



FLAG INSTITUTE

FLAG MASTER 164

*Blue and yellow
flies everywhere in
support of Ukraine*

*The Colours Of the Fleet
(TCOF) needs new custodian*

*Does the Black Country flag
represent everyone?*

CONTRIBUTERS



Elijah Granet is a visiting lecturer in law at the City Law School (University of London), and an external PhD candidate at Universität Bayreuth in Germany. Originally from California, Elijah fell in love with flags thanks to being given a United Nations flag placemat as a child.

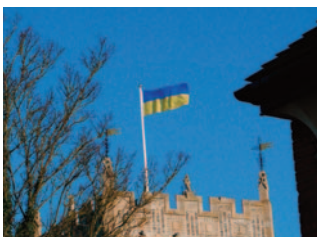


Matthew Stallard is a Researcher based at the Centre for the Study of Legacies of British Slavery, UCL. His work focuses on tracing global economic, social, and cultural links between and recovering lived experiences of industrialisation and colonisation, particularly in 19th century Britain and the Caribbean.



Jos Poels is a Dutch born journalist and vexillologist living in Chester, birthplace of the Flag Institute. He has a keen interest in national flags, past and present. Jos is chief editor of *Flagmaster* and of the Dutch flag magazine *Vlag!*

FM'S COVER



Ukrainian flag flies over St Mary's church in Woodbridge, Suffolk.

(Photo by Theun Okkerse)

IN THIS FLAGMASTER BUMPER ISSUE

NEWS FROM AROUND THE WORLD

- 4 **Ukraine.** After the Russian invasion in Ukraine the light blue and yellow flag has become an international symbol of solidarity. But in Russia, and in its ally Belarus, there are signs of protest through flags against the war. Ian Sumner reports.
- 7 **Column Philip Tibbetts.** Around and about with the Flag Institute's Communities Vexillologist.
- 8 **Code Flag over H.** Flags in the news from around the globe.
- 13 **FI Gazette.** News and views from the Flag Institute.

THE FM INTERVIEW

- 14 **Professor Dominic Bryan,** former co-Chair of the Flags, Identity, Culture, and Tradition Commission in Northern Ireland talks to Malcolm Good about flags and flag use in the Commission's report.

SPEAKER'S CORNER

- 17 **FM Flag Matters.** Opinions from Geoff Parsons and Pier Paolo Lugli

IN HOME WATERS

- 18 **50 Years of the Flag Institute.** Leigh Wetherall looks back on the 50th anniversary of the Flag Institute.
- 20 **Supreme Court Decision.** Whether you mean it or not, an illegal flag is an illegal flag. Elijah Granet describes a ruling from the Supreme Court of the United Kingdom.
- 24 **Elstree and Borehamwood.** John Cartledge recounts the steps in the process of finding a suitable flag for his hometown.
- 28 **The Colours Of the Fleet.** Thirty years ago Malcolm Farrow set up an index of British Ensigns. Now he tries to find someone to take up the baton.
- 31 **Garden vexillologist.** David Bancroft-Turner's garden in Oundle has become a learning centre for its use of flags.

DISTANT SHORES

- 32 **Aboriginal Flag.** Ralph Bartlett looks back at the birth and evolution of the Aboriginal flag in Australia. The flag was for a long time subject to copyrights. In the year the flag celebrated its 50th anniversary the dispute over the copyrights was settled.
- 36 **Cross of Lorraine.** The Cross of Lorraine has become the symbol of the Free French. Hervé Calvarin researched its origins.
- 40 **Belgian-German 'flag war'.** After the First World War Belgium tried to stop Germany from adopting the black-red-gold tricolour. Jos Poels found its paper trail of that continuation of the Great War in the National Archives in Kew.

THE LONG READ

- 45 **The Black Country Flag.** Matthew Stallard studied the introduction of the flag with chains of the Black Country, ten years ago. The flag has become the centre of an ongoing toxic 'culture war' over its symbology. Does the flag represent everyone in the Black Country?

ALSO NEED TO KNOW...

- 54 **Obituary.** Vexillologist Nick Weekes passed away on 24 December 2021.
- 55 **Advertisements.**
- 56 **Flagmaster Specification Sheet:** Hellenic Republic (Greece)

COMING IN THE NEXT FLAGMASTERS

- An overview of the British civic flags
- The use of ermine in European flags
- Discovery of the flag of the Emir of the Nigerian Emirate of Bauchi.
- Flag History of the Ionian Islands
- The Flag of the British Army

MASTHEAD

Flagmaster

Vexillological magazine of the Flag Institute
ISSN 0142-1271
Vol. 52, No. 1. Issue 164, Summer 2022

Flag Institute members receive *Flagmaster* twice yearly (Summer and Winter).

The Flag Institute

Founded by Dr William G. Crampton in April 1971, the Flag Institute is a UK charity (CIO 1152496) working to document, celebrate and promote flags in all their variety. Independent, inclusive and informed, the Flag Institute shares knowledge, opinion and ideas in person, in print and online. It publishes a twice-yearly, 48-page, full-colour journal *Flagmaster*; organises twice-yearly international conferences at different UK venues; runs the William Crampton Library, one of the world's leading flag research and documentation centres; and offers a unique free source of advice, information and guidance.

In the absence of a UK Flag Act, the Flag Institute forms the de facto authority on flags flown in the UK, its Crown Dependencies and Overseas Territories, serving as adviser to the UK Government and UK Parliament. It promotes the creation and adoption of new community flags and maintains the UK Flag Registry as the official record of designs.

The Flag Institute is also proudly international in scope and outlook, with members from all six continents. It is a full member of the International Federation of Vexillological Associations (FIAV) and the three-time host of the biennial International Congress of Vexillology (ICV), most recently in London in 2017.

President: Malcolm Farrow OBE FF FFI

Chairman: John Hall FF FFI*

Chief Executive: Craig Hughes*

Treasurer: Philip Thompson*

Chief Vexillologist: Graham Bartram FFI *

Communities Vexillologist: Philip Tibbetts*

Without portfolio: Lesley Ross*

Correspondence Secretary: John Ford

Chief Editor, *Flagmaster*: Jos Poels FF

Librarian: Ian Sumner FF FFI

Convenor: Leigh Wetherall FF

* *current Trustee*

Administrator: Kath Kearney FF
(administrator@flaginstitute.org)

Postal Address & Library

The Flag Institute & William Crampton Library
161 High Street
Kingston-upon-Hull
HU1 1NQ
United Kingdom

General enquiries: correspondence@flaginstitute.org

Social Media

Website: www.flaginstitute.org

Twitter: @FlagInstitute

Facebook: The Flag Institute

TikTok: @flaginstitute



COVID-19 update

HQS Wellington and the William Crampton Library are closed until further notice. For any urgent enquiry, please contact the Flag Institute by email.

Flagmaster

Chief Editor: Jos Poels FF (jospoels@btinternet.com)

Editorial board: Malcolm Good, Alex Cachinero-Gorman, Prof. James Floyd, Bernard Muscat, Ian Sumner FF FFI, Leigh Wetherall FF

Unless otherwise stated, all written material is copyright of the Flag Institute.

The views expressed in this publication are those of individual contributors. These views are not necessarily shared by the Flag Institute; nor is the Flag Institute responsible for the content of any externally linked websites and sources.

Flagmaster 165 will be published in December 2022. The editorial team of *Flagmaster* welcomes new contributions. The deadline for submissions is 31 October 2022. For a copy of the author guidelines, please contact the chief editor.



Blue and yellow

None of us could have guessed how quickly the world would change after the previous edition of *Flagmaster* reached you before Christmas. Back then, how many members of the wider public knew what the flag of Ukraine looked like; but is there anyone who does not know that now? Ukraine's flag is flying everywhere (including outside my door), but how tragic is the reason for this ubiquity. From the vexillological point of view the universal display of Ukraine's blue and yellow most poignantly expresses the significance of national symbols and the flags which bear them. We have all rallied round Ukraine's flag as we should, just as people have rallied round flags for mutual support for hundreds of years.

A few weeks ago we were hoisting masses of Union Flags to celebrate the Queen's Platinum Jubilee, and this display was for a truly positive reason. Union Flags and Ukrainian flags flying together but for completely different purposes. A flag is just a piece of coloured cloth but what it represents is hugely significant, which is why flags demand respect and dignified treatment. Nobody reading this needs to be reminded of that, but maybe it behoves we vexillologists to take note if we see a flag being treated badly. If you spy a dirty or torn flag somewhere, do you politely suggest it is replaced? Perhaps you should consider so doing, because if vexillologists don't do that who will?

On a gentler note, we were delighted to hold our 50th anniversary (plus 1) meeting and dinner in London on St George's Day and greatly honoured to welcome Lord Lyon King of Arms as our special guest, and we enjoyed some excellent presentations. Your Flag Institute has come a very long way in its first 50 years. We have made a mark and raised the banner for vexillology throughout the land. Flags fly much more widely now than they ever did before in our country, both national flags and community flags. This is surely a good thing both for community cohesion and for vexillology more widely.

Malcolm Farrow OBE FF FFI
President Flag Institute

Flags provide visible support for both sides of the Ukraine conflict

Ian Sumner FF

The sky blue and yellow of the flag of Ukraine have become the symbol of international solidarity with the Ukrainian people and of protest against the Russian invasion. Except in Russia and compliant satellite states, the Ukraine flag is flying widely. And its colours are lighting up famous buildings worldwide.

The blue and the yellow of Ukraine's flag represent the country's role as Europe's breadbasket. Blue denotes the skies over the vast land, while yellow stands for the grain growing in the huge wheatfields beneath.

Erasure

In its current attack, Russia aims to erase this flag, as they have done before. The flag itself dates back to a meeting in Lviv during the revolutions of 1848, which adopted light blue and yellow as the colours of the Ukrainian people. These colours became popular throughout all the Ukrainian lands, but disappeared in 1920, following its conquest by the Red Army. Ukraine then became a Soviet state and adopted a red flag. Use of the blue and yellow flag revived briefly under Nazi occupation. In 1944,

however, the Soviet Army drove out the invaders, resuming control, and Ukraine once again had to fly a red flag. In the spring of 1989, the blue and yellow flag reappeared in Lviv and western Ukraine, used mostly by nationalist and human-rights organizations, and in 1992 it was declared the national flag of the newly independent Ukraine.

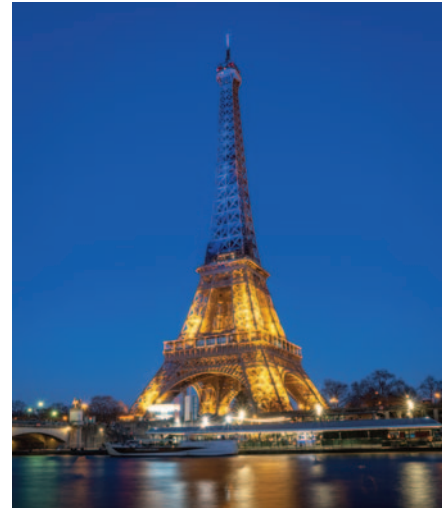
In the parts of Ukraine occupied by Russian troops, evidence of this erasure is emerging. In every captured community, Russian authorities or their local proxies are removing Ukrainian flags and replacing them by Soviet ones. Thus the Russian presence in Ukraine is the revenge of history, the restoration of a union shattered by the collapse of the USSR and by the subsequent emergence of an independent Ukraine whose very

existence the Kremlin struggles to accept.

But Russian occupation authorities are now going even further. A report in the *Wall Street Journal* notes that, not content with replacing the Ukrainian unit of currency, the hryvnia, with the Russian rouble, Russian authorities have started returning to central squares the monuments to Lenin that were dismantled by Kyiv after 2014. They have also removed and repainted Ukrainian symbols, flying Soviet Victory Flags alongside the Russian banner on public buildings.

For and Against in Russia

Within Russia, support for the invasion has been expressed by the





displaying the symbol a criminal offence, under anti-extremism legislation.



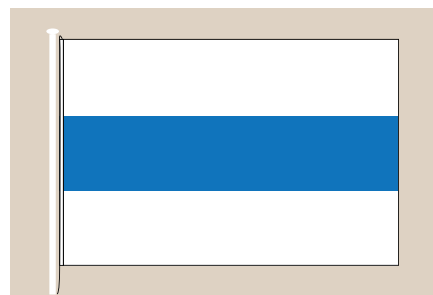
Russian opposition to President Putin and his policies has coalesced into a loose coalition behind the slogan Прекрасная Россия будущего, abbreviated to ПРБ (English: Beautiful Future Russia, or PRB), a phrase coined by the currently imprisoned opposition politician Alexei Navalny, intended to evoke a future democratic Russia. However little progress has been made due to infighting within opposition parties, and to obstruction by the Ministry of Justice.



letter 'Z'. This, the Russian Ministry of Defence claims, is the first letter of the phrase за победу (*Za pobedu* - 'For Victory!'), with the initial Cyrillic letter replaced by a Roman one. It can be seen on the invading Russian tanks, and on t-shirts and placards in Russia. It often appears with the black and orange ribbon of the Order of St George. Authorities in Germany and the Czech Republic are considering whether to make

On 27 February 2022 Twitter user @AssezJeune proposed a flag for the 'beautiful parliamentary Russia of the future' (прекрасной парламентской России будущего), which consisted of the current Russian flag with the red removed. According to the proposer, the new flag 'does not parasitize on the symbols of the past and is free from any association with the historical flags of Russia and its authoritarian leaders ... [it] is inspired by the modern symbolism of Veliky Novgorod, the historical centre of Northern Russia and its prototype of a democratic form of government. ... [it] demonstrably rejects military expansion and historical claims to the territory of foreign states. ... [it] is free of red: it has no place for autocracy, militarism, the cult of violence and blood. It opens a new page in the

history of Russia - without the cult of war. Having proclaimed de-Sovietization, the symbol unites all supporters of the peaceful and sustainable democratic development of the nation.'



As the designer admits, the white-blue-white flag is similar to the former flag of the Russian city of Veliky Novgorod (the centre of an important medieval state), first adopted in 1994 and used until 2008. The original flag was white-light blue-white with the arms of the city overall. But the current flag now bears the arms on a blue, white and red vertical tricolour.

