

Q121 – Why does the flag have 13 stripes?

DOUGLAS GINSBURG, Federal Judge, U.S. Court of Appeals, D.C. Circuit:

The thirteen stripes of the American flag represent the thirteen colonies at the founding of the nation. When the Revolution began, Americans fought under a variety of flags – including one that, ironically, borrowed the design of the British flag.

In 1777, the Continental Congress approved the official design: Thirteen alternating red and white stripes, and thirteen white stars on a field of blue. The stripes were inspired by the flag of the Sons of Liberty – the patriot group formed by Samuel Adams in Massachusetts. Did Betsy Ross really sew the first American flag? Legend says yes, but history offers no proof.

As flying the flag became more widespread, so did laws protecting it from desecration. But the Supreme Court has ruled that desecrating the flag is a form of free speech protected by the First Amendment to the Constitution.

School kids: “ I pledge allegiance to the flag ...” And in a landmark case in 1943, the Supreme Court held that no state may force schoolchildren to salute the flag. Justice Robert Jackson’s opinion in this case is memorable. “If there is any fixed star in our constitutional constellation,” he wrote, “it is that no official ... can prescribe what shall be orthodox....”

The flag of the United States stands for that very liberty, and the thirteen stripes stand for the original thirteen colonies.