

Adjusting on the Fly: How the MLS Cemented Itself

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On July 4, 1988, at the Movenich Hotel in Zurich, Switzerland, delegates from Brazil, Morocco and the United States met with Harry Cavan and the rest of the executive board of the Fédération Internationale de Football Association to present their final proposals for each country to host the 1994 world cup.¹ The US delegates, a team of five Americans, included the United States Soccer Federation president Warner Fricker, former USSF president Gene Edwards, Paul Steihl, who was placed in as the USA director for the 1994 World Cup, Scott Letellier, who had been selected as the 1994 world cup counsel and Rey Post, a representative from the legal firm Eddie Mahe Jr and associates, who had prepared the bid.² Their presentation included a book of 381 pages and a two-minute videotaped speech by the American president Ronald Reagan.³ Their entire presentation was designed to take twenty-two minutes. To decide the order of presentations, “three egg shells were placed

¹ Michael Lewis, “How USA Was Chosen to Host World Cup 94: The inside Story of a Historic Day,” *The Guardian*, July 4, 2015, <https://www.theguardian.com/football/2015/jul/04/usa-world-cup-94-inside-story>.

² Michael Lewis, “How USA Was Chosen to Host World Cup 94”

³ Michael Lewis, “How USA Was Chosen to Host World Cup 94”

in an oversized brandy sifter. The order: Brazil, Morocco and the United States.”⁴ As a result, the United States would be presenting to Henry Cavan and the rest of the Fifa executive committee last. Each delegation would be given a maximum of half an hour. The American delegates would give their presentation after entering the boardroom with the same five delegates at 11:25 in the morning.⁵ Just under two hours later, all the delegation heads would leave their respective teams' rooms and head into the committee room to hear Cavan and the other FIFA executives' decision. Once the head delegates, “Fricker, showing no emotion, walked back to the US room, where he slammed the door,”⁶ where he proceeded to put a thumbs up to signify a victory for the United States.⁷ On the two hundredth and twelfth American Independence Day, the United States were granted the right to host the 1994 World Cup. However, “as a provision for being awarded the World Cup, the USSF promised to re-establish a first-division professional soccer league in the United States.”⁸ Five years later, the league that would become the MLS was formed.

⁴ Michael Lewis, “How USA Was Chosen to Host World Cup 94”

⁵ Michael Lewis, “How USA Was Chosen to Host World Cup 94”

⁶ Michael Lewis, “How USA Was Chosen to Host World Cup 94”

⁷ Michael Lewis, “How USA Was Chosen to Host World Cup 94”

⁸ John Twomey and James Monks. “Monospony and Salary Suppression: The Case Of Major League Soccer in the United States.” *The American Economist*, vol. 56, no. 1, 2011, pp. 20–28. JSTOR, <http://www.jstor.org/stable/23240678>.

In the 30 years the league has been running, the MLS has engrained its roots into the American Sports climate. As a result, soccer is slowly becoming a more popular sport in America, with it set to eventually surpass the National Hockey League in terms of revenue.⁹ So how did Major League Soccer become America's dominant and undisputed soccer league? The MLS worked alongside the United States Soccer Federation to establish the league as the main top-level soccer league in America, preventing any “soccer wars” with the FA. Furthermore, the MLS was a more centralized and tightly controlled organization where much of the framework had been planned out to learn from the failed attempts at establishing a league, such as implementing a single entity structure allowing for a more controlled plan for player salaries and expansion. Lastly, the league would experiment by implementing successful strategies from the past, such as recruiting players for the game in their twilight years to boost the attendance and the value of the league.

In 1929, the so-called golden era of American soccer slowly decayed as the sport faded into obscurity, mainly due to the soccer wars that stemmed from a power struggle between the

⁹ Ankit Kumar, “NHL Close to Losing out Sponsorship Revenue Spot to MLS in US Sports Race Irks Hockey Fans,” Sportskeeda, September 10, 2023, <https://www.sportskeeda.com/us/nhl/news-on-way-irrelevance-nhl-close-losing-sponsorship-revenue-spot-mls-us-sports-race-irks-hockey-fans>.