Exposed to a wider public, others have suggested slight modifications. While AssezJeune recommended a blue #0083d6 (close to Pantone Medium Blue C), and overall proportions of 2:3, the Whitebluewhite website prefers a lighter shade of blue #0088CE, further distancing it from the colour of the original Russian flag, and proportions of 1:2.

... And in Belarus

Co-incidentally, the format of the proposed flag is similar to the 1991-95 national flag of Belarus. While a referendum at the time strongly approved a return to a flag similar



to that flown under Soviet hegemony, the 1991 flag remains the symbol of opposition to Belarusian president Alexander Lukashenko and his pro-Russian policies, both within the country and in the expatriate community. The President's support for the Russian invasion has once again seen the old flag flying, only to be countered with violent official oppression.

In the UK

Following the Russian invasion on 24 February, Government buildings in London began flying the Ukrainian flag in a symbol of solidarity. The distinctive blue and yellow flag flew above famous locations ranging from 10 Downing Street to the Thames-side



headquarters of MI6. And both of these venues were lit up with the Ukrainian national colours that night. The Prime Minister's official

spokesperson said the move was an expression of solidarity with the people of Ukraine. The flag of Ukraine was also raised outside the Scottish Government's Headquarters, Edinburgh.

Many local councils followed suit. So widespread was the move that any council not flying a flag came under criticism. North East Lincolnshire Council had still not hoisted a Ukraine flag three weeks after the event, even though other councils in the area had. The explanation was simple: a flag had been ordered, but had not been delivered.

North East Lincolnshire Council may not have been alone. UK flag companies were selling out of Ukraine flags due to a surge in demand. FI Trade Member Flagmakers, based in Chesterfield (Derbyshire), said it had sold nearly 400 Ukraine flags since February as people display them outside their homes, shops and on high streets. Many other UK flag websites were selling out as the flags became harder to find. A



Flagmakers' employee told the BBC: 'I've been here eight years and never sold a single one before this all started. We sold out within

days when the war began and now we are constantly making them to order.' Their biggest buyers are councils and hotels, the company added. As well as the standard blue and yellow Ukraine flag, they were also manufacturing custom-made ones with messages of support.

Some criticised all the flag-raising as mere gesture politics, doing nothing concrete to help the situation in Ukraine itself. In April, having raised the Ukraine flag over its civic buildings on 9 March, Milton Keynes Council hauled it down and replaced it with the Council's own flag. A Council spokesman countered that a Ukraine flag had flown continuously for three weeks, and would only be raised again when the Russians had withdrawn.

For others, being pro-Ukraine was not enough; one had to be anti-Russia. After criticism, the Scottish Government ceased to use an inverted version of Scotland's national flag, the St Andrew's cross, in its branding, an image that

became prominent as part of the backdrop to Covid briefings. In the backdrop, the traditional white cross against a blue background was reversed to blue on white.

Although St Andrew is the patron saint of both Scotland and Russia, the blue cross on white is

used by the Russian navy as its ensign. Following Russia's invasion of Ukraine, its use is no longer deemed appropriate. □

Philip Tibbetts FFI
 Communities Vexillologist, The Flag Institute
 Honorary Vexillologist at the Court of the Lord Lyon

Big Public Bang

In my previous column I talked about how the real and vexillological worlds seemed to be starting to get back to normal. Well, it seems to me that both have hit the ground running and there is plenty afoot to be getting on with.

Unfortunately owing to the real world side, that does mean that my column may have to be slighter shorter than usual. I hope you, dear reader and comrade-in-flags, will forgive me and I'll try and make it up with a little bit of news. The vexillological world relaunched with a big public bang courtesy of our 50th Anniversary closing ceremony in London in April. With the range of talks and attendees from around the world it really felt like we were back in business.

It was also both a simultaneously valedictory and humbling event - not only telling the tale of our history, but having others congratulate us on our successes over the years, not the least of whom

was our guest of honour, the Lord Lyon King of Arms.

It happens to be an important year for the Lyon Court as well - as it is the 350th anniversary of the Court's register of arms, which includes all the Scottish community flags. As part of these celebrations, I was honoured to give a talk on Scottish flags in Dumfries earlier in May.

However, it is not just such publicly visible activities which have got off with a bang, but much is beginning anew behind the scenes. Indeed, partially owing to a few technical problems, we already have a little backlog of registrations awaiting their appearance on our registry.

And after the last few years of pressing public health priorities many communities are beginning to look at flags again. Indeed I have been talking to probably as many communities, if not more, than I ever have at one time before. As such, whilst I am not able to

name names, I can confirm that there will be several brand new entries into the world of flags later this year. There are already a few flag unveilings being organised, and one county competition has already been green-lit - with conversations on-going with many others.

And that is all before you even consider the wealth of flag flying occasions coming up this year - like the Platinum Jubilee and the Commonwealth Games. Our flags never stopped flying during the pandemic, but it definitely feels like we're flying full speed again. □



Code Flag over H

'Heave to, I have something important to communicate'

Contributions from Elijah Granet, Jos Poels and Ian Sumner

Isle of Axholme (1) January 21 saw the launch of a new flag for the Isle of Axholme. The Isle is an area in North Lincolnshire, located between Scunthorpe, Gainsborough, and Doncaster. Before the area was drained by the Dutchman Cornelius Vermuyden in the 1620s, each town or village was built on areas of dry, raised ground surrounded by marshland, hence 'Isle'. The largest communities are Epworth, Crowle and Haxey.

The flag was designed by local historian and author Robert Fish with students from The Axholme Academy and reflects the heritage and topography of the Isle.

The flag uses the colours found on the Lincolnshire flag - red, blue, green and yellow. The four blue stripes represent both the Isle's four boundary rivers - Trent, Don, Idle and Torne - and the Isle's watery pre-drainage landscape. With the green, the stripes also represent strip farming from the Isle's past. And in the four quarters there are twelve 'mini' stripes that represent the Isle's twelve parishes.

The gold cross edged in red is the reverse of that on the Lincolnshire flag. It represents agriculture, as does the sheaf of wheat. The cross could also be seen as representing the Isle's two main thoroughfares - the A161 from north to south and the A18 and M18 from east to west.

The red shield is taken from the arms of the Mowbray family, landowners before the Sheffields. (IS)

Llandoverly (2) The town of Llandoverly (Llanymddyfri in Welsh), Carmarthenshire, has adopted a new flag, which will fly on the town hall. The town's aim in creating the flag was to promote Llandoverly as a tourist venue.

The flag has actually been made in 2020, but its introduction had been delayed by the Covid pandemic. The town gave itself planning permission to fly the flag in February 2022.

In the Middle Ages, the town was a key staging post for the West Wales drovers who used to take their cattle to market in London and granted a Royal charter



by King Richard III in 1484. William Williams Pantycelyn (1717-1791), the writer of the famous hymn 'Guide Me, O Great Redeemer', known to millions of rugby fans, lived in the town. The town was also the home of poet Rhys Pritchard (1579-1644), and the hiding place of the 'Welsh Robin Hood', Thomas Jones.

The town was never granted its own arms, so the flag features the arms of the Kings of England in Richard III's time, placed between two leeks, the national symbol of Wales, and above a scroll bearing the town's name and the date '1484'. (IS)

United Nations (3) The United Nations has changed the colour of the field of their flag. The flag was originally conceived in 1946, and depicts a map of

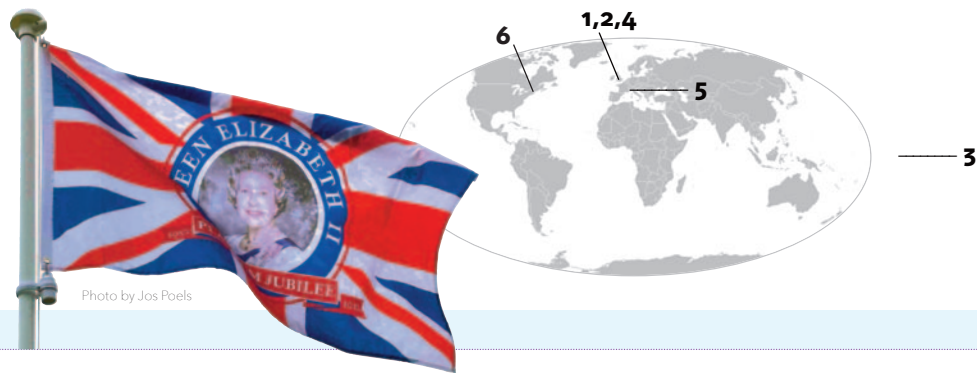


the world using an Azimuthal Equidistant projection, centred at the North Pole.

At the time, the background was simply described as 'light blue'. This was later defined as Pantone 279C. However, a new edition of the UN Flag Code, dated 2020, states that the colour is now the slightly lighter Pantone 2925C.

The change seems to have come about because of a change in UN branding, and first appeared in October 2019 as part of the publicity connected with the UN's 75th anniversary, where the flag and associated logo sometimes appeared on a navy blue (Pantone 540C) background.

No reason for the original change is given in the UN75 visual identity manual, nor in the 2020 edition of the Flag Code (ST/SGB/2020/4). It is not clear how this may affect the flags of UN agencies, such as FAO,



Queen's Platinum Jubilee 2022 (4)

This year marks the seventieth anniversary of Queen Elizabeth II's accession to the throne. A competition, run by the Victoria and Albert Museum and Buckingham Palace, invited artists and illustrators between the ages of 13 and 25 to create an original design to symbolise the Queen's historic seventy years as Sovereign. The winner was Edward Roberts, a 19-year-old graphic design student at the University of Leeds. Edwards' simple platinum line design was judged to best reflect the Queen's continuous service by a judging panel of industry experts.

The emblem features a purple

and platinum design. The continuous platinum line - 'the continuous thread of the Queen's reign' - depicts a stylised St Edward's Crown, incorporating the number 70, on a round purple background, associated with royalty and suggesting a royal



seal. The use of the elegant Perpetua Pro Roman font is an acknowledgement to the first British monarch ever to mark

seventy years on the throne.

The purple is specified as Pantone 3515C. The platinum does not have a PMS number.

The official guidelines envisage the emblem appearing in the dead centre of a 1:2 white or platinum flag. Its use on darker backgrounds, with the legend in platinum, rather than purple, is also permitted.

Guidelines for the use of the emblem, and on the production of souvenirs, are available at <https://www.royal.uk/queens-platinum-jubilee-emblem>. All the shortlisted designs will be exhibited at the V&A in June 2022. (IS)

UNESCO, UNICEF, etc. But since their flags all use 'UN blue' they may all follow suit. (IS)

Seborga (5) The Principality of Seborga, which



considers itself an independent state in the north-western part of Italy, has adopted a new constitution, the *General Statutes*. It was approved in a

referendum held on 8 May 2022 and came into force on 1 June 2022.

Article 11, paragraph 1 provides an updated description of the flag of the principality: 'The flag of the Principality of Seborga is divided into two parts: the left part, corresponding to one third of the length, contains a blue Samnite shield with a white Greek

cross, surmounted by a royal crown, on a white background; the right part, corresponding to two thirds of the length, is white, bearing nine equidistant horizontal blue bands, as shown in Annex A.'

Seborga dates its independence from 954, when Count Guidone of Ventimiglia donated it to the Benedictine monks of the Abbey of Lérins, and in 1079 became a Principality. In 1729 it was sold by the monks to Victor Amadeus II of Savoy, but the deed of sale was never legally and officially registered. Italy does not recognise Seborga's claims. Boasting its own currency and its own border guard, the status of the enclave attracts lots of tourists. (JP)

Massachusetts (6) A special commission in the US state of Massachusetts has unanimously voted to

Code Flag over H



'Heave to, I have something important to communicate'

recommend a redesign of the state motto and seal which appears on the state flag. The arms feature a Native American with the crest of a sabre dangling above his head.



On 17 May, the nineteen-member State Seal and Motto Commission - its members including Indigenous tribe representatives, senators,

legislators, historians and archivists - voted unanimously to recommend the change of what some consider an 'egregious' state seal and motto.

The seal dates from 1900. The figure of the Native American was based on a skeleton held in the Peabody Museum at Harvard University, while the face was taken from a photograph of Thomas Little Shell, a Chippewa leader who never resided in Massachusetts. The crest of an arm holding a sword and poised to strike represents colonial militia leader Myles Standish, notorious for his attacks on local indigenous peoples. The Latin motto translates as 'By the sword we seek peace, but peace only under liberty'.

Pressure groups, who have been complaining about the design for decades, were hoping for a design that was less representative of the institutional racism felt by many Native Americans, and one which more accurately represented the state's diverse cultures.

The commission appear to be leaning towards a wider public consultation about the design, reporting again in March 2023. (IS)

Honduras (7) On 27 January, when the new president was installed, Honduras resumed using the flag in blue-green turquoise, as required by the 1949 Flag Act of this Central American republic. The new president Xiomara Castro fulfilled immediately one of her election promises. Castro, the first female president of Honduras, wants a clean sweep for her

country. She was elected by a large majority.

The flag of Honduras was last clearly defined in the



Flag Decree of 18 January 1949, in which the colour blue is described as 'turquoise blue'. At that time the decree was

issued to make an end to the use in national flags of many different shades of blue. In practice, however, the turquoise blue gradually darkened. Dark blue was also the colour of the National Party defeated by Castro's Liberal Party in last November's presidential election.

The design of the Honduras' flag dates from 1866. That in turn was a copy of the flag of the Central American Federation, which united Honduras between 1823 and 1838 with its neighbours Guatemala, El Salvador, Costa Rica and Nicaragua. The five stars in the flag of Honduras represent these five countries. (JP)

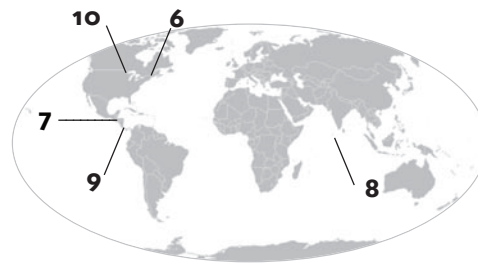
Chagos Archipelago (8) Mauritian Ambassador to the United Nations Jagdish Koonjul raised his country's flag on 14 February 2022 on Peros Banhos, a



previously inhabited island of the Chagos Archipelago. With this he wanted to reinforce again the Mauritian claim to the islands.

