Taking Away the Right to Defile the Flag Would Violate the Ideals for Which It Stands


Odeliah Dorko is a high school student who lives in Poway, California.

When I was attending my last year of middle school, dominating the campus as a mighty eighth grader, one of the mandatory courses given to us was U.S. History. I myself did not mind the course, as I have always had a special interest in the makings of our country, and it certainly did not hurt that I had a superb teacher either. One day, this teacher, a dear Mr. Swanson, handed out a sheet with questions that were meant to be a bit tricky and a bit more thought provoking. The idea was for us to ponder each question thoroughly and then to write out our thought process and conclusion in a semi-structured paragraph. While I do not remember any of the other questions, there was one that has stuck in my mind in the years to pass—does the government have the right to ban flag burning. Why or why not? The second I read that I thought, "Oooh! I know the answer to this one!" I knew the deep disdain and disgust I held for people who dared to burn the flag of my beautiful country of America, and I knew what my answer would be. However, when I sat down to type up my opinions, I found I did not know the reasoning behind my answer. I could find no constitutional reasoning that would allow for flag burning, a means of expression, to be forbidden. Far be it from logic to stop me when I want to write what I want to write. So, what I ended up turning in was a fiercely passionate and yet somewhat incoherent rant on the horrors of flag burning, and what should be done to those who would deign to defile the flag in any way whatsoever.

I am no longer in eighth grade. Over the years, I have found that I have cleared my head a bit, and am now able to admit defeat when all reason points to the opposing side; flag burning should be legal. There it is, I said it. Flag burning and any form of flag desecration needs to be legal.

Freedom of Speech Implies Many Rights

The First Amendment states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Our Constitution was written to protect the ugly ideas which grate against our nerves and anger us.

The freedom of speech—what, precisely, does that term mean? Dictionary.com defines "speech" as "the faculty or power of speaking; oral communication; ability to express one’s thoughts and emotions by speech, sounds and gesture." However, in relation to the Constitution, that word carries a lot more weight. [The philosopher] John Stuart Mill, born in the early 1800s, argued that "freedom of speech" implies three separate rights:

1. The right to seek information and ideas
2. The right to receive information and ideas
3. The right to impart information and ideas
Some may insist that this is a stretch of the term "freedom of speech," but if we look around at America today, we will find many forms of communication protected by the First Amendment, which are not, technically, speech. Bumper stickers, cartoons, television shows, pamphlets, protests, books, websites, organizations, and the list goes on. When it is obvious in our day and age, that the First Amendment covers all forms of expression—except, of course, hate speech and the like—why is it so hard for some to swallow that flag burning should be a legal form of expression? Is it because it hurts our American pride? Good. Is it because it makes us cringe to watch the beautiful red, white, and blue burn? Good. Our Constitution was not written to protect the lovely ideas, the ones which we can swallow with a smile. Our Constitution was written to protect the ugly ideas which grate against our nerves and anger us. If we take away people's right to defile our flag, then we are spitting on the very ideals that our flag stands for.

One last note: The last thing I would want to do would be to discourage the defense of the honor of my country and her flag. So, I'm going to end my post with a quote from Neal Boortz, libertarian radio host, for he has the right idea on such matters. "I would like to propose to the various states, a little addition to their criminal code. The crime in question would be 'kicking the crap out of anyone who makes a public display of desecrating the American flag.' The penalty for such a breach, I propose, should be a fine not to exceed 1.00 or five minutes in the custody of the police. Rights or no rights, I'm just not wired to stand by and watch someone burn my flag."

Further Readings

Books


**Periodicals**


**Full Text:** COPYRIGHT 2011 Greenhaven Press, a part of Gale, Cengage Learning.

**Source Citation:**


Document URL

http://ic.galegroup.com/ic/ovic/ViewpointsDetailsPage/ViewpointsDetailsWindow?di splayGroupName=Viewpoints&disableHighlighting=true&prodId=OVIC&actio n=e&windowstate=normal&catId=&documentId=GALE%7CEJ3010752232&mod e=view&userGroupName=atascocitahs&jsid=6d028479bdddaf2365f92f06480923a16

**Gale Document Number:** GALE|EJ3010752232