United States Football Association and the American Soccer League.¹⁰ The United States Soccer Federation was founded in 1913 at the Manhattan Astor Hotel in New York,¹¹ with the inaugural president being a German immigrant, Gustav Randolph Manning.¹² The American Soccer League was “founded suavely, at Manhattan’s Hotel Astor in 1921,”¹³ with the movement for the league being led by former United States Soccer Football Association president Thomas Cahill, whose “effort was perhaps inspired by George Halas and company who would launch the first official season of their National Football League within a few weeks of the debut of the ASL.”¹⁴ The USSFA would approve the league and would feature teams from large metropolitan areas on the eastern coast and not stretch the entire nation like the name might suggest.¹⁵

The battle stemmed from “the objections of the American Soccer League to the playing of US Open Cup

¹⁰ Gary Richman ed. “The Year in American Soccer - 1929.” Soccer History USA, February 22, 2023. <https://soccerhistoryusa.org/asha/year/1929.html>.

¹¹ Jack Bell, “U.S. Soccer Celebrates 100 Years.” The New York Times, April 2, 2013. <https://archive.nytimes.com/goal.blogs.nytimes.com/2013/04/02/u-s-soccer-celebrates-100-years/>.

¹² Society For American Soccer History. “G. Randolph ‘Gus’ Manning.” Society for American Soccer History, June 17, 2015. <https://www.ussoccerhistory.org/national-soccer-hall-of-fame-biographies/national-soccer-hall-of-fame-builders-biographies/g-randolph-gus-manning/>.

¹³ Brian Phillips, “How Soccer Almost Became a Major American Sport in the 1920s.” Slate Magazine, June 9, 2010. <https://slate.com/culture/2010/06/how-soccer-almost-became-a-major-american-sport-in-the-1920s.html>.

¹⁴ Gary Richman, “The Year in American Soccer - 1921.” Soccer History USA,” February 22, 2023. <https://web.archive.org/web/20240505020623/https://soccerhistoryusa.org/asha/year/1921.html>.

¹⁵ Gary Richman, “The Year in American Soccer - 1921.”

(National Challenge Cup) games during the league season,”¹⁶ with the league being precipitated by New York Nationals owner Charles Stoneham.¹⁷ However, the issue of scheduling cup games during the regular season was merely a proxy war for the actual conflict of “who will assume responsibility for the controlling organization of soccer in the United States.”¹⁸ The two organizations had butted heads prior times, once in 1925 when “the ASL pulled its teams from the Cup in 1924-25, an action which led to its suspension by the USF.”¹⁹ It was more than possible that the USSF was still sour because of the actions taken by the American Soccer League regarding the league's immigration policy.

Not long after the ASL took off, “American teams started luring players from some of the top clubs in Europe. Before long, there were 50 European internationals—players good enough to be included on their countries’ national teams—playing in the American League.”²⁰ The ASL could bankroll these internationals so long as the club they played for was associated with any industry. Due to the booming business within the United States, American clubs were able to pay much higher wages than their European counterparts.²¹ However, European

¹⁶Gary Richman ed. “The Year in American Soccer - 1929.”

¹⁷ Brian Phillips, “How Soccer Almost Became a Major American Sport in the 1920s.”

¹⁸ Gary Richman ed. “The Year in American Soccer - 1929.”

¹⁹ Gary Richman ed. “The Year in American Soccer - 1929.”

²⁰ Brian Phillips, “How Soccer Almost Became a Major American Sport in the 1920s.”

²¹ Brian Phillips, “How Soccer Almost Became a Major American Sport in the 1920s.”

clubs were displeased about the Americans pouching away their best talents to play for more lucrative contracts in the United States, resulting in an outcry by the Scottish FA as well as FIFA compelling the secretary of the ASL to appear “before its congress in Finland, where they demanded that American teams stop ignoring international contracts,”²² where FIFA nearly suspended the league and the USFA. Ultimately, the USFA forestalled this expulsion by setting some sanctions and limitations that vexed ASL teams.²³