The sixty islands now form the British Indian Ocean Territory (BIOT) and have been governed from London since 1814.

The flag raising came after the International Court of Justice (ICJ) of the United Nations in The Hague ruled in 2019 that London has no right to the islands. According to the Courts' ruling the archipelago must be transferred to Mauritius. Just a few years before Mauritius in the Indian Ocean became independent from the United Kingdom in 1968, the BIOT was separated and allowed to remain British. Since then, the British have leased the area to the United States,



which maintains a military base on the islands.

The BIOT has no permanent residents. The original inhabitants, the Chagossians, were forced to move to the United Kingdom. More than a thousand Chagossians were exiled to England between 1967 and 1973. They too demand their islands from London.

They use a flag with three horizontal stripes. The orange stripe represents the plantation on Chagos which is now closed. The black stripe is for all the struggle and the bad moments experienced by the Chagosian people. The (light) blue stripe is for the lagoons of Chagos and for the future.



Despite the ICJ ruling, the British government does not intend to return the archipelago to Mauritius. (JP)

Costa Rica (9) The parliament of the Central American state of Costa Rica has adopted a new law on the proper use of the national flag and coat of arms. *Ley que Regula el Uso del Pabellón, la Bandera y el Escudo Nacionales, Ley no. 10178*, was published in the government gazette *La Gaceta* of 11 May 2022.

The new law defines the exact colours of the flag for the first time. The blue is now defined as PMS Reflex Blue, and the red as PMS 485C. It also defines the symbolic meaning of the flag. Blue represents the skies above the country. White symbolizes peace, and red the blood spilled in the struggle for freedom.

There are two versions of the flag. The plain blue, white and red flag is the national flag. But when the national coat is depicted on a white oval on the red stripe, it serves as the government / naval flag.

The colours of the flag of Costa Rica are mixture of the old flag of the Central American Federation and of France. Between 1821 and 1839, the country was part of the Central American Federation, together with Guatemala, Honduras, El Salvador and Nicaragua. Its

flag had three horizontal stripes, light blue, white and light blue, with the federal coat of arms in the centre of the white stripe.

In 1839 the federation fell apart when all five states became independent. Initially Costa Rica adopted a flag close to the design of the Federation. The first president of the Costa Rican Republic, José Maria Castro Madriz, was an admirer of the French Revolution. To symbolize that affection for France, in 1848 he added a red central stripe to the flag. (JP)



Minnesota (10) The Minnesota House has passed a bill which may lead to the creation of a new state flag and seal. The Bill's sponsor, Representative Mike Freiberg of the *Democratic Farmer Labor Party*, says it is time to reimagine a flag for Minnesota that positively reflects the state. He added that the flag in its current design, adopted in 1957, depicts white settlers displacing Native Americans.

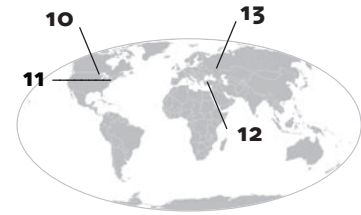
The proposal is part of a large budget bill that is subject to end-of-session negotiations. So far, Republicans have voted against the flag change, saying it is not a top priority.

Supporters of changing the flag say the current one also does not have the hallmarks of good flag design. Some are pushing for a new flag with a North Star-theme, a gold-and-white star on a deep blue background.



This is not the first attempt to change Minnesota's flag. As early as 1968, the *Minnesota Human Rights Commission* asked the state government to design a seal of which Minnesotans, native and non-native, could feel proud. And after the North American Vexillological Association (NAVA) placed the Minnesota flag among

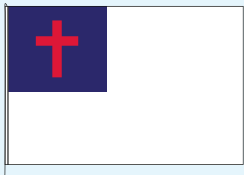
Code Flag over H



the ten worst designed US state flags, an attempt was made in February 2002 to appoint a special committee whose task it would be to solicit and secure people who could help to come up with a new design. But the attempt came to nothing. (JP)

US Supreme Court (11) On 2 May, the Supreme Court of the United States ruled unanimously that the City of Boston's decision to refuse to fly the Christian flag on a publicly owned flagpole violated the Constitution's Free Speech Clause.

Boston had a programme allowing citizens and groups to request to fly flags (including national flags, the Pride flag, and in one instance, a bank's house flag) from a flagpole outside City Hall. There was no policy



for determining these applications, and no previous request had ever been refused. Boston denied the request because of the flagpole's

ownership and location meant that it would lead a reasonable observer to believe the government was unconstitutionally endorsing Christianity over other religions.

Justice Breyer accepted that flags conveyed speech, not only through their design but also through their presence or absence. However, the flagpole was established as a public forum for citizen expression, and Boston maintained no active control over the enormous diversity of flags flown. This meant the flagpole, while government-owned, was not government speech.

Concurring in the outcome, but not the reasoning, Justice Alito noted that the accepted definition of 'public forum' was too narrow, in part because it had trouble with 'unorthodox' situations like this (as government flagpoles are not normally available for all to use). Also concurring only in the outcome, Justice Gorsuch (supported by Justice Thomas) criticised the test for determining if speech would appear to be

religious endorsement, noting in part that the design of the Christian flag is very similar to the 'Bunker Hill flag', which has historical significance in Boston and was flown on the same flagpole previously. (EG)

Türkiye (12) In June, the government of Turkey asked the United Nations (UN) to change its name to Türkiye. The request was accepted. The name change is seen as a part of a push by Türkiye to disassociate its English name from the bird of the same name.

The change has no consequences for the national flag. Over recent years several countries have asked the UN to change the name by which they want to be officially known around the world. In 2019 Macedonia changed its name to North Macedonia; Cape Verde has been known as Cabo Verde since October 2013; Swaziland changed its name to Eswatini in April 2018; East Timor is known as Timor Leste; and in 1985 Ivory Coast asked the UN to be known as Côte d'Ivoire, the French name for the country. (JP)

Penza (13) On 15 April 2022, the Legislative Assembly of the western Russian *oblast* (province) of Penza changed the flag of the territory. The change was supported by all present parliamentarians and came



into force on 1 June 2022. The new flag has now the full coat of arms in the yellow fly of the flag, instead of the icon of the Saviour *Nerukotvorny*.

The icon, an image of the head of Jesus, is one of the earliest icons of the Orthodox Church. Penza adopted the original design on 13 November 2002. But the flag was never included in the State Heraldic Register of the Russian Federation, as it did not meet the design standards of the State Herald.

The Penza coat of arms shows three wheat sheaves on a green shield. It symbolizes agriculture, Penza's major economic activity, which is dominated by grain - rye in winter and wheat in spring. (JP) □

Events, Conferences and Meetings

Saturday 23 April 2022 was the FI 2022 Spring Conference held at David Game College, London and was the celebratory close of the 12-month programme of Golden Jubilee events. For a more in-depth telling of the day, please see the article on page 18.

Tuesday 24 May 2022 saw the latest FI Council meeting, held online. The main talking points were the locations of conference later in the year and beyond, new FI advisor roles to support knowledge sharing, the publication of ICV29 papers, and a potential review of FI Presidencies. The next Council meeting will be held online, **Tuesday 9 August 2022**.

Saturday 19 November 2022 is the FI 2022 AGM and Winter Conference and is to be held at Leeds Royal Armouries. Excitingly, this is the first time the Flag Institute has held a conference in Leeds and at the Royal Armouries. More info coming soon.

Social Media

2022 is a FIFA World Cup year, and we're here to organise another edition of the World Cup of Flags! In 2018 the flag of Panama won, so we will have a new winner. Between October and November,

people will be able to select their favourite flags on the FI Twitter account, with the grand final being held on 20 November, a day before the men's World Cup starts in Qatar. Follow updates on **@FlagInstitute** and **#WorldCupOfFlags2022** from October.

There is now a FI TikTok account. One of our members, Charlie Marshall, creates and posts content. To follow us on TikTok, search for @flaginstitute when on the app.

New FI Website

Calling all webmasters and web designers. The FI is looking to overhaul its website and we need expertise. If you are someone who can help the FI in transitioning to a new website, please do get in touch by emailing lesley.ross@flaginstitute.org.

William Crampton Library

The library catalogue is available from <https://www.flaginstitute.org/wp/explorer/library-catalogue/> with over 32,000 entries, boosted by issues 1-65 of Günther Mattern's *Flaggenmitteilungen* from the late 70s/early 80s, and the proceedings of ICV26 in Sydney.

The catalogue is updated twice a year and FI members can download the new catalogue in the Library from the Members'

Area to highlight new arrivals.

The latest journals to arrive in the library include:

Balogh Zászló Buletin 26/1 (2022); *Banderas* 162 (2022); *Der Flaggenkurier* 53 (2020), 54 (2020); *Drapeaux et Pavillons* 149 (2021); *Emblemata* 26 (2020); *Flaga* 55 (2021); *Flaggen, Wappen und Siegel* 133 (2021), 134 (2021), 135 (2021); *Macedonian Herald* 17 (2021); *Info-FIAV* 55 (2022); *SAVA Newsletter* 92 (2021); *Sub Clypeo* issues 1-12; *Vexil.la Catalana* 3 (2021); *Vexilla Italica* 94 (2022); *Vexilla Notizie* 40 (2022); *Vexilloid Tabloid* 94 (2020); *Vexillum* 16 (2020), 17 (2020); *VexilINFO* 176 (2021), 177 (2021), 178 (2021); *Vexil'Òc* 28 (2021); *Vexiloargentina* 9 (2021); *Vexilologie* 202 (2022), 203 (2022); *Vlag!* 30/288 (2022).

ICV29

The 29th International Congress of Vexillology takes place in Ljubljana, Slovenia from 11 to 15 July this year at the Best Western Premier Hotel Slon, a luxurious 4-star hotel in the heart of the city. 24 vexillological associations are currently represented in the registrant list, a number predicted to increase with more registrations. Papers will be delivered across four days of plenary sessions. There is also the day-long vexillological excursion midway through the week. A full companion itinerary is also planned. □

Dominic Bryan, NI flags

The Northern Ireland Commission on Flags, Identity, Culture and Tradition published its report last December. Professor Dominic Bryan (64) worked on the Commission as joint Chair.

Dominic Bryan is an academic and researcher who is a Professor within the School of History, Anthropology, Philosophy and Politics at Queen's University, Belfast. Over 25 years, his research has looked at the use of symbols and rituals and how these have influenced inter-group conflict, particularly in Northern Ireland. This work has been shaped by community engagement and has influenced government policy. Dominic presented on 'The Trouble with Flags' at The Flag Institute's 2022 Spring Conference.

Q: Why was the Commission formed?

Symbols, including flags, statutes, parades and their associated rituals are important within the politics of Northern Ireland. Such displays of identity can be exaggerated due to divisions in a society where nationality is contested. Thus, flags and other symbols take on more importance in Northern Ireland than in places where demarcation lines between groups do not exist or are less prevalent. The use of flags in shared public spaces was dominated by Unionist symbols from the inception of Northern Ireland until the early 1970s.

Tensions though, on the use of symbols, started to grow with on onset of the Civil Rights Movement in the late 1960s. That, perhaps counter intuitively, intensified following the 1998 Good Friday Agreement which brought a move away from violence. This was due to the sense that Britishness and Irishness were of equal value and thus symbols associated with both identities can be displayed.

That led to flags and other symbols being displayed over extended periods, rather than the previously intense but shorter time frames seen before, for example, around the 12th of July to mark the Battle of the Boyne. In particular, some Unionists considered their symbols to be under attack and in response placed more flags in the public realm, while at the same time Nationalist equivalents became more prominent. It also saw flags being used as a way of demarcating Nationalist and Unionist areas and also sub-divisions within these where different paramilitary groups claimed influence.

Creating the Commission was a response to these issues, particularly following the public unrest associated with the 2012 decision to fly the Union Flag from Belfast City Hall on set days rather than every day. Protests against that decision continue to this day.

Q: What was the remit of the Commission?

Initially it was thought focus would be on the use of flags and symbols. However, the Terms of Reference were widened to consider identity more holistically in order to ensure that all parties participated by allowing other items of concern to be discussed. With regard to flags, concentration was given to their use in public spaces.

Q: What was the make-up of the Commission?

The Commission comprised of 15 members, seven appointed by Northern Ireland's largest political parties [Alliance, DUP, SDLP, Sinn Féin, Ulster Unionist] along with eight independent members. I think overall that gave a fair

'The idea of creating a new flag or emblem that represents all communities did not gain any traction with the Commission members'



representation of political views across Northern Ireland, although the appointment of only one woman and 14 men was deeply problematic. Also, the Commission may have benefited from having a particular type of 'loyalist' voice. By that I mean someone who could articulate the concerns of some of those from a working-class Protestant background that may be influenced by previous or on-going loyalist paramilitary thinking that they have grown up seeing or sympathise with.

Q: What challenges did the Commission face?

The increase in the Commission's remit proved problematic, as it created a very wide scope that touched on all aspects of society including, for example, the system of education. This meant that less focus was able to be given to each area due to the depth of knowledge required to explore these topics within the time constraints the Commission was working in.

Q: What were some of the positives within the working group?

Those on the Commission engaged and spoke freely and, even if there was not a lot of common ground at times, the views put forward were honestly held opinions. To people outside Northern Ireland, such concentration on issues such as flags may seem disproportionate and those on the Commission recognised that there are much more important issues such as health care and economic activity. That said, everyone on the Commission is aware that the use of flags and other symbols in Northern Ireland is a touchstone issue due to the fundamentally different identities they represent.

Photo Dominic Bryan and image editing Theun Okkerse

Q: What common ground did the Commission find on flags?

That was limited, although there was agreement against the flying of parliamentary flags and the indiscriminate use of flags in public spaces, in particular attaching flags to lampposts which has become common place in certain areas.

Also, there was consensus around the length of times flags may be flown in ad-hoc situations. For example, placing a time limit after which they are required to be removed, in the same way that is applied to electioneering material. This though simply re-iterates existing protocols that do not allow flags to be left indefinitely in shared public spaces such as on lampposts. However, that is not enforced as there appears to be a tacit agreement by the authorities to turn a blind eye despite complaints about this practice by some people in those communities. This may be due to concerns over the unrest the removal of flags could cause, but it leads to situations where people have been prosecuted for leaving advertising for a local event in place for an extended period whilst flags and those who placed them there remain untouched.

