

*Letter to Al Abrams,
Sports Editor, Del. Post-Gazette*

August 12, 1967

Dear Al:

Your Friday column on the Rick Barry matter expressed some bewilderment as to why he wouldn't honor a signed contract with the San Francisco Warriors for the 1967-68 season. The actual facts will clear the confusion--and do more justice to Barry's position.

Barry has no signed contract with the Warriors for the 67-68 season. He did sign a one year contract for 1966-67, which included the little understood, but infamous "reserve clause". This provides (Paragraph 24 N.B.A. Uniform Players Contract) that at the expiration of a player's contract, the Club may send him another contract; if he doesn't sign this, the Club may demand his services for one year at 75% of his former salary. If he signs, he is again bound by the reserve clause, not for just the additional option year, but for the next year after that. In simple terms, the NBA says to its players: "we may want you for next year, that's up to us; if we do, you must sign another contract, with another option clause, or if you refuse to sign, you may play for 75% of your salary.

But this still doesn't tell the entire story. There has been no single player in NBA history who was permitted to "play out his option" if he refused to sign again and again for perpetual servitude. On paper it sounded like an option--in practice, it was sign or no play--and the player had no where else to go !

We are glad to note that professional football now permits a man to play out his option. We believe that the existence of the ABA will now compel the NBA to likewise eliminate this economic blackmail of professional basketball players.

An interim opinion, from a lower court in California may be unappealed for practical reasons, but it is neither persuasive nor binding on the validity of the monopolistic, anti-trust features of the reserve clause. The ABA doesn't employ it.

So you see Al, Barry did not "run out on his contract for the 67-68 season"--such a contract did not exist. Dissatisfied with what his employer offered him (especially since he was the first player in eight years to dethrone Wilt Chamberlain as scoring leader), he simply looked for employment elsewhere, at what he felt was a salary he deserved--and not had been offered to him by the Warriors. That's hardly "shrugging off Responsibility".

Sincerely,

Gabe Rubin, Pittsburgh Pipers