

JOHN F. KERRY  
MASSACHUSETTS

United States Senate

WASHINGTON, D.C. 20510

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CAMBRIDGE, MA  
October 18, 1989

Mr. Joseph E. Connarton  
Office Of The City Clerk  
City Of Cambridge, City Hall  
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

Thank you for letting me know your feelings about the Supreme Court's decision that laws making it a crime to burn the United States flag are unconstitutional and infringe on the First Amendment.

Like many Americans, I feel that the burning of the U.S. flag is an offensive act, bound to anger and enrage millions of people who believe in what this country has stood for far over 200 year --to promote the values of freedom and democracy against the forces of repression and hate. By any reasonable standard, burning the flag is an assault on a fundamental symbol of our nation.

Along with 96 other members of the United States Senate, I voted to express my personal belief that the Supreme Court decision was not appropriate. More than any other nation in the world, the United States Constitution grants its people freedoms to dissent, to protest, and to criticize its government and governmental policies. In my view, our freedoms would have remained intact if the Supreme Court had recognized that the Flag of the United States is an important object of national veneration and pride, and that protecting it is a legitimate function of government that has nothing to do with speech.

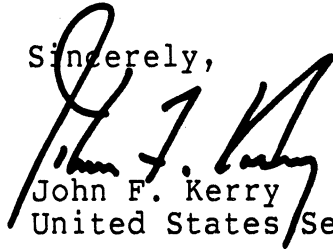
On the other hand, I have serious reservations about a Constitutional amendment that would give blanket freedom to legislators to design laws making it illegal to "desecrate the flag." An amendment of this sort would change the Constitution by creating new exceptions to the First Amendment. Laws could be passed making it illegal to draw on pictures of the flag, even postage stamps --or could prevent artists from using the flag in art as it has been used for two hundred years. Amending the Constitution is something we should do rarely, and only to secure essential new rights or procedures. The Constitutional Amendment proposed to date may put at risk freedoms that all of us cherish.

The Bill of Rights has stood the test of time and served America extraordinarily well. I question the wisdom of amending it for the first time in over 200 years at this moment over this issue, and believe that if the flag needs further protection, that statutes can be drafted which properly accomplish this.

Page 2

I appreciate you writing to me about this issue, and you should feel free to contact me again on this or any other matter.

Sincerely,



John F. Kerry  
United States Senator

JFK/mdl

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S- 758

Comm. from Senator John F. Kerry, acknowledg=  
ing communicatin sent to him in support of the  
Supreme Court's decision that makes it a  
crime to burn the United States flag.

In City Council,

November 6, 1989

*Placed on file*