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## At the Stadium, Stay Put When the Music Plays

By [MICHAEL S. SCHMIDT](#)

The most patriotic moments at Yankee Stadium can also be the most confining.

Seconds before “The Star-Spangled Banner” and “God Bless America” are played, police officers, security guards and ushers turn their backs to the American flag in center field, stare at fans moving through the stands and ask them to stop. Across the stadium’s lower section, ushers stand every 20 feet to block the main aisle with chains.

As the songs are played or sung, the crowd appears motionless.

The national anthem has long been a pregame staple at sporting events. But after the Sept. 11, 2001, terrorist attacks, Major League Baseball directed teams to play “God Bless America” before the bottom of the seventh inning at every game. Baseball scaled back the next season, telling teams they needed to play the song only on Sundays and holidays, which is still the case.

Only the [Yankees](#) continue to play “God Bless America” at every home game. They are also the only ones to use chains to prevent fans from moving during both songs, which concerns some civil liberties advocates.

Howard J. Rubenstein, the spokesman for the Yankees’ principal owner, [George Steinbrenner](#), said the policy was an expression of patriotism.

“Mr. Steinbrenner wanted to do all games to remind the fans about how important it is to honor our nation, our service members, those that died on Sept. 11 and those fighting for our nation,” Rubenstein said in a telephone interview.

In the month after the attacks, baseball and patriotism seemed to be intertwined, and the idea to restrict the movement of fans was born. Lon A. Trost, the team’s chief operating officer, said fans sent the Yankees’ front office hundreds of e-mail messages and letters and made phone calls to complain about how other fans were not paying respect.

“The fans were telling us it was a disgrace that when the song was being sung people were not observing it with a moment of silence,” Trost said.

Trost said Steinbrenner was presented with the fan complaints and agreed to a plan to restrict movement. By mid-October 2001, he said, the Yankees’ implemented a system using off-duty uniformed police officers, ushers, stadium security personnel and the aisle chains to restrict movement. The Yankees pay the city to use police officers as part of the security detail.

Trost said the ushers were instructed to allow fans with emergencies to move through the stands. Because

one end of each chain is held by a person, instead of secured in place, the system is not considered a fire hazard, a spokeswoman for the New York Fire Department said.

Trost said the Yankees have not heard any complaints about either the continued playing of “God Bless America” or the restrictions on movement.

“Before 9/11, we recognized the spirit and importance of the way of life we live in this country,” he said. “We have always been a major supporter of everything that relates on a patriotic basis. Men and women are serving, and we believe as an organization we should remember them and how they are out there on the forefront.”

The [Mets](#), meanwhile, have not heard complaints from fans about behavior during the songs and have not implemented similar restrictions, a team spokesman said.

Patrick Courtney, a spokesman for Major League Baseball, said teams determine what is appropriate at their stadiums. The Yankees are the only major league team to use chains, according to a survey of teams. But at least eight others — the [Marlins](#), the [Phillies](#), the [Padres](#), the [Rangers](#), the [Twins](#), the [Astros](#), the [Athletics](#) and the [Red Sox](#) — instruct ushers to prevent fans from moving through the aisles when the songs are played.

Some civil liberties advocates worry that the Yankees may be restricting freedom in the name of freedom.

“Yankee management is free to promote its brand of musical patriotism,” Arthur Eisenberg, the legal director of the [New York Civil Liberties Union](#), said in a written statement. “But we need to be wary of enforced cultural conformity and the use of a ballgame to impose political correctness on a captive audience.”

The organization said it would consider legal action only if a fan were arrested for disobeying the measure.

Michael C. Dorf, a constitutional law professor at Columbia Law School, said the Yankees had the right to restrict movement.

“It doesn’t violate the Constitution, because the Yankees are not the government,” Dorf said. “If they were a municipally owned team, you could have an issue because the team would be a state actor.”

Dorf said that he would be at today’s game and that the use of chains did not bother him and probably would not upset most fans.

“But at the same time, it could for people who have a different view of their patriotism,” he said. “It will be compelled speech or compelled silence.”

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