Three teams—the Bethlehem Steelers, the New York Skeeters, and the New York Giants—defied the American Soccer League's resolution to participate in the Challenge Cup, which resulted in the league suspending them and fining them a thousand dollars each. The three teams then appealed this suspension to the USFA, resulting in the federation giving a stern warning to ASL president Bill Cunningham. When Cunningham chose to do nothing, the USFA suspended the entire American Soccer League, forcing the league to continue as an outlaw league.²⁴ The three teams that the ASL had suspended would go on to form their league, the Eastern Soccer League, which also included “Centennial SC from Philadelphia, Hispano FC from Brooklyn, New York Celtic from Astoria, IRT. Rangers from

²² Brian Phillips, “How Soccer Almost Became a Major American Sport in the 1920s.”

²³ Gary Richman ed. “The Year in American Soccer - 1929.”

²⁴ Gary Richman ed. “The Year in American Soccer - 1929.”

New York and the Bronx-based Hakoah All-Stars,”²⁵ with the Celtic folding after eight games and being replaced by New York Hungaria who would join halfway through the season.²⁶ As for the American Soccer League, they would continue to play as an outlaw league, with a new club in Philadelphia.²⁷ Eventually, the league and the Football Association would rectify their differences; however, the damage had already been done. The wars decimated the growth of soccer within the United States and stunted what could have been one of the great sports in America. It created a rift between the soccer federation and the biggest league just before the great depression, preventing any action that could have been taken to continue the game's growth throughout the Depression. Ultimately, these factors halted any progress America had made in developing the beautiful game.

In 1993, the chairman of the 1994 World Cup and the newest president of the United States Soccer Federation, Alan Rothenberg, gave details of the new league during a press conference in Las Vegas during the final draw for teams for the 1994 World Cup.²⁸ During the press conference, Rothenberg revealed that “the league will be called the MLS, for Major

²⁵ Daniel Creel, “Overview: The American Soccer League, 1921-1934,” Society for American Soccer History, November 6, 2023, <https://www.ussoccerhistory.org/overview-the-american-soccer-league-1921-1934/>.

²⁶ Daniel Creel, “Overview: The American Soccer League, 1921-1934,”

²⁷ Daniel Creel, “Overview: The American Soccer League, 1921-1934,”

²⁸ Bill Dwyre, “World Cup Soccer Notes : Details given for U.S. Professional League,” Los Angeles Times, December 18, 1993, <https://www.latimes.com/archives/la-xpm-1993-12-18-sp-3138-story.html>.

League Soccer.” Rothenberg also revealed that the league would “begin in the spring of 1995 and run into September”²⁹ and that it “will have 12 teams in 12 cities.”³⁰ During the press conference, Rothenberg, who was to be this proposed league’s commissioner, revealed the leagues plan to be a single-entity league, where it would be similar “to the McDonald’s hamburger chain, where a central authority makes the rules and policy and the local landlord--in this case, the local soccer team management unit--carries them out and does its area marketing only within league guidelines.”³¹ The teams would be league-owned, and people would be elected to run those teams according to the rules and regulations the league's president set in stone.

When the World Cup rolled around, it was uncovered that revenue from the World Cup, a tax-exempt non-profit event, was trickling into the funds of the newly minted Major League Soccer, begging the legality of the situation and if the league would ever be told to pay back the money.³² The factors above likely influenced the United States Soccer Federation’s decision to recognize the Major League Soccer proposal. It would certainly help that Alan Rothenberg, who was both the United

²⁹ Bill Dwyre, “World Cup Soccer Notes : Details given for U.S. Professional League,”

³⁰ Bill Dwyre, “World Cup Soccer Notes : Details given for U.S. Professional League,”

³¹ Bill Dwyre, “World Cup Soccer Notes : Details given for U.S. Professional League,”

³² Julie Cart, “Rothenberg Might Have Stepped over Line.” Los Angeles Times, March 15, 1994. <https://www.latimes.com/archives/la-xpm-1994-03-15-sp-34120-story.html>.