'It wasn't a surprise that there was no common ground or any material progress on the flying of flags from public buildings'

So, there was consensus on limiting the use of flags through applying the existing or similar protocols.

Q: Were there any unexpected outcomes?

There was nothing unexpected in that the views expressed by those on different sides of the political divide have been consistent for many years. Thus, it wasn't a surprise that there was no common ground or any material progress on the flying of flags from public buildings, such as town halls. The options that you can see in section 12.24 of the report are not new and remain discussion points.

Similarly, the idea of creating a new flag or emblem that represents all communities did not gain any traction with the Commission members, whether that be something completely new or integrating existing symbols into a new design.

There was some support from the public for this idea but not enough to see it being pursued in the near term. That approach though does not come without precedent in so far as a new badge, which has at its centre the cross of St Patrick, was agreed for the Police Service of Northern Ireland in the early 2000s. Also, recent elections suggest that there may be increasing numbers of people in the middle ground who do not adhere to or take a softer stance than some of the more polarised Nationalist and Unionist positions.

Q: What were some of the key Commission outputs?

The importance of rights and freedoms came through strongly. Interestingly, there has been a perception that human rights were more important to Nationalists, but there was a recognition that this cuts across all parts of society. That was demonstrated by the consensus that the school curriculum should include aspects

and understanding of the different identities that make up Northern Ireland.

So, even if there seemed to be little movement on flags, as in all things, especially

in Northern Ireland, this is part of an on-going debate. It must be remembered that some of those on the Commission have strong diametrically opposed views on Northern Ireland and its place within either the British or Irish state. The fact that these tough behind closed doors conversations have happened hopefully gives those within Government who wish to take this work forward a revised starting point. Such on-going dialogue is something that should never be underestimated, especially in the context of Northern Ireland and its history. □

The full report can be found at:
Commission on Flags, Identity, Culture and Tradition - Final Report
<https://www.executiveoffice-ni.gov.uk/publications/commission-flags-identity-culture-and-tradition-final-report>

Two vexillologists give their opinion on a burning flag issue of the day. You can join, by emailing your view to *Flagmaster*. The question this time is: *Does a flag need to be described in every single detail, such as the shade of every colour?*



Geoff Parsons has a lifetime interest in flags, served in the Royal Navy, and enjoys running, driving fast cars and powerboats, and flying.

We should strive to meet standards

Coats of arms and heraldic banners were created originally to provide identification, and rules of blazon were developed to define how colours and metals, shapes and charges, could be used. Banners were made from a limited range of materials such as wool and silk, and colours were limited to the dyes available, hence no distinction is made about colour types in Letters Patent; a blue is a blue.

But flags today are defined precisely in terms of design and shape, and colours specified using a colour code.

As humans, we have a remarkable ability to identify small changes in shape, colour and form, and quickly perceive when something is 'wrong'.

The red colour of inexpensive English

flags often appears more orange than the defined red Pantone 186, and does not look 'right'.

The flag of Scotland can use either navy-blue Pantone 280 or sky-blue Pantone 300, but the latter is now more common. Incorrectly manufactured flags will cause a national outcry such as occurred with the stars on the China Olympic flag.

Defining colours and shapes is about defining standards, and where possible, we should strive to meet these standards. We might be constrained by what is available and what we can afford, but it is surely better to fly a flag, which is not perfect but recognisable, even when it is home-made as they were at the dawn of heraldry, than not to fly a flag at all.

In short: it depends

A description needs to consider the target audience and the context. We can use the Italian Tricolore as an example.

The Italian Constitution states: 'The flag of the Republic shall be the Italian *tricolour* of three green, white and red vertical bands of equal size'. That's all: neither proportions, nor any clue about the shades. The audience is any citizen of the Republic, of any class, age or education. The context is the definition of the most important national symbol. Description must be a straight message, easy to receive and understand.

However, if the audience is a flag maker and the context is flags for official use, the description needs to be accurate. The Italian 'General provisions on ceremonial matters' give specific sizes and accurate shades according to the Pantone standard to ensure

all flags are reproduced in exactly the same way.

Interestingly, the broad definition given in the Constitution has never raised concerns: every Italian will recognize in the three vertical coloured bands his/her own flag, whatever size and shade. The symbolic power of a green-white-red cloth flown by a mob or from a balcony during the Wars of Independence in the XIX century never suffered because of the lack of a standard and the great variety of samples preserved in the museums is a sound evidence. In fact, the green is commonly named 'flag green', the shade being defined by the flag and not vice versa! On the opposite, when the Pantone colours were laid down there were concerns and protests and a vibrant discussion followed. The lesson is: keep it simple.



Pier Paolo Lugli from Modena, Italy, is a member of the Ferrari F1 team and President-Elect of the *Centro Italiano Studi Vessillologici* (CISV)

Flag Institute celebrates its Golden Jubilee

Leigh Wetherall FF

The Flag Institute came into being on St George's Day, 23 April 1971. So strictly speaking, 2021 was the 50th anniversary of the British vexillological society. But the Covid pandemic forced the Institute to celebrate its Golden Jubilee a bit differently and in a lower key than originally planned.

St George's Day (23 April) this year saw the year-long Flag Institute Golden Jubilee programme come to a celebratory close. It all began on St George's Day 2021, with the Flag Institute 50th Anniversary Party, an evening to kick off a Golden Jubilee calendar of events. Special guest Željko Heimer, FIAV President, plus a distinguished company provided their memories, anecdotes, and discussed futures for the FI. Patrick O'Connor introduced *Look Away, Look Away*, a fascinating documentary charting a project of over five years of filming about the Mississippi state flag and exploring the history of this former Confederate flag and the significance and reception of the new design. This 50th anniversary event was the first FI online event and was beamed live around the world to a global audience.

Further online events continued. First was a collaboration with Heraldica Slovenica, the hosts of ICV29, on 15 July 2021. This gave Aleksander Hribovšek, the President of Heraldica Slovenica an

opportunity to speak of the plans for the 29th Congress.

Aleksander and Anže Hobič, a lawyer and Heraldica Slovenica member, also presented on the proposed flags and coats of arms for Slovenia's 12 provinces and on the proposed new laws on Slovenia's state symbols.

Merchant Navy Day

Another online meeting on Merchant Navy Day, 3 September, opened with David Craddock, author of *What Ship, Where Bound?*, who drew on his sea-going experience and his later career in graphic design to tell the story of visual communication at sea. Brian Elliott, a specialist in international shipping and the environment based in Lisbon, then explored the use of flags in modern merchant shipping. This special Merchant Navy Day event was closed by David Field FAICD, Chairman of the Merchant Navy



War Memorial Fund Ltd in Australia who spoke about the history of the Australian National Flag and Red Ensign, the role played by The Australian Merchant Navy during WWI and WWII, and how the Merchant Navy War Memorial Fund is delivering on the organisation's vision and primary objective.

In November, the FI 50th anniversary programme continued at the People's History Museum, Manchester with the AGM and winter conference - a first venture for the FI in delivering a hybrid (online and in-person) conference for both delegates and speakers. The day's proceedings begun with Luke Jerram, an international multidisciplinary visual artist, speaking of his *In Memoriam* project that used flags as a tribute to all NHS health and care workers who risked their lives during the COVID pandemic. Dr Matthew Stallard, Research Associate at University College London's Centre for the Study of Legacies of British Slavery, delivered his paper, *The Black Country Flag Row: Representing everyone?*, an

investigation and analysis of the public and passionate furore surrounding the flag's contested symbolism. FI member John Cartledge also spoke of his efforts in introducing a new flag to Elstree and Borehamwood and remedy England's 'mini-municipal vexi-desert'.

Full circle

Coming full circle, we now arrive back at the St George's Day celebratory close in April of this year with the FI Spring 2022 Golden Jubilee Conference. A very

incorporated 250 national anthems of independent and non-sovereign states, lyrics and all. Anton Pihl, President of the Nordic Flag Society delivered his paper on *Nordic Cross Flags: A Growing Family*, providing an overview of the development of the Nordic Cross, exploring the historic and contemporary arguments for adopting flags with that specific design, and proved that the Nordic Cross family is alive and well and continues to grow. Nick Farley, Managing Director of The Flag Consultancy Ltd then gave a talk on

Professor Dominic Bryan of Queen's University Belfast and former co-Chair of the Flags, Identity, Culture, and Tradition (FICT) Commission in Northern Ireland. Dominic had previously spoke at an FI conference at the start of his time with the commission and returned in April to discuss the work of the FICT and the complex use of flags in Northern Ireland. His presentation looked at the issues of the meaning of flags, particularly those using British military commemorative symbols, in order to regulate the use of flags. FI Chairman John Hall closed the programme with a *Visual History of the Flag Institute*, taking us through the archives of past Council, members, events, congresses, and conferences. To mark the occasion, Bankoleart exhibited *Who Dey Vex!*, an installation to celebration 50 years of the FI. Dr Joseph Morrow, Lord Lyon King Of Arms, was the after-dinner speaker at the FI 50th anniversary dinner later that day.

The FI Golden Jubilee year provided firsts in delivering events online and collaborations with overseas national societies, plus bolstered the relationship with visiting speakers from other national societies. To borrow words from Malcolm Farrow MBE, FI President, uniting people from different nations and backgrounds in common purpose is critical to our future welfare. Commonly held symbols are a first step. The flag that flies over people is that symbol of their unity and the FI seeks to educate the nation to understand this better. We have done this for 50 years and we look to doing the same in the next 50. □



Participants of the Flag Institute's Golden Jubilee Conference 23 April 2022.

special day where the FI 50th anniversary flag had its first airing. The day's programme opened with Roger Ourset of both the *Société Française de Vexillologie* and the FI, presenting Flags and National Anthems, a melodious exploration into the relationship between two prominent elements of national identity. Roger's expansive research

the company his founded. The Flag Consultancy Ltd provide for such events like Trooping the Colour, Commonwealth Day, State Opening of Parliament, and Remembrance Sunday. Nick spoke of the many unusual, high-profile, and top-secret jobs he has delivered to Downing Street and Royal engagements. Next was

Carrying an illegal flag is illegal whether you meant to or not

Elijah Granet

On 26 January, a unanimous Supreme Court of the United Kingdom upheld the conviction of three men for publicly displaying the flag of a proscribed terrorist organisation, and in doing so ruled that there was no intent required to commit the offence.¹

The three appellants – Rahman Pwr, Rotinda Demir, and Ismail Akdogan – went to a demonstration in London in 2018 protesting against Turkey’s actions in the Syrian conflict. At the demonstration, the three men were seen by police (who had been briefed on illegal flags likely to be present) waving the red flag of the Kurdish rebel group PKK (Partiya Karkerên Kurdistanê, Kurdistan Workers’ Party). The PKK is considered a terrorist organisation by the UK, the EU, the US, and many other countries.

Although the CCTV images used in the prosecution are not publicly available, a lower court judgment indicates that the flag being waved by the appellants was a red PKK flag with the face of the party’s jailed leader Abdullah Öcalan super-imposed on it. Although there are several variants of the PKK flag, it appears most likely² that the flag was the variant seen below with Mr Öcalan’s face added on:

Expert evidence given in the trial concluded that the flag in question would be interpreted as indicating support for the PKK by Turkish and Kurdish people or anyone knowledgeable of the region or its conflict. There was no dispute that the appellants had been carrying these flags.

Under the Terrorism Act 2000, the PKK has been proscribed by the Government as a terrorist organisation. This is, for an organisation, the equivalent of capital punishment. Proscription means that the organisation cannot legally exist in the UK. Membership in it is a crime (section 11). Furthermore, to starve the proscribed organisation of the oxygen of publicity (so that it is unable to recruit people in Britain, it is illegal to even express support for such an organisation (section 12).

The specific provision which made the object waved by the appellants’ an illegal flag was section 13(1) of the Terrorism Act, which is reproduced below (emphasis added):

S.13 Uniform

(1) A person in a public place commits an offence if he -

(a) wears an item of clothing, or

(b) wears, carries or displays an article,

in such a way or in such circumstances as to arouse reasonable suspicion that he is a member or supporter of a proscribed organisation.

A flag, of course, qualifies as an article which can be displayed to the public (that is the point of flags). Displaying the PKK flag is not an offence in



Flags defaced with Öcalan's face at a 2005 rally in London. Source: Wikimedia Commons user FrancisTyers-Commonswiki (CC-BY-SA)

itself; the provision above requires that it must arouse reasonable suspicion of support for the proscribed organisation. For example, an academic might use it as a prop in a lecture on the history of the Turkish Kurds, and it would be unlikely to arouse reasonable suspicion. Equally, a policeman who confiscates (and thus takes a hold



The Kurdistan Workers' Party (PKK) is designated as a terrorist organisation. Therefore its flag is illegal in lots of Western countries, such as the United Kingdom. Source: Wikimedia Commons user Herrn; CC-BY-SA

of) a PKK flag at a rally is unlikely to be reasonably thought to be a supporter of the organisation. Similarly, while the next part of the Act (section 13(1A)), prohibits publishing images of articles related to terrorists where doing so would arouse suspicion of support, the images of terrorist flags in this article are not illegal because a respected scholarly publication such as would never in law be reasonably thought to support the flags it analyses.

However, in the case of Pwr et al., things are more complicated. It was not disputed in the appeals that the flag was that of the PKK, nor that the appellants had been seen to carry the flag at the demonstration over at least several minutes and were observed to have looked at the flags they were holding during that period. However, they

were not observed to have engaged in chanting in favour of the PKK (as others at the demonstration were), and no evidence was adduced showing that the appellants in question had intended their waving of the flag to indicate support for the PKK.

