

little barbed wire, shoot targets in the head and maybe do a little strip mining. Everybody goes home fat and happy instead of hot to put a bullet through the first federal agent they run across.

Consider it Wise Use.

**BANNING FLAG BURNING;
"EXTINGUISHING LIBERTY"**

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 1995

Mr. SERRANO. Mr. Speaker, unaccustomed as I am to quoting Cal Thomas, I would like to share his column on amending the U.S. Constitution to allow prohibitions on burning the American flag with my colleagues. The article, from the May 6 issue of *World* magazine, follows:

EXTINGUISHING LIBERTY

Watching the Fourth of July festivities in Washington (and around the country on television) showed the depth of love most Americans have for this country. That is why a constitutional amendment to ban the burning of the American flag is so silly, stupid and unnecessary.

No one forced the millions of people waving flags—who respect and honor the republic for which it stands—to love America. They exhibited a spontaneity no law can impose. When the House last month passed a constitutional amendment that would, should the Senate and states concur, outlaw flag burning, it continued a game politicians have been playing with public school prayer. The rules of the game are that the social problems confronting America can be fixed from the top—a kind of "trickle-down" morality.

Politicians love this because they have done much to promote such a view, which advances their careers and preserves their jobs. Many others hold this belief because it absolves them of responsibility for fixing what is wrong with their own priorities and transfers it to government. And when government increasingly reveals its inability to repair social damage, we blame not ourselves but government and politicians, deepening the cynicism against institutions and those who work in them.

There hasn't been a lot of flag burning since the Vietnam War. Sen. Howell Heflin (D-Ala.) says that's why now, with the heat of passion reduced, is the best time to ban it.

But any time is a bad time for such a ban. First, what constitutes a "flag"? Is it only the cloth that waves from a flagpole or can it be one that is stapled to a wooden stick? Is the reproduction of the Stars and Stripes on a napkin, patch, or coffee cup considered a flag? Some flags are made in Taiwan or in other nations. Would they count as American flags? I saw a chair upholstered in a flag. If the chair was thrown on a bonfire during a protest rally, would that violate the proposed constitutional amendment? And why is burning being singled out for prohibition? What about stomping, spitting or pouring paint on the flag?

Those who would ban flag burning have placed the American flag in a category and context that is idolatrous. Idolatry is defined as "the worship of a physical object as a god; immoderate attachment or devotion to something." While we don't worship or devote ourselves to the flag as we might be a religious symbol or being, the attachment some would force on the rest of us comes pretty close to resembling that definition.

The Fourth of July overwhelms us all with the number of displayed and waved American flags. As with speech, the best way to overcome the ugly variety is with more and more beautiful speech, along with a common rejection of the ugly speaker and his words. When a flag is burned, it is the protester, not the flag, who is demeaned. He reveals his base ingratitude when he burns a symbol of a nation great enough even to allow him to indulge in moronic behavior.

Banning flag burning will increase the probability flags will be burned. Allowing it removes the political stinger.

FREEDOM OF THE PRESS IN RUSSIA—AN ISSUE OF HIGHEST PRIORITY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 1995

Mr. LANTOS. Mr. Speaker, I rise to call the attention of my colleagues to an incident that took place in Russia in the last few days—an incident that raises serious questions about freedom of the press and also about the future of democracy in Russia. NTV, the only major independent television network in Russia, broadcasts a political satire program in which puppets are easily recognizable caricatures of leading Russian political figures. The program satirizes public figures. The program—called "Kukly" ("Puppets")—is similar to programs that are broadcast in Britain, France, Hungary, and a number of other countries.

After a recent show, however, the Russian Prosecutor General brought criminal charges against the producers of the show on the grounds that the country's leading public figures were victims of "a conscious and public humiliation of their honor and dignity, expressed in an indecent way." If that standard were observed in the United States, David Letterman, Jay Leno, a host of radio talk show hosts, and any other number of television and movie producers would have been slapped into prison long ago. In a democracy, one of the consequences of a free press and freedom of expression is that public figures are subject to public scrutiny by both responsible and irresponsible media. It is not pleasant to be inaccurately or derisively treated by the media, but I dare say that most of my colleagues have some experience in this regard.

The action of the Prosecutor General in Moscow, however, raises the most serious and the most fundamental questions about democracy in Russia and about future developments there. Initiating criminal proceedings against the producers of a political satire puppet program may be the source of witty headlines in the press—the *Washington Post* headlined its story yesterday "Satirists Skewer Russian 'Puppet' Government"—but the matter is extremely serious.

The prosecution of these criminal charges, however, is suspect on its face. Why is the Prosecutor General focusing his attention on supposedly criminal actions on a political satire television program? There are far more serious crimes—real crimes—which do not seem to attract the attention of the prosecutor. The suspicious murder of the popular Russian television journalist Vladimir Listeyev of Ostankino TV remains unsolved after nearly a year. Furthermore, the prosecutor and law enforcement

officials still has not found the murderers of journalist Dmitri Kholodov of Komsomolskaya Pravda, who was killed by a package bomb while he was in the final stages of an investigation into corruption in the military. There are real issues of unsolved crimes—real crimes—which the Prosecutor General could deal with. Why undertake proceedings against the producers of a television program?

The answer to that question, Mr. Speaker, is that this criminal proceeding is only a small part of a much larger effort to intimidate the media and to bring the independent television and other media into line, particularly since parliamentary elections in Russia are scheduled for this December and Presidential elections are to follow 6 months later. The independent television station NTV, which is being charged for its irreverent puppet-treatment of the Russian leaders, has also been particularly hard-hitting in its coverage of the government's military actions in Chechnya. The station recently broadcast an interview with the leader of the group of Chechen guerrillas who held more than a thousand Russians hostage in southern Russia last month. Criminal charges are also pending against NTV for broadcasting that interview.

The effort of government agencies to intimidate the media in Russia is a serious challenge to efforts to institutionalize democracy. Freedom of the press and the right of free expression are the most fundamental of the rights of any democratic society. Freedom of speech is absolutely essential if democracy is to exist, and without it, true democracy cannot exist. Russia does not have a tradition of an independent and free and open media; therefore, this effort at intimidation is intended as a warning to journalists throughout the country.

Mr. Speaker, it is essential that we in the Congress of the United States affirm our concern and interest in freedom of expression and an unfettered independent media in Russia. With our distinguished colleague, the chairman of the International Relations Committee, Congressman BEN GILMAN of New York, I am today introducing legislation that expresses the strong concern of the Congress that freedom of expression and freedom of the press be protected and guaranteed in Russia.

Mr. Speaker, I invite my colleagues in the Congress to join us in cosponsoring this important affirmation of our concern for freedom of expression in Russia. Our Nation has a strong interest in the positive and democratic development of Russia, and freedom of the press is essential to that process. There should be no question about our commitment to that vital principle.

The text of our resolution is as follows:

HOUSE CONCURRENT RESOLUTION 84

A resolution expressing the sense of the Congress concerning freedom of the press in Russia.

Whereas the end of the Cold War and the collapse of the Soviet Union has brought new and unique opportunities for democratic political change and market-oriented economic reform in Russia;

Whereas the commitment to the spirit of these democratic reforms and to the full implementation of these reforms has been tentative and inconclusive thus far;

Whereas one of the fundamental tenets of democracy and one of the most important means of assuring the continuation of democratic government is an independent and free press, which can exist only in an environment that is free of state control of the