

P-39
5846 E. South Wilshire Drive
Tucson, Arizona
85711

23 June, 1989

President George Bush
The White House
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20500

Dear President Bush:

At a meeting on 21 June of the 1200 member VFW Post 4903 the recent Supreme Court decision regarding Flag burning was the subject of heated discussion. Those in attendance voted unanimously to register strong opposition to the Court's ruling affirming the right of protestors to destroy the American Flag as an expression of opposition to U.S. policies. This ruling overturned the conviction by a Texas court of a self-proclaimed communist, Gregory Johnson, sentenced for burning the American Flag at the 1984 Republican National Convention. The 21 June ruling also limits the power of the States to forbid desecration or destruction of our country's Flag. Incidents involving Flag desecration and destruction have occurred previously without imposition of penalties, but the decision by the Supreme Court permitting Flag burning as a legitimate expression of dissent has brought this action forcefully to the attention of the Public.

Reportedly, the Court's decision was based upon the First Amendment's protection of the rights of free speech and dissent. It is difficult to accept the claim that the physical act of Flag destruction represents a form of speech or legitimate dissent. And even speech has its limits. Interpretation of Flag burning as an act permitted by the Constitution represents an unjustifiably broad extension of rights guaranteed by the First Amendment. The Court's ruling constitutes a break with tradition and establishes a dangerous precedent. Surely, dissent may be expressed by acts which are lawful and more appropriate than Flag destruction or desecration. The ruling defending Flag burning as an expression of dissent and free speech is affirmed by that same Court which refuses to consider the prohibition of optional prayers in the public schools as representing an unconstitutional infringement upon the rights of free speech.

The present liberal trend in the courts actually began during the Vietnam conflict. How many of the protestors of that era were penalized for public destructions of draft cards, vandalism, Flag desecrations, and flights to foreign countries to avoid military service

The time is late, but the subtle trend toward anarchy must be reversed. America cannot continue as a great country if its people are permitted to exercise their rights without restraint and with no regard for their responsibilities.

Desecration does not dishonor our Flag...It degrades only the perpetrator.

Section 4 of the Federal Flag Code, P.L. 623 (12 June 1942) specifies that "no disrespect should be shown to the Flag of the United States of America". Were those members of the Supreme Court who voted to overturn the Flag burning conviction aware of the existence of P.L. 623 in reaching their decisions?

We urge reconsideration of the Court's ruling in its dismissal of charges against Gregory Johnson and call for the reinstatement of penalties for destruction or defacement of the Flag of our country.

*We appreciate your position on
this controversy*

R.F.C. Life member RNC & Republican Pres. Task

Robert F. Clarke
Members of VFW Post 4903
by, Robert F. Clarke
Post Americanism Officer