States Soccer Federation President and the President of the 1994 World Cup, was the head of the group gunning for the manifestation of the MLS.³³ Though could have been that Rothenberg's group proposal was "highly powered aggressive top-down development effort with substantial financial capital as the only way to get a league off the ground with enough clout to be worthy of Division 1 status,"³⁴ whereas the second most significant competitor, the already existing American Professional Soccer League and their commissioner William de la Pena "envisioned growing their existing league up to Division 1 status, utilizing a grassroots structure based on existing semipro and amateur leagues as a development base."³⁵ The former proposal not only had the backing of the USSF but also would be able to provide an almost instantaneous division one soccer league with its approach and would be able to use the clout from the World Cup to capitalize on a new potential soccer market.

In contrast, the APSL's plan for becoming a Division One soccer league would take years to realize, and they did not have the capital present to show the USSF the resources at the

³³ Julie Cart, "Rothenberg Is given OK to Start Outdoor Pro Soccer League in '95." Los Angeles Times, December 6, 1993. <https://www.latimes.com/archives/la-xpm-1993-12-06-sp-64604-story.html>.

³⁴ Gary Richman, "The Year in American Soccer, 1993," Soccer History USA – Audio Essays on the Beautiful Game, February 22, 2023, <https://soccerhistoryusa.org/asha/year/1993.html>.

³⁵ Gary Richman, "The Year in American Soccer, 1993,"

leagues and La Pena's disposal. As a result, the American Professional Soccer League attempted to compete with them as a rival league, failing to do so. In 1996, the APSL merged with the United Systems of Independent Soccer Leagues.³⁶ The two leagues would form a Division 2 league, essentially a minor league or a level 2 league on the football pyramid. Nonetheless, the MLS became the league that would be checked off as the requirement for the United States to host the World Cup by starting up quickly and cooperating with the USSF easily due to Rothenberg.

On April Sixth, 1996, D.C. United took the field in the San Francisco Bay Area to take on the San Jose Clash in the first-ever inaugural match in MLS history, a game in which Clash player Eric Wynalda would score the winner in the 88th minute.³⁷ This game marked the birth of a league whose existence was merely a checkbox for the United States to host the 1994 World Cup, as FIFA regulations stated that a nation needed to have a domestic league at the highest level to host the World Cup, resulting in the plans for the league surfacing in

³⁶Richard Groff, and David Brackman. "A-League and USISL Finally Merge." A, 1996.
<https://seattlepitch.tripod.com/news/merger2.html>.

³⁷ Jeff Carlisle and Noah Davis, "MLS Year One, 25 Seasons Ago: The 'wild West' of Training, Travel, Hockey Shootouts and American Soccer," ESPN, April 6, 2020,
https://www.espn.com/soccer/story/_/id/37582743/mls-year-one-25-seasons-ago-wild-west-training-travel-hockey-shootouts-american-soccer.

1993 and coming to fruition in 1996, two years after the world cup.³⁸

It had also been twelve years since the end of the fall and resulting folding of the North American Soccer League, an event that occurred over time as over-expansion and a lack of sustainable profit ultimately spelled the league's demise in 1984.³⁹ The NASL's failure to maintain itself was not the first time an American soccer league had failed to do so, as it had the same fate as the ASL. With barely any prior structure, the MLS realistically only had the fleeting momentum of the 1994 World Cup and the memories of the North American Soccer League to create, maintain and foster the sport of Soccer in America. Yet doing so could be possible due to the league's structure as a single entity league, so long as the players did nothing to pursue legal action.

There was an attempt to bring what had been perceived as a violation of the Anti-Trust Act to light by the players, for they "claimed that the single-entity structure was simply a conspiracy among team owners to fix player salaries and therefore in violation of Section 1 of the Anti-Trust Act."⁴⁰ The

³⁸ Brian Beard, "Article: 25-Year History of Major League Soccer (MLS) 1996 to 2020," My Football Facts, March 9, 2021, <https://www.myfootballfacts.com/2020/04/article-the-history-of-major-league-soccer-mls-1996-to-2020/>.

³⁹ Michael Lewis, "How the Birth and Death of the NASL Changed Soccer in America Forever," The Guardian, October 20, 2018. <https://www.theguardian.com/football/2018/oct/20/nasl-history-soccer-america>.