The state of mind of the appellants is knowable only to them. However, speaking generally, it is not out of the question that, at a demonstration regarding Kurdish militias in Northern Syria, someone might inadvertently wave a PKK flag. This state of affairs arises because, while the PKK in Turkey is a proscribed terrorist organisation, the YPG (Yekîneyên Parastina Gel, People's Defence Units) militia in Syria, and the Kurdish statelet it protects, Rojava, have been allies to the West in combatting so-called Islamic State. This is despite the fact that the organisation of Rojava is based around the teachings of the PKK's Öcalan, and the YPG has close connections to the PKK. The fine line between the two groups has led to legal jeopardy for some Britons who went to fight for the YPG against Islamic State; one such man received twelve months in prison for attending a YPG camp at which the PKK was present (even though the judge found that there was no intent on his part to promote terrorism).³ From a vexillological standpoint, the colours and design, as well as the presence of Öcalan's face on a flag, is a common motif between both the PKK (illegal) and YPG (legal), and thus it is not unreasonable that someone, particularly if unfamiliar with the



The flag of the Syrian Kurdish women's YJA militia.
Source: Wikimedia Commons user FugeeCamp (CC-BY-SA)

region, could hypothetically be confused, and wave a PKK flag while intending support for the YPG.

Strict Liability

The question in this case ultimately revolved around intent. The Crown had not proved, nor had it tried to prove, that the appellants intended to show support for the PKK. Instead, it was sufficient as a matter of law that 'any objective, informed and reasonable bystander witnessing the conduct of the three defendants would have had a reasonable suspicion that he was a member or supporter of that organisation.'

For most crimes, there is a mental element (*mens rea*) and a conduct element (*actus reus*). For example, for theft, the conduct element is taking property belonging to another, while the mental element is intent to permanently deprive that person of the property. At trial, the prosecution has the burden of proving not merely that the defendant took something, but also showing that the intent was not, for example, to return the item to the owner later. In many cases, the mental element has the effect of making the prosecution's job much more difficult. This is by design: English criminal law, in theory, is designed to favour the accused and ensure that the state's power to imprison people cannot be used lightly or capriciously.

However, for a specific class of crimes, known as 'strict liability' offences, Parliament has made the mere existence of a state of affairs illegal, regardless of intent. These are common in

regulatory settings, to ensure high levels of compliance and proactive prevention from corporations. For example, licensing laws create strict liability offences around serving alcohol to minors. However, in other cases, strict liability offences apply to ordinary individuals, and have the effect of lowering the standard required to overcome the presumption of innocence. Driving without insurance, for example, is a strict liability offence, meaning the Crown does not have to undertake the impossible task of proving someone intentionally let their insurance lapse.

The courts have a very strong dislike for strict liability offences, because they radically erode the opportunity of the accused to present a defence. They also risk criminalising morally blameless people who by happenstance stumbled into the state of affairs made illegal by the legislation. As a result, it is a constitutional principle that all offences will be assumed to require criminal intent unless Parliament clearly says otherwise.

In this case, the appellants argued that Parliament had failed to discharge this presumption, and thus, the Crown had failed to prove its case (because it adduced no evidence that the appellants were PKK supporters). However, the Supreme Court rejected this argument, for several reasons.

First, Parliament had, in the same Act, created the separate offence of inviting support for a proscribed organisation, which clearly required intent, but used distinct language for the s.13 offence ('reasonable suspicion'). It had also made the s.13 offences summary offences, punishable by only a maximum of six months imprisonment, whereas the other, non-strict-liability offences in the Act were punishable by many years imprisonment. The Court also found that



Parliament's intent with the s.13 offences was to stop the public display of symbols that could encourage support for proscribed organisations, regardless of intent. All of this was consistent with a strict liability approach.

The final question, then, was if interpreting s.13 as creating a strict liability offence was consistent with human rights legislation, as a proportionate interference with freedom of expression (particularly as in this case, the offence involved no direct incitement to violence). However, the Court was not convinced. The case law of the European Court of Human Rights was held to indicate that a number of factors could legitimately justify restrictions on freedom of speech, and that in this case, the prevention of the establishment of proscribed organisations in the UK was a sufficient justification to restrict the appellants' free speech rights. As a result, the appellants' convictions were upheld.

Implications

This case has important implications for anyone attending a demonstration on a matter of international politics, particularly one where attendees might be given unfamiliar flags by organisers. Anyone simply holding and waving a flag of a proscribed organisation in public, even if doing so in total ignorance of its content or meaning, is committing a criminal offence. As noted above, this means that

someone attending a demonstration on say, Syria, would need to be educated enough to distinguish by sight different similar flags, only some of which were illegal.

This case also has implications for flag manufacturers. While no reputable manufacturer would ever have the flags of proscribed organisations in stock, many manufacturers make 'custom' flags by printing the customer's design onto a flag, often without much checking on the part of the manufacturer. If a customer requests a 'custom' flag with an obscure design, and that design is ultimately that of a proscribed organisation, the manufacturer could find themselves in legal jeopardy for abetting an s.13 offence, or even committing one themselves. As a result, flag manufacturers need to step up due-diligence and check every single customer submitted design against those of proscribed organisations.

Although from time to time, various police force have issued guides to the flags and emblems of proscribed organisations, and police have internal guides (which were used in this case to identify the PKK flags), there has never been a public, comprehensive list of the flags of all proscribed organisations. While citizens can look up the flag of each organisation on the current list, this is an inefficient and difficult process. For this reason, it would be helpful if Counter Terrorism Policing, or even the Flag Institute, put out a comprehensive list of the flags of proscribed organisations, so that the public and flag manufacturers could be informed of which flags are illegal. The confirmation that s.13 is a strict liability offence means that every effort should be made to proactively prevent future injustice by ensuring that no one accidentally or inadvertently finds himself a convicted terrorist. □



Kurdish militia fighters raise YPG and YPJ flags, as well as a flag with the face of Abdullah Öcalan.

Source: From Flickr user Kurdish-struggle, CC-BY

Sources

- 1 *Pwr v Director of Public Prosecutions* [2022] UKSC 2
- 2 On the grounds that media images tend to show this as a relatively common design; see, for example, the flag in the image at <https://www.nytimes.com/2018/09/26/opinion/kurds-syria-allies.html>
- 3 See *R v James* sentencing remarks, available online <https://www.judiciary.uk/wp-content/uploads/2019/11/SENTENCING-REMARKS.pdf>

How Elstree and Borehamwood got its own flag

John Cartledge

The Hertfordshire town of Elstree and Borehamwood now has its own flag, following a competition staged by the town council at the suggestion of a local Flag Institute member. In this article John Cartledge recounts the steps in the process, to assist and encourage other members to follow suit.*

The Flag Institute recently celebrated the successful conclusion of its long-running campaign to complete the set of flags for the historic English counties. This was no mean achievement. But the lower tiers of English local

of civic flags is striking. In the Czech Republic, for example, a country with only 16% of Britain's population, there are 2,913 municipal flags, according to the *Flags of the World* website. Even little El Salvador, with fewer people than Greater London, has 249. So why is civic flag use so underdeveloped here? Is it a lack of civic pride? Is there a shortage of vexillographers? Is it the absence of a flag-flying tradition? The reasons are far from obvious, and clearly merit some serious research.

But whatever the explanation, I felt it to be incumbent upon me – as a dutiful Flag Institute member – to seek to remedy the situation at least as far as my own home town was concerned. The town in question is Elstree and Borehamwood, located in Hertfordshire's green belt on the border of Greater London. Its double-barrelled name derives from the fact that it is a fusion of two once-separate settlements, both with names denoting their Anglo-Saxon origins, which remained rural villages until the arrival of the railway in 1868 (and with it, commuting) spurred their gradual expansion. Their growth was greatly accelerated in the 1950s by the construction of large overspill estates to rehouse people displaced from London by wartime bombing and by slum clearance. Today their combined population is approaching 40,000.



Civic flags displayed in Parliament Square.

government remain a relative vexi-desert. Of England's 10,449 civil parishes, plus the 320-odd urban settlements which are 'unparished areas', only 35 have flags listed on the Institute's official registry. And the situation is no different in Scotland, Wales or Northern Ireland.

Compared with many other countries, this dearth

Film and television

The industry for which they are best known is film and television production. At one time there were seven sets of studios in the town—a total now reduced to two, but with a third under construction. Numerous films and popular TV series have carried a figurative 'made in Elstree' label, and residents are accustomed to spotting locations in the neighbourhood when they appear on screen.

For several years the town council has displayed its logo (showing the silhouette of an old-style movie camera) on a banner in the 'badge on a



The Town Council's poorly-designed banner

blanket' style of many US state flags. But this emblem applies solely to the council and is anyway largely unrecognisable on a flag. What was clearly needed was a flag to represent the town and its people as a whole. I therefore wrote to the council

proposing that it sponsor a town flag design competition. The proposal was readily accepted, and I was invited to work with its entertainments officer in organising the event.

Expert advice on organising such a contest was sought and received from the Institute's own communities vexillologist (Phil Tibbetts). An article introducing it was published in the council's magazine, *Town Crier*, which is distributed free to each of the 10,000-odd addresses in the town. This contained a link to guidance notes on flag design, and an entry form, which could be downloaded from the council's website. Regrettably, in common with many other communities, Elstree and Borehamwood no longer has a printed local newspaper, but information about the competition was disseminated via various social media channels. Letters were sent to every local school and

college to encourage pupils' participation and offering me as a speaker to generate interest. Two invitations from schools were received and accepted, and I was also a guest speaker at a Rotary club and the council's annual parish meeting.

Special prizes

The competition was open to all, and to encourage interest amongst younger residents, special prizes were offered for the best entries received from an under-12 and an under-16-year-old. Four weeks were originally allowed for the receipt of entries, but the sudden eruption of the Covid-19 pandemic at this point caused the deadline to be extended by a couple of months. In the event, 16 entries were received. Their designs varied widely but several recurring elements emerged. These included strips of film, cine cameras and film spools in reference to the studios, and the use of black and white, the colours of the town's football team.

These were submitted to a panel of five judges, chosen by the council to be a cross-section of the

community in terms of age, gender and ethnicity, who met via Zoom and – with the generous advice and help of the Institute's Chief Vexillologist, Graham Bartram – selected a shortlist of four to go forward to a public ballot. The judges elected to exercise a right to make minor adjustments to the chosen designs by adding a Saxon crown to some of them, an allusion to the location of the town astride the frontier between the historic kingdoms of Essex and Mercia.



The competition is announced in the Council's magazine



The 16 entries received.

The shortlisted designs duly appeared in Town Crier, together with notes on their symbolism and a ballot paper on which readers were invited to number them in order of preference before returning it to the council offices. Again, four weeks were allowed for voting, and 70 papers were returned – a turnout rate of about 0.175%. Though this level of participation was decidedly underwhelming, no quorum had been set, so the

count proceeded under the watchful eye of the leader of the council. After the elimination of the two least-supported entries and the transfer of their votes, an overall winner emerged, the handiwork of an 11-year-old schoolgirl, Lily Saron.

Rural surroundings

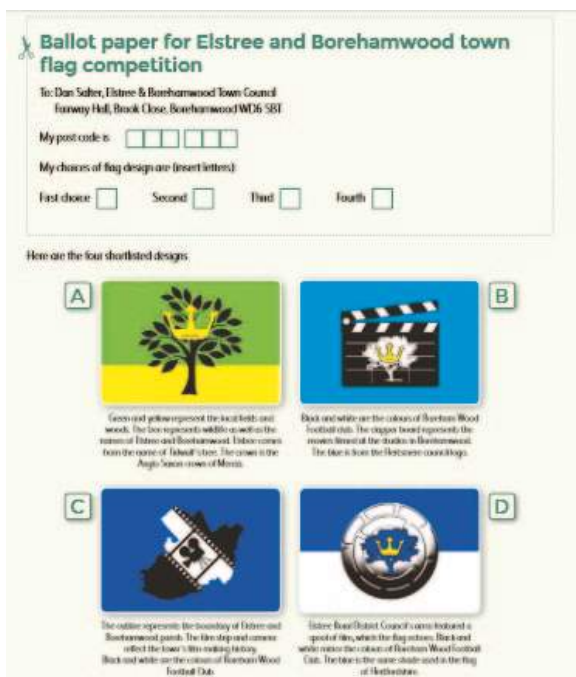
The green and yellow field alludes to the town's rural surroundings, and the silhouette of a tree to elements in the names of its two component settlements. As pre-planned family holiday arrangements prevented Lily from attending the official launch ceremony, a special event was organised at which she was congratulated by the mayor and presented with a full-size specimen of



The winning entry.

her flag, together with a certificate and a copy of the edition of Flagmaster in which her victory had been reported.

A few days later, the launch ceremony was held at the town council's headquarters. Sadly, the council's budget committee had previously struck out plans to erect a full-height vertical flagpole on which the new town flag could be permanently flown, as well as proposals for miniature paper copies and window stickers to be distributed for general use. So, a banner version was hoisted by the mayor on a diagonal pole attached to the building. The winners of the best under-12 and under-16 entries chosen by the judges (8-year-old Isabella Sasto and 13-year-old Madison Bradley) were each presented with a certificate and a prize in the form of a book about flags recommended by the Institute's Librarian, Ian Sumner.



Ballot paper showing the shortlisted designs

Arrangements have subsequently been made for a vertical banner version of the new town flag to be hoisted on lampposts in the bus 'interchange' in the forecourt of Elstree and Borehamwood station. These now greet visitors newly arriving in the town while also (it is intended) serving to



Lily Saron receives her flag prize from the Town Mayor.



A banner version of the new flag flies over the council's offices.



The runners-up receive their awards.



Flag banners greet passengers at the station

engender a swell of civic pride in the hearts of local residents in the course of their journeys. They also bear the town council's name and logo, which - arguably - are redundant in this context, but its desire to include these could not reasonably be overridden as it had agreed to bear the cost.

Although the level of public engagement at both the design and ballot stages was less than I had hoped, the net result of this competition is that

my home town now has a flag which is stylish and distinctive. It has the potential to represent the community well, and can take its place with pride in the Institute's registry. And for my part, I can find satisfaction in knowing that, at least by a fractional amount, the English civic vexi-desert has been diminished. □

* This is an edited version of the paper delivered by John Cartledge at the Winter Conference of the Flag Institute, held on 20 November 2021 in the People's History Museum in Manchester.

