

*History of the Advisory Commission on the Mississippi State Flag
and the Coat of Arms*

Supreme Court Ruling

The Mississippi Supreme Court ruled on May 4, 2000, that Mississippi did not have an official state flag and coat of arms because when laws were updated in 1906, sections of the Mississippi Annotated CODE dealing with the flag and the coat of arms were not carried forward. Thus, the flag commonly referred to by the Citizens of Mississippi as the State Flag was not the official state flag.

Executive Order No. 833

Governor Ronnie Musgrove created the “Advisory Commission on the State Flag and the Coat of Arms” (hereinafter referred to as the Commission) via Executive Order No. 833 on May 5, 2000. Executive Order No. 833 provided that the Commission be a time-limited commission with the sole purpose of proposing and reporting a design for the State Flag and the Coat of Arms to the Governor, the Lt. Governor and the Speaker of the House on or before May 4, 2001. The Commission consists of the following seventeen members:

- 1.three (3) members of the Mississippi House of Representatives appointed by the Speaker of the House;
- 2.three (3) members of the Mississippi Senate appointed by the Lt. Governor;
- 3.eleven members appointed by the Governor, to include:
 - (1)two (2) representatives from the field of education
 - (2)a representative from the Mississippi Economic Council
 - (3)a representative from the Mississippi Arts Commission
 - (4)a representative from the Archives and History Board
 - (5)three (3) representatives from business and industry, and
 - (6)three (3) members at-large.

While the Advisory Commission has provided a forum for comments from citizens of our state, only the Legislature may take action on the Mississippi state flag

and the coat of arms. Governor Musgrove created this Advisory Commission to gather facts, to obtain citizens' input and to advise the Legislature as to a recommended flag design based upon this information. The Commission respectfully requests the Legislature's deliberate consideration of these recommendations and the Commission's reasoning in the development of these recommendations.

Advisory Commission Activities

Monthly Meetings

The Commission held four monthly meetings prior to the release of this report. These meetings were held on August 21, September 18, October 18 and November 20, 2000. In order to work in an expeditious manner and in the best interest of the citizens of Mississippi, the Commission utilized the following committees to address different areas critical to its mission. Each committee was comprised of two legislators and a diverse racial representation of Commission members.

Committee on History and Heritage

This committee was charged with conferring with appropriate organizations and individuals with special interest in and knowledge of the state's history and the relationship and interpretation of that history through its flag and coat-of-arms. During the course of its work, the Committee on History and Heritage met and discussed the flag's role and impact on Mississippi's history and heritage with the following groups:

- Mississippi Chapter of the National Association for the Advancement of Colored People
- Mississippi Chapter of the National Association of Social Workers
- Mississippi Civil War Preservation Society
- Sons of Confederate Veterans
- Sons and Daughters of U.S. Colored Troops
- University of Mississippi's Institute for Racial Reconciliation

The Committee extended an invitation to the United Daughters of the Confederacy, but did not receive a response from this group.

Committee on Economic Impact

This committee was charged with conferring with appropriate organizations and individuals with concern about and understanding of the long-term economic impact on the state of controversies involving the state flag. The Committee on Economic Impact worked in conjunction with the Mississippi Economic Council (MEC). The state flag was one of the issues addressed and discussed at focus groups conducted around the state by the MEC. The Committee on Economic Impact also consulted with the South Carolina Chamber of Commerce as to the flag issue in that state and exchanged ideas with the State of Georgia as well. The committee also sampled CEOs and Presidents of national businesses as to their business relationship with our state and whether the flag influences their doing business with Mississippi.

Committee on Design

This committee was charged with conferring with appropriate organizations and individuals who are knowledgeable in the design of flags and coat of arms and who have an understanding of the proper role and significance of such symbols. The committee invited citizens to submit proposed designs for a new state flag.

Recognizing that high school students will shortly be the leaders of our state, the Committee on Design also involved students in its work in an effort to increase students' understanding of what the flag stands for and the history of flags in Mississippi. The committee invited all public, private and parochial high school students in the state to submit specific flag designs, essays and papers on what the flag should symbolize and views as to whether the old flag should be. The committee received 1,180 submittals from students in 51 of Mississippi's schools.

Public comments through P.O. Box

The Commission announced at its September 18, 2000, meeting that it would receive written public comments at a designated address. The Commission received approximately ____ pieces of correspondence from citizens. The Commission also received ____ petitions from citizens in favor of retaining Mississippi's traditional state

flag. The Commission also received phone calls from citizens expressing support for both retaining the traditional flag and for recommending a new design for the state flag.

Public Hearings

Believing that input from the public, both in the form of hearings and through written comments, was essential to its work and its purpose, the Commission held a public hearing in each congressional district in order to obtain the public's comments and opinions on this matter. The Commission hosted these five public hearings on the following dates in the following sites:

- October 19, 2000, Itawamba Community College, Tupelo Branch (Congressional District 1)
- October 26, 2000, Meridian Community College, Meridian (Congressional District 2)
- November 2, 2000, Mississippi Delta Community College, Moorhead (Congressional District 3)
- November 9, 2000, Gulf Coast Community College-Jefferson Davis Campus, Gulfport (Congressional District 4)
- November 13, 2000, Millsaps College, Jackson (Congressional District 4)

Approximately 1,700 citizens attended these five hearings. 237 citizens registered to speak at these hearings in support of the traditional design of the state flag, while 148 citizens registered to speak in favor of the Commission recommending a new design for Mississippi's state flag. Public comments at these hearings gave evidence of passionate opinions for both positions. While many citizens may find the traditional state flag to be offensive, many others find it to be representative the heritage of our state. The Commission appreciates citizens' participation in these hearings and respects the opinions given from both sides of this issue.

