



## North Carolina Law Life

### Bocephus and the First Amendment

By: Donna Ray Chmura. *Wednesday, October 5th, 2011*

Are you ready for a new football song? Country music icon **Hank Williams Jr.** has performed the musical intro to **Monday night football** for 20 years. ESPN pulled the song this week after Williams compared **President Obama** and Speaker of the House **John Boehner** playing golf to **Adolph Hitler** and Israeli prime minister **Benjamin Netanyahu** playing golf.

CLICK HERE FOR VIDEO: [http://www.youtube.com/watch?v=K8LLKO0-PAE&feature=player\\_embedded](http://www.youtube.com/watch?v=K8LLKO0-PAE&feature=player_embedded)

But what about the **First Amendment**? The concept of free speech is so enmeshed with our national identity and values, that most people do not realize the First Amendment only prevents the government from restricting free speech:

*Congress shall make no law* respecting an establishment of religion, or prohibiting the free exercise thereof; or *abridging the freedom of speech*, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Hank Williams is the latest U.S. citizen to face the cold hard reality that while he has the right to speak his peace, the First Amendment does not protect him from the consequences of his speech.

The Dixie Chicks' music is still not played on many country stations after **Natalie Maines** criticized the actions of then-**President George W. Bush** while she was on tour in London.

Gilbert Gottfried was fired as the voice of the **AFLAC duck** after AFLAC considered his Japanese Tsunami **jokes** tasteless and offensive.

Many public employees (those who work for the government) have very few free speech rights to criticize their employers. Private employees also can be **fired** for voicing their views or opinions. An Alabama woman was **fired** for having a John Kerry bumper sticker on her car. A Delta **flight attendant** was fired for blogging and posing in racy pictures in her uniform.

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