

Free Speech?

On the Saturday prior to the 2011 Super Bowl, the NFL Players Association sought to purchase broadcast time during a college all-star game to air a 30-second commercial. The commercial included photos of empty football stadiums and a parrot of give with a voice-over saying, "Let us play," and "Let them play," followed by the union's president, Kevin Moore, saying, "We want to play." The ad provided a Web site address where viewers could get more information about the labor dispute between NFL players and owners and urged viewers to sign a petition. The CBS College Sports Network refused to air the message because it was connected to labor negotiations. CBS is one of the major networks that has a contractual agreement with the National Football League to broadcast professional football games.

Questions

1. Should the NFL Players' Association be permitted to purchase ad time for the purpose of broadcasting a message seeking public support for its position during labor negotiations?
2. What do you think about the union strategy of attempting to communicate its position to the public through the use of television media? If permitted, would the strategy likely be successful from the union's point of view?
3. Should NFL owners protest the union's attempted use of the media to communicate its position directly to the public, should the owners prepare a commercial message of their own for possible broadcast, or should the owners say nothing and avoid the issue? Explain your rationale.