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## Tags and Roger

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Is there anyone out there who thought that Paul Tagliabue would overturn the player suspensions imposed by NFL Commissioner Roger Goodell in the New Orleans bounty case? Maybe someone somewhere had predicted this, but if they did they would be members of an extremely small club.

The idea that a former Commissioner of the National Football League would render a decision on player discipline that overturned the actions of the current commissioner seemed preposterous, until it happened. When it did, it seemed sensible and just. Clearly Roger Goodell had overreacted in the bounty case.

The disciplinary power held by the Commissioner over the players is both excessive and unwise. The Commissioner is not an unbiased and impartial arbiter in these matters. He represents the owners and sees himself as a defender of the brand, or more pretentiously, the shield. He is motivated by his subservience to the owners and his sensitivity to public relations. These have little to do with justice and impartial judgment.

This power is enshrined in the collective bargaining agreement, the latest of which has ten more years to run. It has been a power bestowed on the Commissioner since the days of Pete Rozelle. As Mike Oriard has pointed out the Standard Player contract "declared with thrilling redundancy that the commissioner's decision in disputes 'shall be accepted as final, complete, conclusive, binding, and unappealable.'" (p.64 Brand NFL) It is no longer this rigid but the Commissioner's decisions are appealed to the Commissioner.

Some feel that Roger Goodell agreed to have an appeal made to former Commissioner Tagliabue, in order to head off the possibility that these cases might go through the courts. This would run the risk that some court might in fact sharply reduce the Commissioner's powers even though they have been collectively bargained.

Clearly Goodell did not anticipate the possibility that Paul Tagliabue might overturn the player suspensions. Now that he has, what are the implications and ramifications?

For the suspended players it means that they are no longer suspended and can resume playing. The assumption is that back pay would be in order. For Jonathon Vilma, Tagliabue's decision strengthens his defamation suit against Roger Goodell, a suit that he apparently has no intention of withdrawing.

For the New Orleans Saints as a team it means that a season in which they might have contended for a championship was severely compromised by Goodell and the level of play on the team was affected. With the bad start they had to the season, the Saints are no longer within reach of a playoff spot. For Saint's fans it was a season of disappointment and another of those "what might have been years." So far no group of season ticket holders has come forward demanding refunds from the league on the grounds that the team they paid to see was decimated unjustly by the Commissioner.

Paul Tagliabue's decision did not negate the overall judgment of the Commissioner. The Saints coaches and front office were condemned by the former Commissioner and indeed full blame was placed on them, just as he lifted blame from the players. Wrongdoing had taken place, but responsibility for that wrongdoing was placed solely on management.

In reversing Roger Goodell's decision on the players Tagliabue did not reverse the decision on the grievous nature of the action. In that sense Commissioner Goodell was supported. What Paul Tagliabue seemed to be saying was the Roger Goodell had acted precipitously and much too harshly, misjudging responsibility for the offenses, and overreaching in his punishment of the players.

What does this mean for Goodell? Has he been undercut to the point of no return, or can he ride this one out? This after all is the same Commissioner that settled the labor dispute that threatened to shut down the NFL a little over a year ago, and the same Commissioner who negotiated a television contract that made Pete Rozelle's legendary skills in that area seem minimal. Some regard the outcome of this case as undercutting Goodell's authority, and predict that players will now dismiss him as damaged and weak, and appeals of his decisions will become commonplace. Time will tell.

No one at this point seems to be calling for Goodell's head, and it seems highly unlikely that Goodell will feel the urge to resign his position. Instead, as he has already done, he will seek to change the subject by offering proposals for expanded playoffs, or refocus attention on the concussion and safety issue with proposals like his recent suggestion that the kickoff might be eliminated.

As to the Player's Association, will they try to press for a change in the collective bargaining agreement to remove the Commissioner from the appeals process and look for third-party independent arbitration? If they do they can anticipate a fight on the matter from the owners who are not anxious to find more ways to move power from themselves via the Commissioner to the players.

Finally this entire episode will affect the historical assessment of Roger Goodell's tenure as Commissioner. His early inconsistent rulings on discipline and hard line against the NFLPA gave the impression of a rigid and arrogant leader. However achieving a new CBA without canceling any games, and the new television contract, seemed to indicate a more flexible and wiser Commissioner. His initial denial on the link between football and concussions displayed once again his obtuseness. Now the bounty case has left behind a lot of wreckage.

At best the current assessment of Goodell's reign is a very mixed bag.

On Sport and Society this is Dick Crepeau reminding you that you don't have to be a good sport to be a bad loser.

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