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Government Under Law Assignment

As one looks into the issues of business and how they correlate and work with the law, there are many confusing aspects of these concepts.

A business does not have the right to act against the federal or state laws. When one looks at the rights of businesses, they are seen similar to people. They have rights, they can own property, they pay taxes, they can make decisions to benefit themselves, they can break the law, and they can be held accountable. So with that in mind, if a citizen doesn't have the right to live outside the law than neither does a business. Humans often have different standards or morals from each other, so laws keep everybody's actions in check by this generalized system. In the same way that businesses must adhere to the laws, to enforce a generalized moral base for capitalism to thrive off of. Laws don't just keep moral acts in line but they also keep generalized structure. There are laws protecting both the business and the people. For example, a company has the right to fire their employees and employees have the right to quit. Businesses have the right to choose their wages and yet there is also a minimum wage to care for the people. So law doesn't just keep immoral acts from happening but it also simply draws out structure for people to thrive off of.

There are certain scenarios where the protection of a business conflicts with the protection of the employee. In public schools, they rule out the ability for teachers to discuss their own religious beliefs with students or to vocalize their beliefs in the work space due to the Establishment Clause. This seems to directly go against the first amendment which inhibits freedom of speech and religion. Yet the Establishment Clause is where the Constitution prohibits Congress from siding with a religion. So with public schools and other government funded businesses, the employees are individually representing the Congress. To explain in more detail, there was a supreme court case where Joseph Kennedy lost his job in the Burlington School District due to a complication between the establishment clause and his rights as a citizen. In summary, he quietly knelt after his games and prayed on the field. The district felt this violated the establishment clause which prohibits employees from verbalizing their views to keep from the government run businesses from endorsing a religion. Stated in the case, "The District explained that it could not allow an on-duty employee to engage in *religious* conduct even though it allowed other on-duty employees to engage in personal secular conduct" (2). His response to getting terminated was taking the issue up to the supreme court because they were violating his first amendment. Where they argue, "The contested exercise here does not involve leading prayers with the team... To hold otherwise is to posit an 'excessively broad job description' by treating everything teachers and coaches say in the work- place as government speech subject to government control" (2-3).

As one analyzes these situations and the bases of these conflicts. You can see that businesses are put under laws and rules they are unable to disobey. If they disobey, they will experience pushback or punishment for their actions.

CITED WORK

SUPREME COURT OF THE UNITED STATES. *KENNEDY v. BREMERTON SCHOOL DISTRICT*. 27 June 2022.