

Freedom of Speech Means Something Different Than Many Believe

Freedom of Speech: "Congress shall make no law ... abridging the freedom of speech."

Whether it's Colin Kaepernick, the Klan, protesters at political rallies, people of faith, haters or lovers—whatever, the same rules apply. All the First Amendment protects is that Congress can't pass a law that abridges freedom of speech. That doesn't mean anyone has freedom of speech while working, in a company uniform or on private property.

First of all, I am very disappointed by President Trump's choice of words (or acronyms). I would find it OK for the president to use [the expletive he called NFL players] to refer to terrorists. To call our football players that only fuels the whole divide and gives it more validation.

It's an insult to the players, their family, their friends, and really all of us. But I think he was intentional in his choice of words as he always is. He's not stupid. This did nothing to solve the issue, and instead made it worse. He can do better than this. The president should do better than this.

Second, though I believe there are real issues that need to be addressed. I don't believe that sitting or kneeling during our National Anthem is the right way to do it. There are constructive ways which are more proactive and direct; this tactic is more passive-aggressive, and really kind of victimy (created word). It also insults those who have fought for our freedoms, their families and all those who teach respect for America.

Choosing this method of "protest" only divides and creates

resentment, which further entrenches attitudes and beliefs that we should be talking about. This did nothing to solve the issue—and instead made it worse. We can do better than this.

Here is some food for thought: Coaches and players who obnoxiously mouth off at referees can and are kicked out. That's because the institution has decided that coaches and players who behave that way have violated policies and actually don't have that kind of freedom of speech on their property, on paid time. That's the way it works for any private employer.

If an employee at any company wants to tell customers that the competitor's product is better, or divulge trade secrets or a lot of other things, the employee will probably be fired. There is no freedom of speech protection in the private sector. And that's the place the NFL operates.

No one should care what the person does off hours, off property. But to claim freedom of speech from a non-government institution on private property is kind of naive, because there is no such guarantee in the First Amendment. The fact that so many players, coaches, commentators and general public thinks there is, is kind of disturbing. We don't really know our rights and think we're entitled to rights that don't exist.

No player—no employee—has a right to free speech while at work, while paid, while uniformed. That's a misuse of their platform, because the failure to address it means the institution is endorsing it and giving it validity.

The NFL or a specific team can restrict extreme goal-line celebration. They can also restrict a Tim Tebow from taking a knee in prayer, or current players sitting or kneeling during the National Anthem. It may create a public relations fallout, but it does not create a First-Amendment issue.

And whether the NFL or a specific team does or does not

restrict that expression on paid time in a company uniform on private property, your frustration over it might be appropriately directed to the NFL or the specific team. Conversely, if you support the behavior, just realize that it's not because of the constitutionally protected free speech; it's not because of the people in the military who fought for that right (since that right doesn't exist). It's because the NFL franchise owner and the NFL as a whole have allowed that behavior on their property, in their uniform, while the employee is being paid. There's a huge difference. And yes, I realize our military fought for everything we enjoy—even football—but that's not my point.

"Freedom of speech" would be protected if the NFL were owned by the government as a governmental entity as a true national item. That would mean nationalizing football. Is anyone for that? If that were the case, the NFL players would be government employees, and different rules apply.

The individual who expresses his or her views while on the job for a private employer is taking advantage of the spotlight they are in while on paid time in a company uniform on private property. But they do not have a right to that.

By doing so, they are representing more than the individual. They are an agent of the entity they work for. In other words, the NFL has endorsed the behavior. Those who support it should be proud of the NFL; those who feel disgusted at the behavior should direct that to the NFL, and perhaps disconnect from it.

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