

### The American Flag

The House of Representatives voted overwhelmingly this past week to initiate the process that would establish a Constitutional Amendment to ban the desecration of the American flag. This was not an easy vote for me, for it forced a choice between two honored traditions: one, respect for the national flag, and, two, respect for freedom of speech and expression. This was the intention, of course. The authors of the bill represent an ideological position that believes that dsecration of the flag should not be tolerated, because such behavior is blatantly anti-American. In no way at all do I subscribe to the ideological position. However, after due consideration and deliberation, I made the decision to vote in favor of the ban.

World War II memories played a large role in my decision. During my growing-up time in Omaha, Nebraska, my brothers, neighborhood friends, and selected classmates would frequently organize an overnight "camp" (we named it after the street on which we lived, Camp Spencer), where we would pitch our tents and sleep outdoors. Always before going to bed, we had a quasi-military ceremony, complete with the playing of taps on the bugle. In the morning, following breakfast, we always had anothe ceremony at which we would raise the American flag, and say the Pledge of Allegiance together. The pattern for these ceremonies was established by my father, who was a Scout Master, and who seemed always to have in mind the many young men he knew (including our three uncles, all of whom either lived or spent much of their time in our home) who were away from home fighting the enemy. In teaching us how to do all of this, our father told us that if the American flag ever inadvertently touched the ground, it couldn't be used again. If such a situation ever arose -- of course, we were careful that it never did -- we would have to bury or burn the flag. This was the beginning of my instruction concerning the special character and status of the American flag. }}

During the last years of World War II, I played sousaphone in the Benson High School marching band, and participated in our school's ROTC program. To march through Omaha streets, in the band, behind the drum major, who was marching behind the flag carriers, gave me a special sense of the unifying power of the American flag. The role it played with respect to our sense of national identity was similar to the role played by the cross in

the church to which we belonged. However, in the case of the flag, the collective identity that was being forged belonged to everyone in the country, and not, as in the case of the Church, simply to those who elected to associate themselves this way. Naturally, all of this formed the background and context as I considered the most appropriate way to vote on the flag desecration resolution.

When I had opportunity to visit Vietnam in 1991 I encountered a group of American military men in the Hanoi airport who had gone there to retrieve bodies of Americans killed in the war. Each of the caskets was covered by an American flag. The destruction of the symbol we choose to use in such situations, whose meaning and significance everyone recognizes and understands, is repugnant to me.

When we sing the Star Spangled Banner at the beginning of events and ceremonies, we face the American flag, salute or place our right hand over our heart, as demonstration of our patriotism. In these instances, the American flag symbolizes and illustrates our respect, our dreams, our aspirations, indeed, the glue that holds the nation together.

And when the country wins (or places in) an event in the Olympic Games, their respective national flag is raised as the orchestra plays the National Anthem. This too reinforces that it is no casual or trivial matter to trash the symbol that stands for the national collective will.

In reading the mail our office received before this vote was taken, I noted that much of the correspondence was written and signed by veterans, all of whom, without exception, were in favor of this legislation. Because of the course I have been teaching on the Vietnam War, I have become exceedingly respectful of those who have sacrificed their lives for their country. Indeed, I pride myself on representing Veterans and their needs. I played a role in the community salute that was given to veterans by the people of Santa Barbara in 1981, and was instrumental in establishing the Vet Center a few years later. The friendships and associations I enjoy with veterans is a matter of intense pride with me. I know exactly how they feel on this issue, for very good reason, and I uphold their sentiments and convictions.

I was also significantly influenced by the conversations that were occurring in the House and in the halls of Congress. When I spoke to my colleagues about the force of the pending legislation, I came to the conclusion that a judgment on the other side was based on a clear distinction between the flag as

symbol and the substance of that which was being symbolized. What the flag symbolizes, many were saying, could never ever be compromised, and this included freedom of speech and freedom of expression. But, by the same argument, when there is a necessary clear choice, the symbol itself must take a secondary place to the substance of that which is being symbolized.

I understand the logic of this distinction, yet believe that the argument associated with it fails to acknowledge the dynamic workings of the symbol in question. In fact, in my judgment, this argument tends to treat the flag as a sign rather than a symbol. A symbol participates in the reality to which it makes reference. It is the necessary carrier of the truth to which it attests. Indeed, in this instance, there is no other way to convey the meaning of the American flag except through the American flag itself. If it were not there, there would be no other avenue.

There is also the matter of the assignment I now have as the representative of the people of the 22nd District of California. My role in Congress is not only to be true to my own judgment and conscience -- a pledge I will never violate -- but also to represent the judgments and convictions of the people I represent. On this issue, I recognize where the majority of the citizens are, and I felt no compromise in giving strong representation to this point of view.

Finally, it has bothered me that symbolic issues of this kind allow one segment of the population to boast about their achievements in opposition to those who are on the other side. Specifically, I am unwilling to let the American flag be captured by only a certain segment of the population. There is no reason why citizens whose beliefs and convictions match my own cannot also claim the American flag as their own. I was unwilling to give it away. Indeed, it means far too much.

So, for all of these reasons, I voted the way I did. I have taken the time to write these paragraphs so that this voting action will be understood. Now I trust that the Congress will move onto matters that will have even greater impact on meeting the needs and aspirations of the people of our country.

Walter H. Capps  
Member of Congress  
June 15, 1997