

First we protect the flag, then we protect the crucifix and then we protect ourselves from newspapers that write cartoons that we don't like. But, unfortunately, in that case, the Constitution keeps us from that kind of censorship in at least that case, and I was glad to see a recognition of a distinction there. Once the distinction is swept away, however, we will have a tough time finding an end to the list of things that we applaud, support, respect and which we expect to command others to respect as we do. The flag may be a symbol, but it is not the heart of that about America which deserves respect. What deserves respect and what teaches us is a body of ideas. That is what is truly noble about this country. It is not the flag. It is a body of ideas, ideas such as equality which we have held out, failed and struggled to honor and have breached many more times than we have, in fact, carried out, but continue to hold out as our goal. Among those ideas which are noble is the idea that government comes from us, not the other way around. Among those ideas which are noble is that one is free to have a conscience of one's own, that conduct and not conscience is to be regulated by government, that government will not treat us arbitrarily is an idea that is noble, that we owe everyone, whether they are homeless, poor and without means or wealthy, the due process of the law. That is a noble idea. That there are zones of privacy in our personal lives into which public scrutiny or governmental action cannot intrude, that is a noble idea and we have analyzed and struggled to achieve those ideas. We have failed on many counts, but we continue to hold them out to ourselves and that we do that and that we would sacrifice personally by going to war, by paying taxes, by performing personal services and assisting in the achievement of those ideas, that is what is noble about the American experiment. Part of that which is the heart of America says we do not punish acts of conscience of others unless there is some public peril. There is no public peril. Senator Hefner could not identify one other than the fact that somebody fails to respect that which he respects and that is antithetical to the very heart of what this country is about. My guess is that many of us here feel that burning the flag is a profanation of sorts of that which is sacred, publicly sacred, the shared part of the American experiment. To me, the profanation is this amendment which seeks to undo what is at the heart of the symbol of the flag and that is the idea behind the symbol, the idea of the freedom of conscience to do those things which others do not approve of. But if they do no public peril, must be tolerated and the reason that they are tolerated is because if we don't tolerate them, we