

Fowling Opponents of Free Speech

Who would have thought that a few comments on traditional marriage by a usually quiet COO would have lit the fuse on a feud between proponents and opponents of homosexual marriage and between free-speechers and limited speechers?

And who would have thought that this battle would be waged on the politically non-partisan floors of fast food restaurants around the USA? In case you've been deep-sea diving in Fiji or backpacking up the Blue Mountains of Australia and haven't been near a TV, the family-owned Chick fil-A company has become the new ground zero for American free speech. After expressing his opinion, complete with a few bible references, COO Dan Cathy unleashed what might be the first salvo in a new economic range war pitting the American public against its own businesses!

If this were not so potentially dangerous for an already fragile economy (think of millions of consumers protesting in front of businesses intimidating customers or organized boycotts that could bankrupt companies) it would be comical, but it's not. While many are classifying this as a free speech issue - the right of a business owner to speak his mind - it may actually be the next logical step following the *Citizens United* case that redefines corporations as individuals.

The Citizens United case was adjudicated in the Supreme Court in 2010. The Court ruled that corporations had the right to exercise their free speech under the First Amendment on a par with individuals when it came to making political contributions. In a recent ruling in June, the Court refused a request to revisit the initial ruling, saying: "Political speech does not lose First Amendment protection simply because its source is a corporation." Political speech or politically correct speech does not come without risk, however.

For businesses, this may be a further redefinition of their status and it could get a bit uncomfortable if people really start focusing on businesses as people. Think about this way. It's a little like a man giving up his bachelor status when he gets married. There are certain advantages, but certain disadvantages, too. No more Wednesday nights with the guys hanging around Hooters. No more drying your clothes in the microwave. No more expletives filling the air, either, especially when the in-laws are visiting.

Like our bachelor friend, corporations can't have it both ways. If the CEOs, COOs, CFOs or anybody in positions of corporate power want to spout off on social issues, they have to be ready to reap the whirlwind and pay the price for it. That's the double edged sword of free speech, but to deny them their right to do so is unacceptable and illegal.

The mayors of Chicago, Boston and Washington, DC might want to read their job descriptions more carefully. I doubt if their mayoral rights include creating a single overarching value system for their cities. That's what their constituents do, individually. If mayors get into the moralizing business, they may find fewer companies beating their way to their borders, and if they choose to go that route, they, too, must pay the price for THEIR free speech with dwindling tax bases and fewer jobs for the people who voted them into office!

As for Chick fil-A, I drove to their restaurant the other day (the same day of the proposed *kiss-out* or *kiss-off*) only to find the place mobbed with ordinary folks chowing down on delicious chicken sandwiches. I looked everywhere for kissing couples but without success. All I saw was a successful company doing a land office business with order takers going from car to car in the drive in lane smiling and having a good time enjoying their 15 minutes of fame.

I'm sure that if *Finger lickin' good* Colonel Sanders and Frank *it takes a tough man to make a tender chicken* Perdue were alive today they would have been dancing the chicken polka in the parking lot, excited to see so many people supporting free speech while downing heaping portions of the food that made them both famous. It's amazing what a little free speech and a few chicken nuggets will do to soothe the savage beast in all of us.

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