

### **Case 13: Athlete Dissent and the National Anthem**

On August 14th, 2016, Colin Kaepernick, the backup quarterback for the San Francisco 49ers, sat on the bench during the National Anthem in a show of protest. His actions weren't noticed by the general public or the media until the 49ers' third game of the pre-season on August 27th. After this game, Kaepernick was questioned for over eighteen minutes about his decision to sit.[1] Kaepernick told reporters that he would not "show pride in a flag for a country that oppresses Black people and people of color." He spoke out about police violence toward minorities and the killing of unarmed Black Americans, saying, "This isn't for publicity or anything like that. This is for people that don't have a voice."

It is customary at sporting events to play the National Anthem prior to the start of the event, and for those in attendance and participating in the game to stand to attention. But there is no law or written policy requiring anyone to oblige.

The NFL issued a statement stating that players are encouraged, but not required, to stand during the National Anthem. The San Francisco 49ers also released a statement: "In respecting such American principles as freedom of religion and freedom of expression, we recognize the right of an individual to choose to participate, or not, in our celebration of the National Anthem." By and large, head coaches in the NFL have expressed guarded acceptance of Kaepernick's protest.[2]

However, Kaepernick has been openly ridiculed by many in the media, especially on social media, for his "show of disrespect and selfishness." [3] Critics argued that he makes too much money to speak on this matter; that he is imposing his personal views on his fans; and that ultimately he is paid to play football, not to protest. ESPN commentator and NFL Hall of Fame member Mike Ditka even suggested that Kaepernick "get the hell out of the country" if he doesn't like it.[4] Kaepernick's most prominent detractors are white males.

Many members of the U.S. military have criticized Kaepernick for protesting during the National Anthem, finding it disrespectful. But others have argued that the reason they choose to fight for their country is to defend the very freedom of expression that Kaepernick is exercising. Kaepernick's supporters also argue that the relationship between the National Anthem and the U.S. military has been overemphasized, with not enough emphasis placed on civilians who also fight for human rights - including many

athletic heroes such as Jackie Robinson, Roberto Clemente, John Carlos, Tommie Smith, and Muhammad Ali.

Some other athletes have started to join Kaepernick in protest. One of the first was Megan Rapinoe, an Olympic Gold Medal-winning soccer player. However, after Rapinoe first chose to kneel in solidarity with Kaepernick, the Washington Spirit (a franchise of the National Women's Soccer League) altered its pre-game ceremony, playing the National Anthem while teams were still in their locker rooms so that Rapinoe wouldn't get the chance to kneel again. [5]

In November 2015, a report commissioned by two Arizona Senators found that the Department of Defense had spent over \$53m for patriotic displays at sporting events between 2012 and 2015.[6] However, according to this report, the Department of Defense “cannot accurately account for how many contracts it has awarded or how much has been spent.”

### **Study questions:**

1. Do athletes have the right to protest while in uniform?
2. Is sitting down during the National Anthem disrespectful? If so, why?
3. If a person has a platform they can use to reach a wide audience, does that platform provide them with a stronger obligation to advocate around certain issues than they would otherwise have?
4. Kaepernick's protest is about contemporary race relations in the USA. Would things be different if it was about something else?

[1] <https://www.youtube.com/watch?v=ka0446tibig>

[2] <http://www.chicagotribune.com/sports/football/ct-nfl-coaches-colin-kaepe...>

[3] <http://nation.foxnews.com/2016/09/11/musings-average-joe-nfl-coward-kaep...>

[4] <http://www.complex.com/sports/2016/09/mike-ditka-tells-colin-kaepernick-...>

[5] <http://edition.cnn.com/2016/09/08/sport/megan-rapinoe-washington-spirit-...>

[6] <http://www.sbnation.com/2015/11/4/9670302/nfl-paid-patriotism-troops-mca...>

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