

# **“Defecation” is not speech – pass the flag amendment**

There have been many instances during and after the election for the presidency of demonstrators burning or defecating on the Flag of the United States– all, or almost all, self-defined disaffected Democrats, progressive liberals, socialists, communists, or race-or-sex based political activists.

This desecration of the Flag is the result of a decision in 1989 by five lawyer-judges on the Supreme Court in *Texas vs. Johnson* that burning the Flag, or defecating upon it, is “speech” protected by the First Amendment to the Constitution.

Although the people of the United States had the ability from the very founding of the country to 1989 to protect the Flag from desecration by law in their communities and States, those five lawyer-judges on the Supreme Court – the other four disagreeing – nullified all the laws that had been enacted in all of the States to protect the Flag from desecration. The American people, after 213 years, lost the ability to decide if and how to protect the Flag.

Almost immediately, American patriots, particularly veterans, acted to reverse that 5-to-4 Supreme Court decision. Congress and States, passed laws to protect the Flag. However, they were dead on arrival in the Supreme Court. Therefore, there is no option: The only way to protect the Flag is to pass a Constitutional amendment giving Congress the authority to enact protective legislation..

The Citizens Flag Alliance, involving some 140 veterans, civic, business, and fraternal organizations, was created to urge Congress to adopt a Flag Amendment stating simply: “The Congress shall have power to prohibit the physical desecration

of the flag of the United States.” The Flag Amendment does not dictate what a Congressional enactment should state; it only empowers Congress to legislate to protect the Flag from desecration.

The Citizens Flag Alliance, led by its first chairman, Maj. Gen. Patrick H. Brady, a Medal of Honor recipient (Vietnam) who is regarded as America’s most decorated living veteran, succeeded in convincing the House to adopt the Flag Amendment six times with each new Congress, and came within one (1) vote in the Senate of adoption in 2006, which would send the Flag Amendment to the States for ratification by vote of the people.

However, in the November elections in that same year, 2006, the Democrats regained control of the Congress, stalling the Flag Amendment effort. With the election of Barack Obama as President in 2008, the effort to pass the Flag Amendment appeared, and was, futile.

All that has been changed by the 2016 election of President Donald Trump, who has called for “consequences” for desecration of the Flag; election of a Republican majority in House and Senate; and what appears to be a renewed patriotic spirit in America.

“We are revitalizing and relaunching the Citizens Flag Alliance campaign to persuade Congress to adopt the Flag Amendment in the new 115th Congress, and send it to the States for ratification by vote of the people,” said Jill Druskis of the American Legion, president of the Citizens Flag Alliance.

Gen. Brady, who led the Citizens Flag Alliance for ten years before stepping down as chairman in 2007, has issued a call for all veterans and other patriots to join with the CFA in actively urging Congress to adopt the Flag Amendment.

“If ever there was a time to revitalize the Flag Amendment movement, it is now,” said Gen. Brady. “We need to re-energize

the Citizens Flag Alliance and create a nationwide grass roots movement to convince the new 115th Congress to pass the Flag Amendment, and restore to the American people their right to decide if and how our Flag should be protected.

There are 23-million living American veterans. As one, I believe that burning the Flag, or defecating on the Flag, is an insult to every American veteran who is serving, or has served—including the 1.4-million veterans who have given their lives in war in defense of America under the Flag.

Further, as a Constitutional and Civil Rights attorney, I believe that the five lawyers on the Supreme Court who have decided that “burning” or “defecating” on the Flag is a form of “speech,” are not only wrong in a jurisprudential sense, but as a matter of common sense exercised by non-lawyer mere mortals. Indeed, I believe that any lawyer-judge who dictates to the nation that “defecation” is “speech” is not only guilty of judicial tyranny, but is talking out of the wrong orifice himself or herself and should be impeached for inanity if not insanity.

Does any American possessed of common sense really believe that Founding Fathers Gen. George Washington, presiding officer at the Constitutional Convention, our first American President, the Father Of Our Country, or Thomas Jefferson, Father of the Declaration of Independence, or James Madison, Father of the Constitution, or any of the Founding Fathers who established the Constitution believed that burning or “defecating” on the Flag was not only “speech” but speech the Founding Fathers, patriots all, intended to be protected in the First Amendment?

Only lawyers could reach such an absurd decision, and then impose it on the American people. However, that decision by five lawyer-judges on the Supreme Court while the other four lawyer-judges disagreed, makes burning or defecating on the Flag a “legal right,” only. It does not make it “right” to do.

Burning the Flag or defecating on the Flag is a cowardly, narcissistic, morally despicable “wrong.” The Flag must be protected from such disgraceful actions. Supreme Court decisions are not writ in stone; they are reversible by the ultimate American sovereign—“We, the People.”

Join and support the call of the Citizens Flag Alliance and of Gen. Patrick Brady to demand that Congress pass the Flag Amendment to protect the Flag from desecration and send it to the States for ratification so that “We, the People” may have the “right,” again, to decide whether and how the Flag should be protected from desecration.

For more information: [CitizensFlagAlliance.org](http://CitizensFlagAlliance.org),

HONOR OUR FLAG –PASS THE FLAG AMENDMENT

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