⁴⁰ Twomey and Monk, "Monospony and Salary Suppression: The Case Of Major League Soccer in the United States." 21.

suit itself would be filed in 1996, and the court hearings would occur on June 28, 1998⁴¹ However, the Supreme Court ruled in favour of the MLS, for there had been a similar case named *Copperweld vs Independence* which the court ruled that a "wholly owned subsidiary is incapable of conspiring with its parent under section 1"⁴² It did not help the players that the MLS build their case around the fact that the control of players salaries was paramount for the league's success.⁴³ The latter point had contradictory evidence due to the fall of the NASL.

On June 3rd, 1975, football/soccer history was made, for the New York Cosmos of the North American Soccer League kicked off a trend that would continue after the league's dissolution. The New York Cosmos had signed the player "known throughout the world as the king of soccer,"⁴⁴ Pele, for seven million dollars over three years. At this time, "Edson Arantes do Nascimento," aka Pele, would become " the highest-paid team athlete in the world."⁴⁵ Pele had wanted to retire with his boyhood club of Santos, but he was prompted to come out of

⁴¹ U.S. District Court for the District of Massachusetts , "Fraser v. Major League Soccer, LLC, 7 F. Supp. 2d 73 (D. Mass. 1998)," Justia Law, January 28, 1998, <https://law.justia.com/cases/federal/district-courts/FSupp2/7/73/2577557/>.

⁴² . U.S. Supreme Court: *Copperweld v. Independence Tube*, 467 U.S. 752 (1984) *Copperweld Corp. v. Independence Tube Corp.*

⁴³ U.S. District Court for the District of Massachusetts , "Fraser v. Major League Soccer,":

⁴⁴ R. W. Apple Jr., "Pele to Play Soccer Here for \$7-million," *The New York Times*, June 4, 1975, <https://www.nytimes.com/1975/06/04/archives/pele-to-play-soccer-here-for-7million-pele-agrees-to-cosmos-pact.html?searchResultPosition=71>.

⁴⁵ R. W. Apple Jr., "Pele to Play Soccer Here for \$7-million,"

retirement and play in the United States by Henry Kissinger.⁴⁶ The signing of Pele to the North American Soccer League would set a precedent. However, it was all too familiar to American Soccer the signing of foreign players. However, the recruitment of these European players often resulted in gross sums of money being given in wages, making it difficult for teams to make a profit. The MLS would look at these past mistakes and make conscious efforts not to repeat the same mistakes when implementing a similar idea, which is why the league would be formed to be a single entity league where the league controlled players' wages to potentially save the league from ruination, a new rule would be christened to allow for teams to pay out of pocket for players whose wages would not count against the cap. And this rule would stem out of the arrival of one player.

In 2007, the LA Galaxy would make a splash, as on January 11, a sports illustrated article reported that David Beckham would sign with the team for a contract of around 250 million.⁴⁷ While the actual value of the deal was more around 6.5 million per year, the estimated 250 included what he could

⁴⁶ Maura Zurick, "Henry Kissinger, Pelé and the Deal That Changed American Soccer: 'My God!,'" *Newsweek*, December 3, 2023, <https://www.newsweek.com/henry-kissinger-pele-deal-that-changed-american-soccer-my-god-1848200>.

⁴⁷ Si.com, "Coming to America - Beckham Will Play for MLS' L.A. Galaxy in \$250M Deal," *SI.com*, January 11, 2007, <https://web.archive.org/web/20130725000850/http://sportsillustrated.cnn.com/2007/soccer/01/11/beckham.mls/>.

make as well as his endorsements.⁴⁸ (connect this better to the impact better) The MLS salary cap at the time, was 2.1 million, meaning that LA Galaxy would be over the cap. However, the MLS implemented the designated player or the Beckham Rule to combat this dilemma. What usually happens is that the “MLS picks up the cost of player salaries for each team. The only cost it doesn’t cover is for each team’s designated players, such as David Beckham and Juan Pablo Angel, who count only \$400,000 against the cap and are typically paid more than \$1 million.”⁴⁹ Ergo “each team can sign a player, usually a veteran international star, and pay him at market rate.”⁵⁰ While the rule might not have been exclusively made for Beckham, he was still the first player to be signed under it. Hence, the rule is considered the Beckham rule. This means that Beckham had already positively impacted the league even before laced his boots for LA Galaxy.