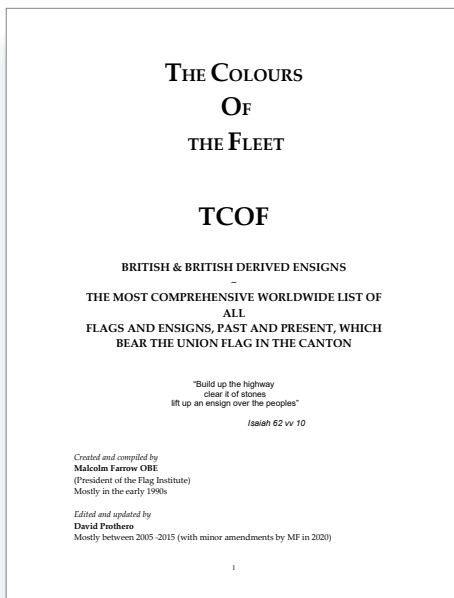
The Colours Of the Fleet (TCOF) is in need of a new custodian

Malcolm Farrow OBE FF FFI

Maintained by the Flag Institute, *The Colours Of The Fleet (TCOF)* is an ever-growing collection of information on all British ensigns, or flags used at sea. The Institute's President Malcolm Farrow started collecting information on these many hundreds of ensigns, and in doing so opened a vexillological can of worms. Now he is looking for an enthusiastic flag lover who wants to continue his vexillological magnum opus. Hidden away in all kinds of sources must be more ensigns waiting to be discovered. Who will be the new custodian?

Way back in 1990 it dawned on me that the well-known ensigns of Red, White and Blue were very far from the only British ensigns in use. There were other ensigns, closely based on those three, proudly flying all over the place. I decided to make a list of those I knew, and it didn't take long to reach the bottom of the first page (Australia, New Zealand, Royal Fleet Auxiliary, Metropolitan Police, Trinity House, etcetera). I took a new sheet of paper and carried on. Other background colours were noted of course such as Royal Air Force blue. A day or so later I had reached the bottom of the second page – and so it went on.

After a few pages like this I realised there were masses of these ensigns in existence, not only in the United Kingdom but worldwide, especially (but not entirely) within the Commonwealth. The weeks went by, the list



continued to grow and then I began to encounter the obsolete versions. Some of them only recently out of use (Royal Observer Corps, Royal Naval Auxiliary Service, Ocean Weather Ships and so on) but some were of greater antiquity (Hudson Bay Company, East India Company, Hospital Ship *Hamadryad*, Congested Districts Board of Ireland, etc etc). At the same time, I realised with a jolt that a very significant number of yacht clubs worldwide had different versions of the Blue or Red ensigns and a diversion along that course began to list each of them too, both current and obsolete.

By now clear categories had emerged – current ensigns, Commonwealth ensigns, yacht club ensigns, obsolete ensigns. Separate lists were created. My sheets of paper were piling up. Time to get them on them on a computer and make a better job of it.



Systematic approach

After a couple of years of this 'grab an ensign' routine I felt a more systematic approach was needed. By now I was finding all sorts of flags which were on the fringes so to speak. Some were not really used afloat and their classification as an ensign might be questioned. I felt it necessary to define what I meant by a British, or British derived, ensign and thus eligible to be included in the list. By the time I had a pile of screwed up bits of paper at my feet I settled upon the following, rather lengthy, definition. I make no apology for it. It has never received constitutional legitimacy, but I reckon it does the job. In brief however an ensign is a flag with the Union Jack in the canton. Simple as that really! But I went on to define them a bit further into one of three groups:-

Group 1. British National Colours. Flags worn by government service vessels and also flown in appropriate shore installations to represent the sovereignty of the nation:-

Ensigns worn by vessels (and their tenders) of HM Armed Forces, together with their shore establishments. Note that regimental and other similar 'Colours' are *not* counted because they are never flown in the manner of a flag.

Ensigns worn by vessels in the service of other departmental and non-departmental public bodies in the UK, Crown Dependencies and Overseas Territories. They are mostly based on Blue Ensigns. Civil ensigns worn by vessels registered (or unregistered) in the UK, Crown Dependencies or Overseas Territories. They are mostly based on Red Ensigns.

Group 2. Other British flags in the style of ensigns.

These are flags similar in design to those above, which have been authorised within the UK, Crown Dependencies and Overseas Territories. These include command flags, distinguishing flags, land flags and organisational or house flags, and they come in several colours.

Group 3. Commonwealth and foreign ensigns and flags.

These are ensigns and flags similar in design and purpose to those in Groups 1 and 2, flown both as national colours and for other reasons, and which have been authorised in Commonwealth and some non-Commonwealth states, afloat and ashore. Several of these ensigns pre-date the independence of the states in which they are used and were originally authorised by former imperial authorities. Others have been adopted since independence and reflect decisions to perpetuate historic links between the UK and the state concerned. They also come in several colours.

Union Jack in canton

As I already said, the short form is a flag with the Union Jack in the canton. You may have a different opinion, but that is how I define a British ensign and it formed the basis for the ever-growing list which soon became *The Colours of The Fleet*.

The main bulk of my collecting endeavours took place between 1992 and 1996, and during this period newly discovered ensigns were flooding in from all over the world. As word spread people far and wide began sending me details of lesser-known current and obsolete ensigns they knew about (New South Wales Ambulance Service, Royal Hamilton Amateur Dinghy

Club, Pangbourne College etc, etc, not to mention such bodies as the Royal East African Navy, Royal Canadian Ordnance Corps, Weihawei, Graaf-Reinet Commando, Royal Indian Army Service Corps, Palestine Police, Tenders to Bahamas & Sombrero Lighthouses). On and on it went. One especially fruitful source was the fact that badges on many colonial ensigns were quite often changed and several versions of the flag of one particular place needed listing, and once upon a time there were a very large number of such places.

By the early 2000s I was running out of steam. The day job was getting in the way of ensign collecting so I put what I knew into a 'book', *The Colours of the Fleet* (TCOF), and tried to keep it updated but was failing to do so. I engaged the good offices of David Prothero who continued editing it with great skill until he too ran out of steam. In due course I uploaded the current version to the Flag Institute website where it rests today*. Notwithstanding its many faults, lots of omissions and plenty of errors I aver this is the most comprehensive listing of British and British derived ensigns both current and obsolete that exists. Unless you know better, I suggest the British ensign is, by a nautical mile, the format for the most extensive use of any flag design ever created. To date there are over 200 versions still flying around the world as you read this, and over 400 known obsolete versions. This makes over 600 derivatives of the basic design of a flag bearing the Union Jack in the corner. The sun never sets on the British ensign!

Belgian collector

Here I want to pay a huge tribute to another 'collector'. My list, TCOF, is words only. There are no pictures of the flags I described. Flags of course lend themselves to being displayed and pictures are needed. Meanwhile over in Belgium, and initially unknown to me, Rudi Longueville was compiling his magisterial compendium of *Badges of the British Commonwealth* (BOBC), now also uploaded to our website. This is a remarkable work of scholarship containing detailed drawings of all defacing badges and so you can see what all the flags in TCOF look like. BOBC and TCOF were produced entirely separately but what an amazing publication could emerge if they were to be aligned and interleaved.

Some may argue that listing these flags is merely a specialist curiosity best left to the fringes of mainstream vexillology. I disagree on two counts. Firstly, every one of these ensigns reflects the historical context in which it was created and flown and, as we all know, if we do not consider our past, we have no sure way of plotting our future; and secondly these flags are a graphic representation of the aspirations of the people, places and organisations they represent and for that alone they deserve our respect. Next time you see an unusual ensign flying please remember that.

Finally, this collection is not complete. It needs editing, updating and nurturing. It needs somebody to pick up the baton and carry on. If anyone reading this is interested, please let us know; but be warned, once you get the buzz it is addictive! The editor of *Flagmaster* knows where to find me. □



* The current editions of both *The Colours of the Fleet* and Rudi Longueville's *Badges of the British Commonwealth* can be downloaded from the Institute's website:

TCOF: <<https://www.flaginstitute.org/wp/wp-content/uploads/2021/02/TCOF-2015-2020.pdf>>

BOBC: <<https://www.flaginstitute.org/wp/wp-content/uploads/2021/02/Badges-of-the-British-Commonwealth.pdf>>

Garden vexillologist

David Bancroft-Turner

A flagpole in the garden of David Bancroft-Turner in Oundle is used by him to fly the flags of countries on their national days. During the Covid pandemic the garden became a central point in the village, as passers-by could not only see the flags flying, but could also learn about their meaning.

As a Welsh exile living in Oundle, Northamptonshire, England, I've always wanted to be able to see something to remind myself of my heritage and identity, and also to celebrate when Wales wins at rugby. So, when a friend mentioned that they had an eight-metre flagpole doing nothing behind the Fire Station, a quick donation and a handshake sealed the deal. It was strapped to the roof rack, and I made the half mile journey with a 'spear' on the top of my car! I was now the proud owner of the flagpole I have now had for over 25 years.

I purchased the gold finial and halyard and proudly displayed the Red Dragon as my first flag. What then happened was that some local friends started to rib me about the Welsh flag flying on the other UK country's national days. So, I duly purchased a set of home nation flags (plus a French one and subsequently an Italian one) and

flew the flags on the national days and whenever each rugby team had won in the Six Nations.

What developed from this was an interest in the national days of other countries. So, I purchased a range of European flags, Canada, USA, Australia and New Zealand and flew these on their national days.

Which brings me nicely to 2020, Covid 19 and lockdown ... My daughter Katie told me that it was difficult to get her two children Penny and Charlie out of the house and that learning at home was proving a challenge. As I drove home and saw the Welsh flag flying, I wondered whether anybody knew its history. So, I came up with the idea of putting a different flag up every week in line with a country's national day and creating four pages of PowerPoint information on the flag, the country and its peoples and putting them on a specially created pallet outside my house. I painted the pallet with some white emulsion - Hey Presto, an 'Information Board'! This would give local families somewhere to walk to and then something to read and discuss on the way home. The format is the same - four pages, so not so much that people get overwhelmed. Page 1 is the history of the flag, pages 2 and 3 are fun facts about the country, its people, traditions



David Bancroft-Turner, not only flies the Norwegian flag, he also has a board which tells the passers-by in Oundle what the flag means and who designed it.

and customs and page four asking people to nominate a flag for flying.

The response was overwhelming - I posted what I was doing on the local Facebook chat pages and within 48 hours I had over 500 'likes'. Over the past six months I have put up flags such as Ireland, UK, France, Wales, Hungary, Sri Lanka, Mauritius, Germany, Greece and Estonia to name a few.

The feedback has been quite overwhelming with parents thanking me for making a flag so interesting, for making conversations happen about different people and for providing some visual learning for their children, whilst going for a walk. I have had requests for flags, children writing thank you cards to me and creating mini projects for their schoolwork, and even a very tearful DHL driver from Estonia when I flew his flag on their national day. □

On its golden jubilee the striking Aboriginal flag is now free of copyright

Ralph G.C. Bartlett FF

Just as the Australian Aboriginal flag turned 50, a dispute over licensing spanning more than three years was finally resolved. In January, designer Harold Thomas signed his rights over to the Government of Australia, which paid £10.5 million so that anyone can freely use and reproduce its striking design.



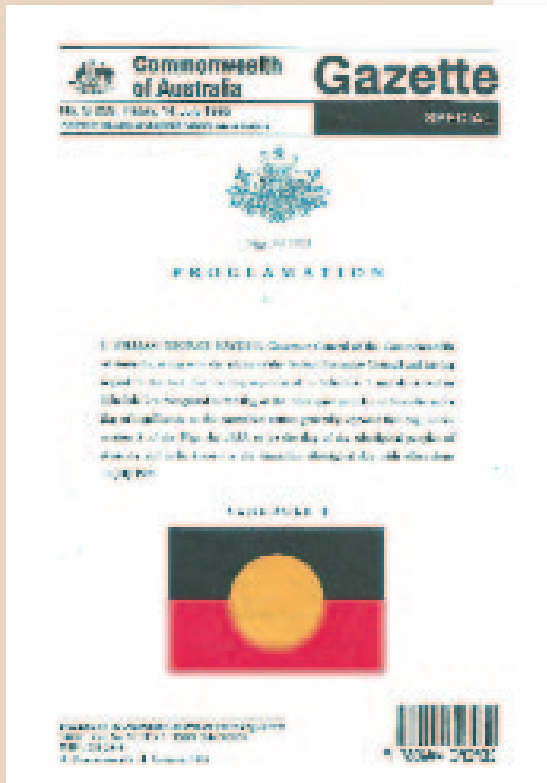
1. Early 2:3 version of the Aboriginal Flag - c.1970s/80s

July 2021 marked the 50th anniversary of the first public use of the Aboriginal Flag in Australia. The event was a march by Aboriginal people on either the 9 or 12 July 1971, at Victoria Square, in central Adelaide, South Australia, calling for improved and equal living conditions. It was also a recognition of traditional land ownership for all indigenous peoples of Australia.

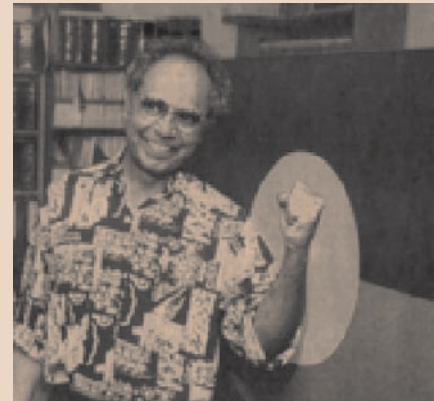
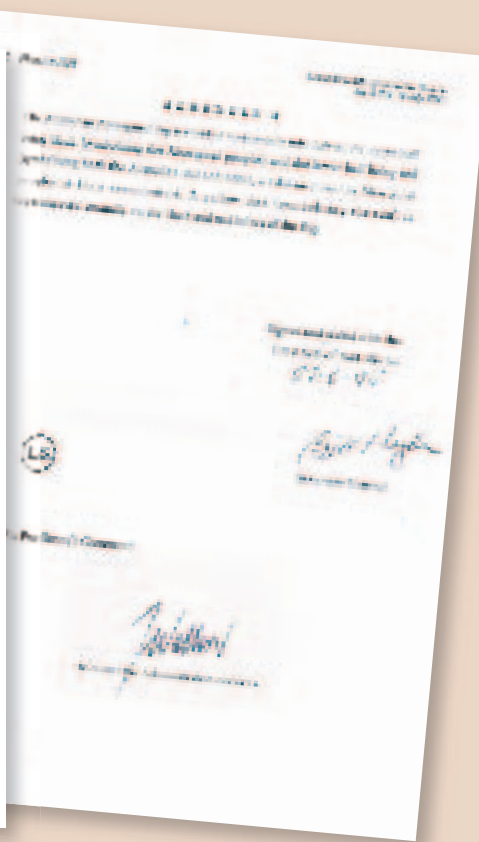
After nearly a year of consideration, leading up to the 1971 Adelaide march a young indigenous artist from the central Australian Luritja community, Harold Thomas, finalised a design and then had it made up as an Aboriginal 'Land Rights' flag. This design was horizontally divided



2. Cathy Freeman's 'Victory Lap' - 24 August 1994.



3&4 Australian Commonwealth Gazette 14 July 1995.



