

As National Football League season opens

Nike unveils ad featuring blacklisted quarterback Colin Kaepernick

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As the National Football League (NFL) opened its season last Thursday with a game between the Atlanta Falcons and the Philadelphia Eagles, Nike unveiled its new “Just Do It” ad, featuring blacklisted quarterback Colin Kaepernick.

This commercial shows a variety of athletes, including LeBron James of the National Basketball Association’s (NBA’s) Los Angeles Lakers and tennis star Serena Williams, and ends with the slogan: “It’s only crazy until you do it. Just do it.” Kaepernick, who provides the voice-over for the ad, appears near the end and says: “Believe in something. Even if it means sacrificing everything.”

Kaepernick drew national attention at the beginning of the 2016 season when he knelt during the national anthem before games to protest social injustice, in particular, the large number of police killings of African-Americans. His protest quickly spread as many other players throughout the league engaged in similar symbolic protests during the anthem. College and high school players also joined in the anthem protests.

The on-field protests had diminished by the start of the 2017 season, with only a few players continuing to kneel. This changed when President Donald Trump, in an attempt to mobilize his most reactionary supporters and divert attention from his crisis-ridden administration, launched a public attack on the NFL for not cracking down more forcefully on protests, declaring, “Wouldn’t you love to see one of these NFL owners, when somebody disrespects our flag, to say, ‘Get that son of a bitch off the field right now, out, he’s fired.’”

Trump’s actions inspired a new upsurge of protests, with entire teams taking a knee or remaining in the

locker rooms before games. In many cases the players were joined by the coaching staffs and in some cases by the owners themselves.

Behind the scenes, however, the owners were terrified of the effect Trump’s actions were having on their bottom line and conspired to silence the players. The result was the new NFL policy in May banning players’ anthem protests.

By July, as more and more players publicly denounced the ban, the NFL Players Association was compelled to file a grievance, arguing that the owners’ new policy violated the NFL’s collective bargaining agreement. The NFL in response agreed to freeze the enforcement of its new anthem policy while it attempted to work out a solution with the union.

Kaepernick, once one of the league’s best quarterbacks, has been out of work since March 2017, when he became a free agent. As a parade of lesser quarterbacks, at least statistically, found work, he filed a grievance asserting that the league’s owners had conspired to keep him out of the league because of his protests and his role in inspiring other players to continue with anthem protests.

The NFL attempted to have Kaepernick’s suit dismissed for insufficiency of evidence. Late last month, however, the arbitrator rejected the NFL’s motion to dismiss and found there were genuine facts in dispute that required that the matter be heard. A hearing on Kaepernick’s collusion claim could occur before the end of the year.

Trump’s immediate response to the ad was to tweet, “What was Nike thinking?” Later, on “Fox & Friends,” he said: “I don’t like what Nike did. I don’t think it’s appropriate. I honor the flag. I honor our national

anthem.”

The media response was to initially show examples of people destroying their Nike gear or calling for boycotts of the company. The consumer response, however, was vastly different. Nike reported a more than 30 percent increase in sales since the release of the ad, which has been viewed over 16 million times on YouTube.

Many athletes have continued to support Kaepernick and have themselves become outspoken critics of police brutality, racism, inequality and Trump. Moreover, many players of championship teams have refused to attend traditional White House honoring ceremonies because of Trump.

Although the anthem protests have been negligible during pre-season games and the first week’s regular season games, athletes have expanded their expressions of social opposition by a variety of other means. LeBron James’ “Equality” Nike signature shoe was unveiled earlier this year, with the word emblazoned across the back of the shoes.

Other NBA players in recent years have worn shoes with messages that say “R.I.P. Trayvon Martin” and “Sideline Racism,” as well as images of Ebenezer Baptist Church, where the Rev. Dr. Martin Luther King, Jr., preached.

“I stand with Nike everyday all day,” was the response to the ad from Nike’s most popular endorsee LeBron James. Similarly, Tiger Woods, who has been with Nike since 1996, said the ad was “a beautiful spot.”

Many have applauded Nike for its supposed courage and willingness to assume great financial risk by making such an ad. The company’s decision to make the ad, however, was a cold and calculated business move.

Kaepernick has been under contract with Nike since 2011. During the 2016 season, when Kaepernick began his protests, Nike did not market him. Despite that, because of his protests, Kaepernick’s jersey became the league’s number one seller that season, and his jersey sales remained in the top 50 last year even though he was not on a team.

In recognition of the widespread support for Kaepernick, as well as the increasing social opposition within a wide section of the population—particularly among young people, who comprise the company’s

primary demographic group—Nike has chosen to monetize social discontent and utilize it as a central component of its new marketing strategy. The company is confident that this strategy will not only increase its sales, but also result in attracting other major athletes to sign Nike endorsement deals.

An unintended irony of Nike making Kaepernick the face of its new marketing campaign is that it has occurred only months after the NFL agreed to extend for another eight years its partnership with the company.

This new agreement announced last March allows Nike to continue to be the official supplier of NFL uniforms and sideline gear through the 2028 season. While financial terms were not disclosed, Nike is likely paying more than the \$1.1 billion it reportedly paid when it originally secured exclusive NFL apparel rights in 2012.

Consequently, the NFL’s 32 owners, most of whom are billionaires, including supporters and personal friends of Trump, now get to constantly see on TV, courtesy of their sponsor Nike, the face of the man they consider responsible for disrupting and damaging their multi-billion dollar business and who is now suing them for blacklisting him.



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