

Editorial Section

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EDITOR'S NOTE

The care and keeping of the flag is a subject which has recently evoked both intense debate (of varying intellectual quality) and frequent physical confrontations. As in other times when strong and serious challenges were mounted against political and societal norms, the skirmishes of the 1970's between challenger and challenged have been fought as often around the symbols of the system as around its realities. Since the tangibles of our society are often more easily destroyed than are the more vital intangibles, and are likewise more felicitously and more zealously defended, there has been a tremendous tearing and pulling at the flag by those who equate destruction of the symbol with destruction of the thing symbolized.

In the midst of this ranting there has been a substantial increase in the number of prosecutions for violation of the state and federal anti-desecration laws, which in turn has given rise to questions of the constitutional validity of the statutes themselves and of their selective application to those who desecrate the flag for the purpose of maligning it, but not to those who do so in the name of "patriotism." The *Review* includes in this issue a lengthy examination of these issues, entitled "Exploiting the American Flag: Can the Law Distinguish

Criminal from Patriot?" Its student author concludes that both the statutes and their application are probably unconstitutional and suggests that the desecration controversy is irrelevant to a resolution of the real issues confronting the nation.

The *Review* is pleased to be able to include in this offering "A Contemporary Appraisal of Condemnation in Maryland." In an extensive analysis, the authors, two distinguished Maryland attorneys (one of whom is a former editor-in-chief of the *Review*), discuss the valuation of condemned property under the State's statutory scheme and examine some apparent inequities in the present system of compensating condemnees.

Two lengthy student works, one on cognovit judgment procedures and the other on the phenomenon of the "newcomer's divorce," and a book review complete the issue.