a “four-characteristic framework” to explain and justify the Infield Fly Rule. Wasserman’s framework does make a tremendous case that a rule is necessary. His framework does *not* prove the case for the currently existing rule, though.

Sure, something really must be done. But it might just be that Nelson’s rule—which I would still call the Infield Fly Rule, since “Routine Fly” sounds more like a lazy fly ball well beyond the infield—hardly removes all

*The National Baseball Editor for SB Nation, and former ESPN.com writer on baseball (almost 15 years); <https://www.robneyer.com/>.

¹ See Rob Nelson, *The Infield Fly Rule*, 13 FIU L. REV. 947 (2019).

potential for controversy. Controversy is the product of judgment, and umpires will still have to judge whether or not a pop fly is “easily playable” for an infielder. For that matter, what is an “infielder?” With all the unorthodox defensive alignments today, it is often difficult to say. And questionable judgment will still disproportionately hurt the hitting team, as there will inevitably be “lost” hits. Same as it ever was.

Then again, I might argue that controversy is not a bug but rather a feature. Granted, not so much for the players (especially not for the youngest amateur players, who probably should not even be subject to this sort of rule when they are still learning to run *through* first base, but *stop* at second and third).

But in a professional spectator sport that is increasingly focused on removing judgment and uncertainty from the proceedings, should we be so eager to eliminate this singular potential for chaos? I can hardly speak for every baseball fan, but would we really *prefer* a world in which a professor at a major institution of higher learning does not have enough material for a 202-page book about a playing rule that seems wildly relevant just maybe once every few decades or so? The rest of us, though? If some version of the Infield Fly Rule, occasionally resulting in a kerfuffle that takes our mind off our *real* troubles for an hour or three, is wrong, then I don't want to be right.