

Article 28 – Resolution in Support of Changing the Flag and Seal of the Commonwealth
School Subcommittee Recommendation to the Advisory Committee
April 23, 2019

On April 10, 2019 at 6:30 PM, the School Subcommittee held a public hearing in Room 308 on Article 28. Subcommittee members – Dennis Doughty, Bobbie Knable, David Lescohier and Michael Sandman heard from the petitioner, Cornelia Van Der Ziel (TMM 16) and from one member of the public, Patricia Connor, former TMM 3 and former Brookline resident.

SUMMARY

Article 28 supports the adoption of legislation filed by State Senator Jason Lewis (5th Middlesex), State Reps. Nika Elugardo (Jamaica Plain & Brookline) and Lindsay Sadosa (Hatfield/Northampton), and co-sponsored by Rep. Tommy Vitolo (Brookline), among others. The legislation calls for the appointment of a commission to study whether to change the state flag and seal. The commission would be appointed:

(1) for the purpose of investigating the features of the official seal and motto of the Commonwealth including those which potentially have been unwittingly harmful to or misunderstood by the citizens of the Commonwealth and (2) for the purpose of examining the seal and motto of the Commonwealth to ensure that they faithfully reflect and embody the historic and contemporary commitments of the commonwealth to peace, justice, liberty and equality and to spreading the opportunities and advantages of education.

The commission would be comprised by a broadly representative group including:

...the Executive Director of the Commission on Indian Affairs [as chair]; 5 members appointed by the Commission on Indian affairs who are of lineal descent from tribes with government to government relations [in Massachusetts]; the Secretary of the Commonwealth or a designee; the Executive Director of the Massachusetts Historical Commission or a designee; the Executive Director of the Council on Arts and Humanities or a designee; the chair of the Massachusetts Arts Commission or a designee; the Chair of the Mass Cultural Council, the House and Senate chairs of the Joint Committee on State Administration and Regulatory Authority, and 2 persons who shall be appointed by the governor. ¹

DISCUSSION

Legislation to the same effect had been introduced in 17 previous sessions by former Rep. Byron Rushing without getting much traction. There is more interest this year, and six Massachusetts municipalities have adopted resolutions supporting the bill. The petitioner focused on the symbolism of the many elements of the seal, including the representation of Massasoit, chief of the Wampanoag tribe that helped the Plymouth Colony and

¹ See <http://masspeaceaction.org/home/wp-content/uploads/2019/01/S1877.pdf> for the full text.

later allied with the settlers against another tribe. One criticism of the image purported to be Massasoit is that it is a composite rather than an accurate depiction of Massasoit. Is the depiction of Massasoit accurate? Does it matter? The statue “Appeal to the Great Spirit” stands in front of the Museum of Fine Arts. Mass. College of Art librarian Paul Dobbs, writing about the statue, said, “Unless making a portrait of a model, artists rarely try to ‘replicate’ the model. They usually employ models as reference points, as approximate stand-ins for what they imagine in their mind’s eye. Ask any figurative sculptor.”²

Among other things, the petitioner pointed to the down-pointing arrow, which she said represented a “peaceful or pacified” Native American, with the emphasis on pacification; on the state motto, which apparently can be translated in various ways; and on the arm and sword above the shield, which is modeled on that of Myles Standish.

Mr. Lescohier researched the process the used by the artist who design the seal, Edmund Henry (1853-1929). Garrett was an American illustrator, bookplate-maker and author – as well as a highly respected painter – renowned for his illustrations of the legends of King Arthur. Mr. Lescohier took issue with some petitioner’s imputations regarding Garrett’s intent with his symbols.

Mr. Sandman said there is nothing intrinsically derogatory about using the image of a Native American on the seal. We do not put the images of people or the composite representations them on a seal or on currency to dishonor them. The image of an Indian has been used on the US penny and the nickel, and so have the images of Jefferson and Lincoln. Massasoit helped the English settlers to his fellow Native Americans’ ultimate detriment. But if the image of Massasoit is removed, we will lose a reminder of his importance – and that of Native Americans as a whole - in our history.

Nonetheless, the subcommittee recognized that some of the symbolism on the seal and flag may no longer be appropriate. And the proposed legislation does not suggest the deletion of Massasoit; it focuses on assessing all of the symbology. There was general agreement that a properly qualified commission should be appointed. However, subcommittee members were unhappy to varying degrees with some of the petitioner’s Whereas clauses.

RECOMMENDATION

The subcommittee voted 4-0-0 to delete the first six “Whereas” clauses, retain the last two, and add them to an alternative drafted by Mr. Lescohier. At the time of the meeting, the petitioner declined to accept the subcommittee’s changes.

Petitioner’s version

WHEREAS, the history of State of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the region, who first extended the hand of

² <http://newspaperrock.bluecorncomics.com/2009/02/defending-cyrus-dallin.html>

friendship to the Colonists in 1620 and helped them survive during the settlers' first winter on their land; and

WHEREAS, members of the Native Nation for whom the State of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, in April 1623, barely two years after the Pilgrims arrived on their shores; and

WHEREAS, the symbols in the current flag and seal of the Commonwealth are a composite of appropriated symbols that do not reflect the true history; and

WHEREAS, since colonial times, the history of relations between what is now the State of Massachusetts and the Native Nations include forced internment leading to the death of hundreds in 1675 on Deer Island and their subsequent enslavement in Boston, Bermuda and the Caribbean islands; and

