

ACLU Defends Protest

Fifth Estate Collective

1967

NEW YORK—In a Supreme Court brief filed recently, the American Civil Liberties Union called for the protection of free expression on behalf of a World War II Bronze Star veteran who burned an American flag as a protest gesture.

Representing Sidney Street, a World War II medal winner, the ACLU and its New York affiliate, the New York Civil Liberties Union, challenges New York state's law prohibiting desecration of the flag. (Similar statutes exist in all the states plus the District of Columbia).

After hearing that civil rights leader James Meredith had been shot during his June, 1966 Mississippi march, Street burned an old 48-star American flag on a Brooklyn neighborhood street. He told the arresting officer, "If they did that to Meredith, we don't need an American flag."

The Union is defending the veteran on the grounds that he was engaged in symbolic speech, protected by the First Amendment to the Constitution. The case is on appeal from the Court of Appeals of the State of New York.

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