

# The NFL's New Rule

6-2-2018

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## Recommended Citation

Crepeau, Richard C., "The NFL's New Rule" (2018). *On Sport and Society*. 828.  
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SPORT AND SOCIETY FOR H-ARETE - THE NFL'S NEW RULE  
JUNE 2, 2018

I've been on the road over the past two weeks and have not been able to react to any of the many developments in the world of sport, including the latest from Goodell World. The NFL never fails to disappoint, particularly since the emergence of Roger Goodell as Commissioner. Once again the league has been able to create a policy that, on the one hand, pleases the Sunday nationalists, while, on the other, manages to alienate significant numbers of players, fans, and commentators.

Over the past two years, the flap over the national anthem at NFL games has rolled on. From the Colin Kaepernick knee to the President's rant and all stops between and since, the controversy has ebbed and flowed. What began as a protest against racial inequality and police brutality was twisted into a test for the "support of our troops." Nationalism was redefined as patriotism to discredit protests against community grievances. The reframing of an issue is a talent that has been perfected in recent decades, particularly by those on the right of the political spectrum.

Growing up in the height of the Cold War, I never heard anyone refer to the National Anthem as something done to "honor our troops." It was a simple expression of national pride and a way to express the unity of the American people. When it became a device to "honor the troops" has escaped me, although I suspect I has something to do with 9/11 as well as the failure of many of America's military adventures across the globe.

In its usual wisdom, and reacting slowly, the leadership of the National Football League finally moved last week to address the anthem issue with a new rule imposing a fine on any team whose players or staff do not stand for the National Anthem. The teams, in turn, have the option of fining anyone in their organization who violates the rule.

Commissioner Goodell said that the league wants people to be respectful of the national anthem. He added that the league was "very sensitive" and gave the players "choices." The choice, the singular, is for players to remain in the locker room during the anthem.

The NFL Players Association, the NFLPA, was not consulted on the formulation of the rule, which has been incorporated into the game operations manual; therefore, it is not subject to the

Collective Bargaining Agreement (CBA) between the players and owners. Goodell also reported that the owners had agreed to the new rule unanimously. It is not clear what "unanimously" means as Goodell said that no vote was taken on the rule, while the San Francisco owner said he abstained on the vote although all those voting supported the rule. Subsequently, the New York Jets CEO said that the Jets would not discourage players from kneeling even if the team is fined.

Reaction across the league by players was not uniform. Some were disappointed in the fact that the players were not consulted on the development of the rule; some supported the rule; while some expressed dismay that the rule created another divisive issue for the players and the league. The NFLPA executive director, DeMaurice Smith, expressed his unhappiness over the rule and made it clear that the NFLPA would challenge any actions stemming from the rule that violated the CBA.

President Trump, appearing on "Fox and Friends," expressed his pleasure with the rule, which, in fact, was prompted by his attacks on the NFL and its players when they used the anthem as a vehicle for protest. In September, in a rally in Alabama, the president called for any player protesting to be "fired" and said that the NFL should get the "son-of-a-bitch" off the field. There is some irony here as at the time of these comments the protests were in decline and likely to fade away. Instead, the protests were reignited, and many players and owners fired back at the president.

This public conflict was met by Commissioner Goodell with vague comments. Clearly the NFL did not want this sort of public "food fight" on the issue. Then, two weeks ago, the league acted by creating this new rule, which was more about the pressure from the president and the perception that many NFL fans were unhappy over the protests.

Nothing seems to have been clarified other than the fact that the NFL made a public relations move in the face of political pressure. Despite all of the pledges by the league to work with the players over the issues under protest, the league continues to exercise its power over the players unilaterally and without restraint when it suits its purposes. "Consultation" and "cooperation" are not words understood in the same way by the league and the players.

As to the issue of the anthem protests, nothing is really clarified. Players can protest by staying in the locker room;

but, what of the players who stay in the locker room for some other reason? Will it be necessary for them to hold a press conference or issue a statement explaining that they were in the locker room getting medical treatment or relieving themselves? What would happen if an entire team stayed in the locker room?

Finally, how does the NFL compare to other sports on the disposition of the anthem? The NBA and WNBA have a rule that players and staff "are to stand and line up in a dignified posture along the sidelines or on the foul line during the playing of the national anthem." This rule has been broken at times and the leagues have dealt with the violations in a variety of ways. Neither the National Hockey League nor Major League Baseball has a rule on player disposition, although there are traditions and customs in both leagues. The NCAA and NASCAR have no written rule on the matter. The U.S. men's and women's soccer federation has a rule requiring standing for the anthem, while Major League Soccer encourages its players to be respectful of the anthem.

The NFL then is a bit of an outlier on the anthem. Why did it not simply continue its previous policy requiring that players be on the field for the anthem and that they "should" stand? The NFL has been caught by two forces, one very clearly of its own making. By wrapping itself in the flag and staging multiple "support the troops" events at games, by using flyovers during the anthem, by covering the football field with massive flags for the anthem, and by any number of other PR ploys, the NFL made itself vulnerable to criticism for any minor deviation in game presentation.

By cultivating this patriotic identification, the league also left itself open for political pressure of all sorts. No doubt league leadership never imagined that a President of the United States might attack players for protesting injustice, especially a president whose campaign the majority of owners had supported financially and endorsed publicly.

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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