

1 **State of Arkansas**

2 **78th General Assembly**

3 **Regular Session, 1991**

S.J.R.

4 **By: Senators S. Bell, Yates, Ross, Gibson, Russ, Luelf, Todd, Bearden, Hopkins, Walters,**

5 **Fitch, Jewell, Bookout, Hardin, Howell, Miles, Cassady, Scott, C. Bell, Moore, Canada**

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SENATE JOINT RESOLUTION

8

URGING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT

9

TO THE UNITED STATES CONSTITUTION TO PROHIBIT PHYSICAL

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DESECRATION OF THE AMERICAN FLAG.

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12 WHEREAS, although the right of free expression is part of the foundation
13 of the United States Constitution, very carefully drawn limits on expression
14 in specific instances have long been recognized as legitimate means of
15 maintaining public safety and decency, as well as orderliness and productive
16 value of public debate; and

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18 WHEREAS, certain actions, although arguably related to one person's free
19 expression, nevertheless raise issues concerning public decency, public peace,
20 and the rights of expression and sacred values of others; and

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22 WHEREAS, there are symbols of our national soul such as the Washington
23 Monument, the United States Capitol Building, and memorials to our greatest
24 leaders, which are the property of every American and are therefore worthy of
25 protection from desecration and dishonor; and

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27 WHEREAS, the American Flag to this day is a most honorable and worthy
28 banner of a nation which is thankful for its strengths and committed to curing
29 its faults, and remains the destination of millions of immigrants attracted by
30 the universal power of the American ideal; and

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32 WHEREAS, the law as interpreted by the United States Supreme Court no
33 longer accords to the Stars and Stripes that reverence, respect, and dignity
34 befitting the banner of that most noble experiment of a nation-state; and

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1 WHEREAS, it is only fitting that people everywhere should lend their
2 voices to a forceful call for restoration to the Stars and Stripes of a proper
3 station under law and decency;

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5 NOW THEREFORE,

6 BE IT RESOLVED BY THE SENATE OF THE SEVENTY-EIGHTH GENERAL ASSEMBLY OF THE
7 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
8 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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10 THAT the General Assembly of the State of Arkansas respectfully urges
11 the Congress of the United States to propose an amendment of the United States
12 Constitution, for ratification by the states; specifying that Congress and the
13 states shall have the power to prohibit the physical desecration of the flag
14 of the United States; and

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16 BE IT FURTHER RESOLVED THAT, copies of this resolution be transmitted to
17 the Speaker of the U.S. House of Representatives, the President of the U.S.
18 Senate and all members of the congressional delegation from the State of
19 Arkansas.

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