The effect that Beckham would have on the league would be ginormous, as during his time in the MLS, the average attendance for games grew by three thousand fans, and clubs

⁴⁸ Grant Wahl, *The Beckham Experiment: How the World’s Most Famous Athlete Tried to Conquer America* (New York: Three Rivers Press, 2010) p42

⁴⁹ Tripp Mickle, “Debate Highlights MLS Salary Cap Split,” Sports Business Journal, November 26, 2007, <https://web.archive.org/web/20100813112138/http://www.sportsbusinessjournal.com/index.cfm?fuseaction=article.main&articleId=57143&requestTimeout=900>.

⁵⁰ Jack Bell, “In M.L.S., Designated Players Do Not Guarantee Great Expectations,” The New York Times, March 18, 2009, <https://www.nytimes.com/2009/03/18/sports/soccer/18soccer.html?ref=soccer>.

began to realize the need for club-specific stadiums. Even once his playing career concluded, attendance within the MLS would increase by 40% league-wide.⁵¹ He would even be granted his team in Miami on January 29th, 2018.⁵² In addition to that, Beckham would receive a generous discount for setting up his team with his group. To give an example of the going rate for other teams, potential expansion teams would need to pay around 125 million to be granted their teams. However, due to a clause from Beckham's contract for LA Galaxy, the Miami Beckham United ownership group had “the option to start a new team for a heavily discounted expansion fee of around \$25 million”⁵³. A clause like that was even put in his contract, which shows that the league wanted to have their international superstar stay active after their playing days to continue to promote the league's interests. And Beckham would do that and then some as the owner of Inter Miami CF.

On Saturday, July 15, 2023, the football/soccer world was blown away by a news headline that changed the perception and perspective of soccer in North America. A player often

⁵¹Mark Lamport-Stokes, “Beckham Effect ‘pretty Significant’ on MLS | Reuters,” Reuters, March 5, 2015, <https://www.reuters.com/article/us-soccer-mls-beckham-idUSKBN0M12KC20150305/>.

⁵² Bench Couch, “Miami MLS Expansion Team to Begin Play in 2020.” MLSSoccer, September 6, 2018. <https://www.mlssoccer.com/news/miami-mls-expansion-team-begin-play-2020>.

⁵³ Espn Staff. “MLS Announces David Beckham’s Expansion Team in Miami.” ESPN, January 29, 2018. https://www.espn.com/soccer/story/_/id/37544133/mls-announces-david-beckham-expansion-team-miami.

considered the greatest of all time would be moving across the pond to lace up his boots for Beckham's Inter Miami. That player was Lionel Messi, and it would be reported that he would "earn between \$50 to 60 million per year in a compensation package that includes a signing bonus and equity in the team."⁵⁴ Later that year, Inter Miami was "now valued at more than \$1 billion."⁵⁵ And the value of Inter Miami and the rest of the MLS is likely on an even higher trajectory. Other teams within the league have also recruited their European stars.

The MLS has managed to cement itself in the states for various reasons. One of the more prominent was their cooperation with the United States Football Association from day one. Another is the single entity structure the league implemented to stay steady within the first few years of the league and to help maintain a profit. Lastly, implementing the previous strategy of signing star foreign players helped, and continues to, elevate the standing of the league and the teams.

⁵⁴ Andrew Das and Victor Mather, "Lionel Messi Signs with Inter Miami, Starting New Era for M.L.S.," *The New York Times*, July 15, 2023, <https://www.nytimes.com/2023/07/15/sports/soccer/lionel-messi-inter-miami-mls.html>.

⁵⁵ Kevin Baxter, "How David Beckham Set the MLS Foundation for Lionel Messi. 'the Messi Effect Is Dramatic,'" *Los Angeles Times*, February 25, 2024, <https://www.latimes.com/sports/soccer/galaxy/story/2024-02-25/david-beckham-lionel-messi-inter-miami-mls-foundation>.

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