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Charles S. Robb

"They Died for That Which Can Never Burn"

U.S. Senate, Washington, D.C.
March 28, 2000

Senator Charles Robb of Virginia served in the Marine Corps in Vietnam as commander of an infantry company in combat. He returned in 1969 to find the United States in turmoil over the war. His next assignment was to recruit officers for the Marines from college campuses, a job which put him into the thick of anti-war demonstrations where the American flag was occasionally burned to protest government support for the war. When an amendment to the Constitution was proposed in 1999 to punish flag burners, Robb offered his thoughts as one who had seen the flag both revered and reviled.

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Mr. President, I am repulsed by any individual who would burn the flag of my country to convey a message of dissent. It is an act I abhor and can barely comprehend. But in the democracy that our forefathers founded, and that generations of Americans have fought and died to preserve, I simply do not have the right to decide how another individual expresses his or her political views. I can abhor those political views, but I cannot imprison someone for expressing them. That's a fundamental tenet of democracies and it's what makes America the envy of the world, as the home of the free and the brave. . . .

Last week, I received an e-mail from a retired United States Marine Corps Colonel who happened to be from Virginia. Like many Americans, and many American veterans, he had struggled with this issue and searched his conscience for what's right. In his message to me, he said: "I have seen our flag torn in battle, captured by our enemies, and trampled on by protesters. In all those events I never felt that the American

way of life was in grave peril . . . for whenever our flag fell or was destroyed there was always another Marine to step forward and pull a replacement from his helmet or ruck sack."

He continued: "The Constitution is the bedrock of America, the nation . . . the people. It is not possible to pull another such document from our 'national ruck sack.' We have but one Constitution, and it should be the object of our protection."

Mr. President, there is no question that it is precisely *because* the flag represents those sacred ideals that define our democracy, that we are so angry to see one being trampled or torn or torched. . . .

In fact, Mr. President, it is the *motivation* of the flag burner, not the burning of the flag itself, that makes us so angry that we want to punish that individual and throw away the keys. We know that when an American flag is old and tattered, or damaged and no longer fit to fly, we don't bury it, or throw it in the trash. We burn it. That is the proper, respectful method of disposing of a flag. So it is not the *burning* of the flag that stirs us to anger. It is the *reason* why the flag was burned that gets us so upset. And the reason why the flag is burned—to convey a message of dissent—is the reason why the Constitution protects it. . . .

Mr. President, I *am* a proud veteran of the United States Marine Corps. And I learned many lessons serving in Vietnam. I served with Marines who loved this country and were great patriots. They were often young and sometimes scared. But they risked their lives in Southeast Asia.

Some of those brave warriors died for our nation. On two separate occasions, I had men literally die in my arms. Those who made the ultimate sacrifice may have died keeping faith with their country. They may have died so that others might be free. They may have died for an ideal or a principle or a promise—sacred intangibles that transcend time. Some might say they died for the flag. But I was there, Mr. President, and they did not die for a piece of cloth, however sacred, that

eventually becomes worn and tattered and eventually has to be replaced. No. They died fighting for all that our flag represents.

My fellow veterans who died in combat sacrificed their lives for these intangibles that are the core values of our democracy. They died for liberty and tolerance, for justice and equality. They died for that which can never burn. They died for ideals that can only be desecrated by our failure to defend them.

And in opposing this amendment, Mr. President, I truly believe that I am again called upon to defend those intangible ideals—like freedom and tolerance—for which so many of us fought, and too many of us died. I am in a different uniform today, in a different place and time. But I feel as if, in some way, I am again battling the odds to defend principles that, as a younger man, I was willing to die for. I'd still put my life on the line today to defend those same principles.

I say that, Mr. President, because the flag *represents* freedom to me. But the First Amendment *guarantees* that freedom. And when we seek to punish those who express views we don't share, then *we*—not the flag burners—*we* begin to erode the very values, the very freedoms, that make America the greatest democracy the world has ever known.