WHEREAS, the Native Nations within current State of Massachusetts were kept in a state of serfdom, and their members were legally considered incompetent wards of the state until the nonviolent action of the so-called Mashpee Rebellion of 1833 which led to the granting of Native self-rule by the Massachusetts legislature in 1834, as if it were the right of the Massachusetts legislature to grant such rights; and

WHEREAS, Native Americans were legally prohibited from setting foot into Boston from 1675 until 2004, when the law was repealed; and

WHEREAS, the 400th anniversary of the landing of the European Colonists at Plymouth Plantation is approaching in 2020, giving every citizen of the Commonwealth a chance to reflect on this history and to come to a new awareness of the possibility of a better relationship between the heirs of the European conquest and the Native Nations of the Commonwealth; and

WHEREAS, Native Americans have long suffered the many abuses of racism, the appropriation of their symbols for public schools and sports teams, the confiscation and pollution of their ancestral lands and the encroachment on their cultures;

Now, therefore, BE IT RESOLVED that Town Meeting of Brookline adopts this resolution in support of H.2776 and S.1877, entitled "Resolve providing for the creation of a special commission relative to the seal and motto of the Commonwealth" and commends Representative Nika Elugardo as a sponsor and Representative Tommy Vitolo as a cosponsor of this resolution and further urges Representatives Edward Coppinger and Michael Moran and Senator Cynthia Creem to support and vote in favor of the aforementioned Resolve (H.2776 and S.1877) in the General Court and that the Joint Committee on State Administration and Regulatory Oversight (or all other legislative committees which may hear the bill), after holding a public hearing, report it out favorably and if the legislation shall pass, that Governor Charles Baker shall sign it and work with members of the General Court to ensure its enactment.

BE IT FURTHER RESOLVED that Brookline Town Meeting instructs the Town Clerk shall cause a copy of this resolution to be sent to State Representatives Elugardo, Vitolo, Coppinger and Moran, to Senator Creem and to Governor Charles Baker.

Or act on anything relative thereto.

Subcommittee's recommendation

WHEREAS Representative Lindsay N. Sabadosa of Northampton and Nika Elugardo of Jamaica Plain and Brookline have filed a Resolve providing for the creation of a special commission relative to the seal and motto of the Commonwealth;

WHEREAS the purpose of this resolve is to investigate features of the official seal and motto of the Commonwealth including those which potentially have been unwittingly harmful to or misunderstood by the citizens of the Commonwealth;

WHEREAS the aim of the resolve is to ensure that the seal and motto of the Commonwealth faithfully reflect and embody the historic and contemporary commitments of the Commonwealth to peace, justice, liberty, and equality and to spreading the opportunities and advantages of education;

[Inserted from Petitioner's version]:

WHEREAS, the 400th anniversary of the landing of the European Colonists at Plymouth Plantation is approaching in 2020, giving every citizen of the Commonwealth a chance to reflect on this history and to come to a new awareness of the possibility of a better relationship between the heirs of the European conquest and the Native Nations of the Commonwealth; and

WHEREAS, Native Americans have long suffered the many abuses of racism, the appropriation of their symbols for public schools and sports teams, the confiscation and pollution of their ancestral lands and the encroachment on their cultures;

Now, therefore, BE IT RESOLVED that Town Meeting of Brookline adopts this resolution in support of the resolve offered by Representative Sabadosa of Northampton in the 191st General Court entitled "Resolve providing for the creation of a special commission relative to the seal and motto of the Commonwealth" and commends Representative Nika Elugardo as a sponsor and Representative Tommy Vitolo as a cosponsor of this resolution and further urges representatives Edward Coppinger and Michael Moran and Senator Cynthia Creem to support and vote in favor of the aforementioned Resolve in the General Court and that the Joint Committee on State Administration and Regulatory Oversight (or all other legislative committees which may hear the bill), after holding a public hearing, report it out favorably and if the legislation shall pass, that Governor Charles Baker shall sign it and work with members of the General Court to ensure its enactment.

APPENDIX

Vexillology is the study of flags. In 2001, the North America Vexillological Association asked respondents to rate 72 flags of US states, Canadian provinces, and associated. The lowest rated flags had round state seals and were hard to distinguish from a distance. They were particularly disparaging of flags that spelled out the name of the state (Kansas, Montana). A flag

so undifferentiated that it requires the state's name flies (pun intended) in the face of why we have flags in the first place.³ After all, would anyone think this is necessary?



The flag of Massachusetts ranked 38th out of 72. It has a seal on it, which was not viewed favorably by the vexillology experts, but it's a shield rather than a circle, and the images are larger and more visible than on most other flags that incorporate a seal.

Presumably, a commission that included experts in art would use some of the same criteria as the vexillologists.

³ See <https://nava.org/digital-library/design/surveys/2001-State-Provincial-Flag-Survey.pdf> for the report summary.

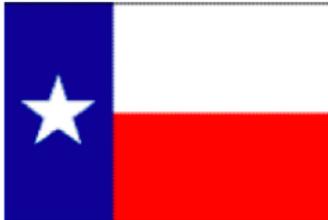
Flag rating by members of the North American Vexillological Association –
<https://nava.org/digital-library/design/surveys/2001-State-Provincial-Flag-Survey.pdf>

Best flags:

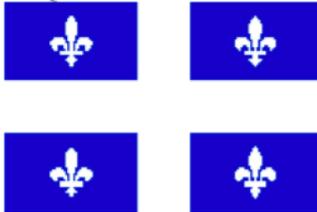
1. New Mexico



2. Texas



3. Quebec



4. Maryland



5. Alaska



Worst flags:

68. South Dakota



69. Kansas



70. Montana



71. Nebraska



72. Georgia