Conclusions

State Flag

The public hearings, personal and written communications to the Commission, and conferences with representatives of several organizations confirmed the

Commission's original supposition that the Mississippi flag controversy is a significant and complex issue for which there is no simple or easy resolution.

From the time of its establishment the Commission's single purpose has been to seek a solution that will recognize and honor the genuine feelings of the contesting parties and positions and present to the people of Mississippi an alternative that will unify our beloved state and allow us to devote our energy and talents to the continued development of Mississippi's fullest potential.

Mississippi is at one of those rare moments in history when what we do today, the decisions we make now, will have major repercussions for many years to come. Mississippi has made great economic progress and has enjoyed enormous success in race relations and in developing our human and natural resources. We must keep our focus on the future, but we need not, we must not, forget the past.

The display of banners, flags, and emblems is an ancient tradition that dates from the early Roman Empire. Native Americans who inhabited Mississippi for several centuries before European settlement devised a complex arrangement of symbols and emblems which they used in peace and in war. Flags, which signify dominion and political allegiance, are especially powerful symbols that stir deep emotions and sometimes controversy.

The controversy over Mississippi's 1894 flag is caused by the inclusion of the Confederate, or Beauregard, battle flag in the canton corner. In the collective memory of white southerners the failure of their forbears to win the independence of the Confederate States of America is known as the Lost Cause and the battle flag is the most enduring symbol of that cause. In the receding memories of the old Confederate veterans, who adopted it as their official insignia, the battle flag was the soldier's banner, not the colors of the Confederacy. The old veterans, and their sons and grandsons, hoped the battle flag could escape the bitterness and controversy that attached to slavery, secession and Civil War. Born in battle and bravery, the battle flag was the banner that rallied their comrades during the fearsome disarray of combat, when men were disoriented and death was all about. The modern defenders of the battle flag cannot understand how anyone could be offended by such a noble emblem.

To black Mississippians the Confederate battle flag is not only a symbol of the Lost Cause, it is the emblem of slavery carried by soldiers in a war to maintain slavery,

and a reminder that their freedom was won only because the cause was lost. The Confederate battle flag stirs deep resentment in black Mississippians in whose recent memory the flag is the icon of hooded night riders, the Ku Klux Klan, and other hate groups that murdered their sons and fathers and grandfathers and displayed the Rebel flag as a symbol of their commitment to white supremacy. To black Mississippians the impassioned defense of the Confederate flag is a veiled threat that reminds them of just how fragile freedom is, and of how tenuous are their recent gains. And they cannot but wonder why anyone would want a state flag that divides rather than unifies its people.

As the battle flag was becoming increasingly associated with the advocates of white supremacy and racial violence, historical organizations and southern heritage groups did not or were unable to distinguish the historical character of the flag and insulate it from the political agenda of its modern bearers.

The Commission understands that war can bring out the best in mankind and acknowledges that the Confederate battle flag may symbolize the southern soldier's uncommon courage and his devotion to duty, impulses that transcended the causes of the Civil War and a heritage worthy of respect.

The Commission also acknowledges that the Confederate battle flag may symbolize the virulent and violent opposition to civil and human rights and that the martyrs of the Civil Rights Movement are also heroes worthy of respect and are a part of our noble heritage.

Recommendations

While cognizant of the deep passions and complexity of the flag controversy, the Commission also understands that to many Mississippians, perhaps a majority, the state flag is not a vital or compelling concern. But the interests of all Mississippians and our state will be best served by finding a just and fair resolution to the continued controversy that threatens the great progress of recent years. Therefore, based on months of discussion and deliberation, the Commission makes the following recommendations:

1. The enactment of legislation designating the 1894 flag as the "Historical Flag of the State of Mississippi" and authorizing its permanent display on the Capitol Plaza between the Sillers and Gartin Buildings, and its display wherever the historical

flags of Mississippi are flown; and, as a civil alternate to the official state flag, extending to it the full protection of the state's flag desecration statute; and further authorizing its display by any private, civic, historical, heritage, business or social organization that chooses to do so. Included in this legislation shall be a provision declaring that no statues, monuments or memorials erected on public property of the State or any of its political subdivisions shall be relocated, removed, or altered and that no street, bridge, park, school, county, building, or any object dedicated in memory of or named for any historic figure or event shall be renamed or rededicated except upon the passage of legislation that has received a two-thirds vote of the state legislature.

2. The enactment of legislation adopting an official state flag, which shall be displayed by all governmental entities, the design of which is as follows:

(Text to be included in later draft.)

3. The passage of legislation providing for a referendum on the question of a state flag which would have the following choices:

- (a) To designate the 1894 flag as the "Official Historical Flag of the State of Mississippi" and to adopt an official state flag as described in recommendation 2 above.

OR

- (b) To designate the 1894 flag as the official state flag of Mississippi

4. The enactment of legislation adopting the design of the Coat of Arms as adopted in 1894.