5. Newspaper 'The Age', Thursday, 10 April 1997, p. 8.

black (representing the people) over red (the land) with a central yellow circle (the sun). This simple but striking bold design quickly caught the eye of other indigenous groups, who stopped using their own various flag designs in favour of Harold Thomas's design. This was particularly the case in Australia's capital city, Canberra, where this new flag replaced all the other indigenous flags at the symbolic 'Aboriginal Tent Embassy', in front of the (now Old) Parliament House in July 1972.

It should be noted that this Tent Embassy is still in existence, and commemorated its own 50th anniversary on 26 January 2022. This date coincides with Australia

Day, a national celebration of the first permanent British settlement at Sydney Cove on 26 January 1788. Many indigenous peoples refer to this date as 'Occupation Day'.

'Victory lap'

The general public's recognition of this flag, together with the understanding of the plight of Australia's indigenous citizen's poor living conditions and continued unofficial discrimination, took time, but was greatly and effectively enhanced by the 'victory lap' of Aboriginal athlete Cathy Freeman, on 24 August 1994, at the Commonwealth Games in Victoria, British Columbia, Canada, displaying both the Australian and Aboriginal Flags.

General recognition was further enhanced on 14 July 1995, when the Federal Government proclaimed both the Aboriginal Flag and the Torres Strait Islander Flag (designed 24 March 1992) as official flags of their respective communities. Harold Thomas objected to the proclamation relating to Aboriginal Flag, as 'a usurpation of something which properly belonged to the Aboriginal people and not to the Australian people generally'. As more than one person claimed to have designed the flag, a copyright case was launched in Australia's Federal Court to settle the matter. The Court ruled on 8 April 1997 that Harold Thomas was the sole designer and sole copyright holder of the Aboriginal Flag's design.



8. Victorian Government Department Flag Display.



6. Desk-size Flags.



7. Full-size current 1:2 Aboriginal Flag - since late 1990's.

Next to Australian flag

Since this well-intentioned Commonwealth Proclamation and follow-up Federal Court Ruling, the Federal, State and Territory Governments, together with most local Municipal Councils across Australia, and major companies, have either directed or decided that the Aboriginal & Torres Strait Islander Flags are to be flown and / or displayed publicly and equally with the Australian National Flag.



9. Image: <https://aulich.com.au/free-the-flag/>



10. Image: <https://www.kullillaart.com.au/free-the-flag-souvenir-polyester-flag>

11. Indigenous artist Harold Thomas signs an agreement to transfer copyright of the Aboriginal flag to the Commonwealth. Photograph: David Hancock

Toxic dispute

Unfortunately, from 2018-19 until late January 2022, an increasingly toxic dispute had developed between various Aboriginal community groups and a non-Aboriginally owned local clothing company, which was strictly enforcing their licensing agreement with Harold Thomas, and so preventing previously allowed Aboriginal community groups and enterprises from using the Aboriginal Flag in their products. This sparked a 'Free the Flag' campaign, a very unfortunate and unnecessary dispute.

During the evening of 24 January





12&13. Royal Australian Mint's Commemorative Aboriginal Flag Coin Set - 2021.

Sources

- *Crux Australis* (Flag Society of Australia) Vol.10-4, No.44, October-December 1994, p.188.
- *The Age* (Melbourne) - "Aboriginal artist finally lands his flag rights", 10 April 1997
- *Crux Australis* (Flags Australia) Vol.20-1, No.81, January-March 2007, p.29
- *The Aboriginal Flag* (The Australian Institute of Aboriginal and Torres Strait Islander Studies)
- <<https://aiatsis.gov.au/explore/aboriginal-flag>>
- 'Australia's longest minute that united a nation', Sydney Morning Herald, 26 September 2000, p.1
- <<https://www.smh.com.au/sport/australia-s-longest-minute-that-united-a-nation-20200810-p55keo.html>>
- 'Its an Honour' website (Australian Government)
- <<https://pmc.gov.au/government/australian-national-symbols/australian-flags>>
- *Royal Australian Mint & The Stamp Bulletin* (Australia Post) No. 369, 2021, p.24
- 'Aboriginal flag flies free as \$20m copyright deal struck' *The Age* (Melbourne) 25 January 2022, p.1, 8-9.
- 'Aboriginal flag now rests in a 'safe place'', *The Age* (Melbourne), 26 January 2022, p.18.
- 'I created our flag to unite us. Now it will', *The Age* (Melbourne) 26 January 2022, p. 23.

2022, just 36 hours before the annual Australia Day commemorations and the 50th anniversary of the Aboriginal Tent Embassy on the front lawns of the Old Parliament House, in Canberra, the Australian Government and Harold Thomas announced a resolution of Aboriginal Flag's Copyright / Licensing dispute, after 2½ years of secret negotiations. Basically, the Federal Government has purchased from Harold Thomas full copyright ownership and bought out all but one of the existing Licensing Agreements, for the total sum of \$Aus 20 million (£10.5 million). The formal agreement was signed on 21 January 2022.

This means that the Aboriginal Flag is now 'free', meaning it can be purchased, used or reproduced by anyone, free of licensing agreements, as long as it is done in a respectful manner, similar to the Australian National Flag. The one Licensing Agreement that continues under this new arrangement is with Carroll & Richardson Flagworld, in Mulgrave, Melbourne, in order to preserve the manufacturing integrity of the flag.

Upon the announcement of this copyright agreement, Harold Thomas was quoted in the media as saying, that the flag is now in a 'safe place', with the Commonwealth as the custodian.

Finally, to recognise the 50th anniversary of the Aboriginal Flag's existence, the Royal Australian Mint has produced a commemorative \$2 coin, showing the Aboriginal Flag in full colour, in a special Aboriginal Flag gift pack. This can be purchased directly from the Royal Australian Mint, or from some Australia Post Offices. [Figures 12 and 13]

It should also be noted that the Northern Territory Library & Archives, hosted an exhibition, 'Black, Red & Yellow - Unity and Identity', between the 12 July - 17 October 2021, in Darwin. Flags Australia's journal, *Crux Australis*, has published extensively about the Aboriginal Flag in its pages, which I recommend anyone interested to look up those editions on the Society's website, at <www.flagsaustralia.com.au/CruxPrevious.html>. All back issues are available. □

Cross of Lorraine: emblem of the Free French

Hervé Calvarin*

On 17 June 1940, Philippe Pétain, the head of the French government, ordered the Army to lay down its weapons. That same day, General de Gaulle left for London. On the following day, on the BBC, he launched the famous appeal of 18 June, when he rejected the armistice, called for the French people to resist, and invited them to join him. On 28 June, he was recognised by the British prime minister Winston Churchill as the leader of the French who were continuing the war.

On 1 July 1940, in the presence of General de Gaulle and capitaine de corvette Thierry d'Argenlieu,¹ Vice-Admiral Émile Muselier² proposed the adoption of the Cross of Lorraine (in memory of his father who was from Lorraine) as official symbol of the *Free French Forces* (FFL) as a 'response' to the Nazi swastika. A general order of 3 July 1940, specified that the ensign on all ships was to be the French flag, while creating a jack (figure 1) that would become the emblem of all French forces who rallied to de Gaulle: a blue field with, in the centre, the Cross of Lorraine in red.³ Aircraft would bear the badge of the Cross of Lorraine next to the traditional roundels, and in Africa a white badge with a red cross (figure 2). The emblems were accepted by the British Admiralty on 5 June. The Cross of Lorraine would become the emblem of all of the Free French Forces.⁴

Free French forces

The forces assembled in Free France would be called the *Free French Forces* (FFL), a single command which united ground forces, the *Free French Air Force* (FAFL) and the *Free French Naval Forces* (FNFL) under the motto *Honneur, Patrie* ('Honour, Homeland') in red (fig 3). The merchant ensign was a tricolour marked with a simple red

Cross of Lorraine (figure 5).

All FFL officers wore a badge of a blue rhomboid with a gold edge and in the centre a red Cross of Lorraine edged in white, all outlined in gold. The inscription *France Libre* ('Free France'), was placed on either side of the vertical branch of the cross (figure 5).

The original jack was abandoned for reasons of visibility, and was replaced by a second pattern, approved by Vice-Admiral Muselier on 17 May 1941, and whose use was authorised on all FNFL warships by General Order 29 on 7 June 1941.⁵ The new flag consisted of a red Cross of Lorraine on a white diamond in the centre of a blue and red flag, with several variants (figures 6, 7, 8).

After 7 June 1941, a flag of the same type flew over the FFL Training Depot in England (figure 9). Manufactured in England,⁶ its dimensions were 1.3m x 2.6m. The Cross of Lorraine measures 0.9m, the upper branch 0.34m, and the lower branch 0.43m. On the other side, it bears a little piece of sewn fabric with the inscription *Free French 348* in blue.

The destroyer *La Combattante*⁷ transferred from the Royal Navy to the FNFL at the end of 1942,

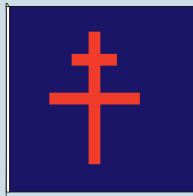
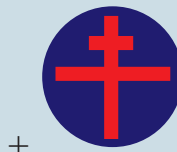


Fig 1: Jacks, merchant and naval, 1940-41.



+



Fig 2: Double aircraft markings, and roundel used in Africa.

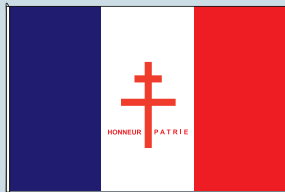


Fig 3: Flag of the FFL (Free French Forces).

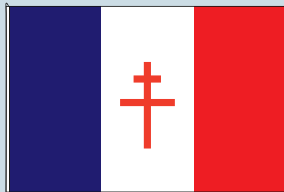


Fig 4: Flag of the Free French.



Fig 5: FFL officers' badge.

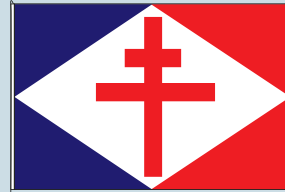


Fig 6: Jack, 1941.

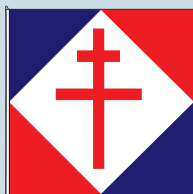


Fig 7: Variant jack, with blue and red at opposite corners.

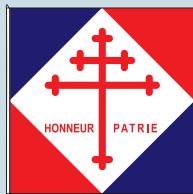


Fig 8: Variant jack, with blue and red at opposite corners and a cross bottonée.

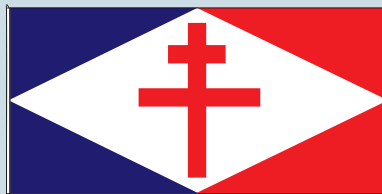


Fig 9: Flag as seen in the UK on 7 June 1941.

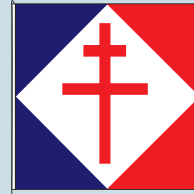


Fig 10: Jack of the FNFL worn by La Combattante.



Fig 11: Flag flown by de Gaulle on the submarine Surcouf, 1942.



Fig 12: Flag of colonel Leclerc, Koufra 1941.



Fig 13: de Gaulle's flag flown on La Combattante, 1944.

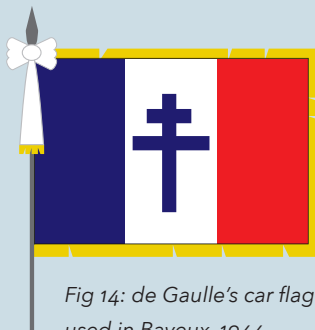


Fig 14: de Gaulle's car flag used in Bayeux, 1944.



Fig 15: Flag of the aircraft carrier Charles de Gaulle.



Bracelets of the French resistance.



Charles de Gaulle is buried in Colombey-les-Deux-Églises.



In the church of Riddarholmen in Stockholm, a coat of arms was hung in memory of Charles de Gaulle, the French tricolor on a shield bearing the cross of Lorraine.

took part in the D-Day, landings and had the honour of transporting General de Gaulle on his first voyage to liberated France in June 1944. Its jack (figure 10) measured 2.1m x 2.25m. The height of the Cross of Lorraine was 1.65m, the longest bar measuring 1.05m.

Armistice

After the armistice of 22 June 1940, General de Gaulle planned to create a council for the defence of the empire. On 11 July, Pétain abolished the Third Republic and proclaimed himself head of the new French State. On 7 August 1940, at the Prime Minister's country residence at Chequers, the UK recognised de Gaulle's government in exile as the legal successors to the defunct French Republic, with retroactive effect from 11 July, and committed itself to protecting all French colonies and to fully restore France's independence.

The first to join were on an individual level, but by September 1940 several colonies and territories had followed suit (i.e. the New Hebrides, French Equatorial Africa except Gabon, Cameroon, French territories in India, Oceania and in New Caledonia). All these territories gave France the appearance of a real state. However, French West Africa remained faithful to Vichy. On 27 October 1940, the Empire Defence Council was created in Brazzaville (capital of Free France), and was recognised by the British on 24 September. In July 1941, Gabon reconsidered and changed sides, won over by the FFL. In July 1941, Lebanon and Syria, under French mandate, were captured with help from the British, whilst Djibouti rallied to the cause on 27 November. Madagascar was captured by the British and returned to France on 14 December 1942. For their part, the FNFL secured St Pierre and Miquelon (November 1941), Wallis and Fortuna (May 1942) and finally the island of Réunion (November 1942).

