



INSTITUTE FOR JUSTICE

June 7, 2004

The Honorable Orrin G. Hatch  
United States Senate Judiciary Committee  
104 Hart Office Building  
Washington, DC 20510

Dear Senator Hatch:

Your steadfast devotion to America's founding principles serves as an inspiration to countless people nationwide. Indeed, on the various occasions when we have had the opportunity to work with you, your unwavering commitment to the Constitution proved decisive. Thus, we were sorry to see your leadership on Senatorial attempts to outlaw the use of the American flag in protests if such use is deemed to desecrate the flag.

The most recent proposed constitutional amendment has the unavoidable potential for very open-ended and subjective definitions of desecration. It will yield inconsistent results in protecting the flag, but all too consistent results in stifling legitimate political dissent. We urge you to reconsider and to again courageously protect the principles of our founding, in this case, the principle of robust political speech.

Sincerely,

William H. Mellor  
President and General Counsel