French National Committee

On 24 September 1941, the *Comité national français* (French National Committee) was created, which replaced the Empire Defence Council as the government of Free France. On 13 July 1942, the term *France Combattante* ('Fighting France') was

adopted in place of France Libre in order to include the French Resistance. On 30 May 1943, the French Committee of National Liberation was created in Algiers, which reintegrated all of France and its territories, and became the temporary government of the French republic on 3 June 1944, with de Gaulle in charge. On 1 August 1943, the FFL was renamed the *Armée française de la libération* (French Liberation Army). Paris was liberated on St Louis' Day, 25 August 1944.

The emblems of General de Gaulle (1890-1970) Colonel Charles de Gaulle was promoted to brevet brigadier general on 25 May 1940. However the after the Appeal of 18 June, he was stripped of his rank, first by the Republic and then by the French State, before receiving the death sentence on 2 August 1940 for contempt of court, and was declared stripped of his French nationality by the Vichy regime.

His flag (*figure 11*)⁹ was displayed on the submarine *Surcouf* during a visit to a British port in 1942.¹⁰

In March 1941, for a visit from General de Gaulle to Darfur (Anglo-Egyptian Sudan), the British governor hastily had a flag made and hoisted that was ornamented with a rough Cross of Lorraine. (*figure 12*).¹¹

On 13 June 1944 the destroyer *La Combattante* left Portsmouth and transported General de Gaulle and some trusted followers on their first voyage to newly-liberated French soil. On this occasion he deployed a presidential flag on the main mast, a tricolour marked with the initials C.G. (*figure 13*).¹²

His car flag, seen at Bayeux the same day, 14 June, had a golden fringe and a white cravat, but displayed a blue Cross of Lorraine and not red (*figure 14*). The same evening, he returned to England.

Gaullism

After France was liberated by the Allies in late 1944, the blue-white-red French tricolour came

back into use, but without the Cross of Lorraine. The cross became a symbol of Charles de Gaulle and his Gaullism, of Free France and of the Resistance. De Gaulle was buried in 1970 in Colombey-les-Deux-Églises (Haute-Marne) in northern France, where a gigantic, 44 meter-high Cross of Lorraine was erected at the Mémorial Charles-de-Gaulle. A similar, but smaller, 18 meter, cross was erected on the spot in Normandy, where de Gaulle first set foot on French soil again in June 1944.

In the French Navy of to-day, the jack is similar to the national flag. However a dozen ships maintain the traditions of the FNFL, including the aircraft carrier Charles De Gaulle, and are authorised to display the colours of Ordre de la Libération on the obverse, and the (modern) jack design on the other side. □

Honorary President of the Société Française de Vexillologie.
Translation by Harry White.

This article is largely inspired from the paper given by Mr Lucien Philippe at the Vexillology Congress in Madrid 1985, completed by the author's archives.

Notes

1. Thierry d'Argenlieu (1889-1964) was a naval officer who escaped to join to de Gaulle in 1940, and was appointed commander of the FNFL in 1943. A capitaine de corvette is the equivalent of a lieutenant commander in RN and USN usage.
2. Émile Muselier (1882-1965) was the original commander of the FNFL, replaced for political reasons in 1943.
3. On warships, the jack bore the words *Honneur* (Honour) and *Patrie* (Homeland), and the cross of Lorraine sometimes had decorated points.
4. Musée de l'Ordre de la Libération, Invalides, Paris.
5. Musée de l'Ordre de la Libération, Invalides, Paris.
6. Purchased by a member of the Garde Républicaine stationed at the Célestins Barracks in Paris, who showed it to Lucien Philippe in June 1991.
7. Musée de l'Ordre de la Libération, Invalides, Paris. The vessel hit a German mine in February 1945.
8. Musée de l'Ordre de la Libération, Invalides, Paris.
9. Photo in Pierre Lefranc's book: *De Gaulle, un portrait* (Paris: Flammarion, 1969), page 66.
10. A few days later, on 18 February 1942, the submarine sank off the coast of Panama, after either colliding with an American cargo ship or after being accidentally by a US seaplane.
11. Pierre Lefranc: *De Gaulle, un portrait*, page 66.
12. Bernard Le Marec: *Les français libres et leurs emblèmes* (Limoges: Éditions Charles Lavauzelle, 1964).

Who owned the colours black, yellow and red after the Great War?

Belgium failed to stop German flag change

Jos Poels FF

When defeated Germany swapped its national black-white-red flag for black-red-yellow in the summer of 1919, it provoked protests from devastated Belgium. According to Brussels, the new German flag looked far too much like the Belgian one. At the Versailles Peace Conference, where the victors of the Great War were deciding the fate of Germany, the Belgians expected to find a willing ear for a ban.

At the outbreak of the First World War in 1914, the German Empire had a national flag of three equal stripes of black, white and red. This had been the country's flag since 1867. It began as the national flag and merchant ensign of the North German Confederation, the beginnings of German unity; then, in 1871, it became that of the German Empire.

Until the founding of the Confederation, flags and ribbons in black, red and yellow were used as an expression of the desire for German unity. These colours first appeared between 1813 and 1815 when German students volunteered to fight against Napoleon in the Lützow Free Corps. They wore black uniforms, with red linings and facings and brass buttons.¹

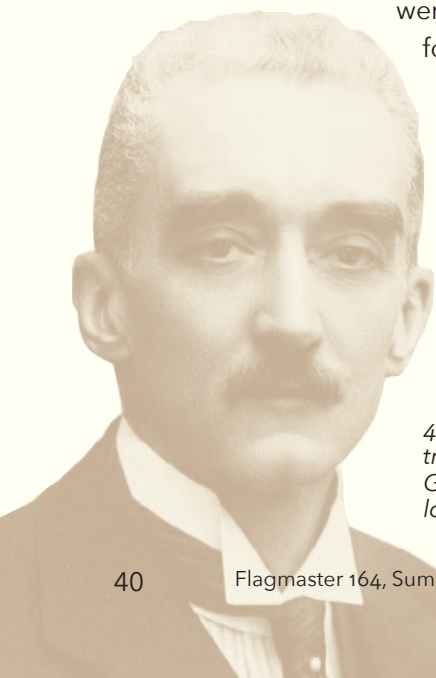
In 1848, the National Assembly,

4. Belgian Foreign Minister Paul Hymans tried in many different ways to prevent Germany from adopting the same flag colours as Belgium.

seated at Frankfurt-am-Main attempted to unify the country, incorporating these 'colours of German unity' into the national flag. The attempt failed, however. The Prussian Chancellor Otto von Bismarck, architect of the North German Confederation in 1867, hated the black-red-yellow flag. He combined the Prussian colours (black and white) with the red and white of the Hanseatic cities into a flag with black, white and red stripes.

At the end of the Great War in 1918, Germany found itself on the threshold of a communist revolution. The Germans were fed up with the war and all the human and economic misery it caused. Communist red flags appeared everywhere in Germany. Kaiser Wilhelm II was deposed and had to flee by train to the Netherlands.

In the chaos that reigned in Germany, the socialists took centre stage. They declared the country a republic and held a general election. The new parliament, established on





1. Immediately after the introduction of the new German flag in 1919, Michel, representing the German people, characterizes the state of mind in the country.



2. A title sheet of the Belgian national anthem *De Brabançonne* just after the First World War showed how the country felt.



3. The Belgian flag was used during and just after the 1914-1918 war to uphold morale.

19 January 1919, aimed to transform Germany into a democratic state. That process would also include a new flag.

During the drafting of a new constitution, on 3 July 1919 the German Parliament decided to change the black-white-red national flag to the old German colours of black, red and yellow.² The German merchant ensign remained black-white-red, but with the addition of a small version of the new flag in the upper left corner. These flags were given a legal basis in the Constitution of the Weimar Republic. Article 3 of the constitution prescribed: 'The national colours are black-red-gold. The merchant flag is black-white-red with the national colours in the upper corner.'

Same colours

Belgium, which had suffered greatly as the Great War's great, bloody battlefield, was not at all happy with the German flag change. Germany, considered the main instigator of that war, had left Belgium in ruins with its invasion. And that very same country now wanted to use the same colours that Belgium had used since its

independence from the Netherlands in 1830. Black, yellow and red were colours derived from the Brabant coat of arms, and had been used as Belgian colours since 1789.

Almost immediately after the Armistice of 11 November 1918, the Belgian government was alarmed by rumours claiming Germany was planning to change the national flag to black, red and gold. On 29 November, the Belgian Ministry of Foreign Affairs was already protesting against that intention in London, Paris, Rome, Washington and Tokyo.³ On behalf of Foreign Minister Paul Hymans, the Belgian delegation at Versailles repeated the protest on 15 March 1919, when reports appeared in the press that Germany was now firmly committed to returning its flag to the old German colours. The delegation wrote to the British Foreign Secretary Arthur Balfour: 'Mr Hymans ... urges all Allied and Associated Governments to reject the flag of the German Republic, if the news announced by the press were to be confirmed.' The Belgian delegation asked Balfour to ensure that the British would not recognize the proposed German flag, because it



'could lead to confusion with the Belgian flag and cause material and moral damage'.

Devised

In a memo filed on the Belgian-German flag controversy it was noted by an unknown of a British delegate to the Peace Conference: 'Mr Hymans' information appears from the neutral press only. But even if the German republic does intend to adopt these colours, it is difficult to see what the Peace Conference can do in the matter.'

The naval section of the British Versailles delegation took a more practical view, and on 5 April advised - among other things - the following: 'From the naval point of view if the red gold and black stripes of the proposed [German] flag are vertical, or arranged in such a manner that real confusion is likely to occur at sea, it is considered that the representation from the Belgian Government might receive the support of H.M. Government.' According to the naval section

'the design of the flag rather than the constituent colours is the important point'.

Briefed with this advice, on 10 April 1919 Balfour informed the Belgian Versailles delegation that he 'would of course be ready to consider carefully any representations which the Belgian Government might desire to make in this connection if and when the question of the recognition of such a German flag came up for discussion'.

The Italian delegation, which had received a similar request from the Belgians, were not sure what to do about the situation, and asked the British what position it should take. The Italians were informed of Balfour's position, also on 10 April.

Balfour's response to the Belgians deferred a solution to the potential flag problem to the future. The British did not seem to have any problems with a change of the German flag. The Admiralty - the British authority in the field of maritime flag use - had no problems with it, if the German stripes were horizontal. But should the Germans be unwilling to do this themselves, the Allies should insist that the German colours be positioned in such a way that they cannot be confused with those of Belgium.

The French Foreign Minister Stephen Pichon gave the Belgians a similar wait-and-see answer: 'The government of the [French] Republic has always intended not to recognize the new German flag if it could be confused with the Belgian flag.'

Not taken seriously

The Belgian negotiators believed they were not being taken seriously on the flag issue. The recently devastated country remained wary of the cultural threat embodied in Germany's decision to fly identical colours in its future flag. Belgian delegates wanted to take it to a higher level. On 6 May 1919, a request was submitted to Secretary-General Paul Dutasta of the Peace Conference to thwart the German plans. Three days later, it was

discussed in the Peace Conference by the foreign ministers, without the Germans present.

These negotiators found it hard to impose national colours on Germany. But if Germany were to choose the same colours as those of Belgium, it should be ensured, to avoid future confusion, that the colours should be arranged differently.

What's more, the Belgo-German flag battle had come to the attention of journalists. The Dutch daily *Algemeen Handelsblad*, published in Amsterdam, picked up the story. In its edition of 13 May 1919, it wrote under the headline 'The black-yellow-red flag': 'Hymans protested at the Council of Three [France, Britain and the US] against the adoption by Germany of a black-yellow-red flag, the same colours used by Belgium. He has stated the Belgian people will not tolerate the invaders of 1914 stealing Belgium's glorious flag. He appealed to the Allies not to recognize these new German colours.'⁴

In Versailles on 17 May, the Belgian delegation protested against the decision of the foreign ministers. Paul Hymans protested, 'Such a measure [recognition of a flag with the Belgian colours - JP] would, however, still give rise to regrettable confusion, especially with regard to patriotic decorations (draperies, cockades and various insignia).' The Belgian minister asked the Peace Conference once again to ban Germany from using the 'Belgian colours' and let this be known firmly to the German delegation.

Treaty of Versailles

However, after this the German flag was no longer mentioned at Versailles. The Treaty of Versailles was signed on 28 June 1919. Germany, designated as the instigator of the war, was faced with huge reparation payments and had to give up territory, including a strip of land to Belgium. However, the Treaty was silent on the matter of the German flag. It seems that in the Treaty's aftermath, the matter would no longer be spoken of in heated tones the halls of Versailles.

Meanwhile, the German parliament was completely divided over the flag change. The political Right wanted to preserve the imperial colours of red, white and black; the Left insisted on black, red and gold; the far left wanted a plain red flag. On 4 June 1919, the German Constitutional Commission approved the government's proposal of black, red and yellow. The German Bundestag accepted the proposal on 3 July. The new German constitution - and with it the official flag change - came into force on 11 August 1919. For ships, the German ensign remained the imperial colours, but supplemented with a small new German flag in the upper corner. As a result, on the high seas there was - unintentionally - no confusion with the Belgian colours at all.



The Netherlands

France

Serbia

Parable

The British Foreign Secretary Lord Curzon did not say it in so many words in 1919, but he certainly seemed to imply - what are the Belgians making all the fuss about? If Germany was going to use the same colours as Belgium, they would be free to do so, as this would not necessarily lead to confusion. Take a look: as Curzon himself noted, the merchant flag of Serbia and the national flags of France and the Netherlands are all different. 'We understand there is little or no confusion between those flags...'

Ultimate attempt

The Belgian government did not let the matter rest. It protested to the German government in Berlin about its newly adopted flag. On 14 August 1919, three days after the Constitution of the Weimar Republic had come into force, Brussels made its final attempt to persuade the Great Powers to prevent Germany from adopting a flag in the Belgian colours. 'My government has instructed me to urge the British government not to recognize this flag,' wrote the Belgian *chargé d'affaires* Charles Maskens in London in a letter to the British Government. 'The difference that exists between gold and yellow will hardly be noticed; and if it is argued that the colours are not the same as in the Belgian flag, it is fair to say that in many circumstances confusion cannot be avoided: when a flag hangs on the flagpole, even the most trained eye cannot distinguish the stripes being horizontal or vertically displayed.'

The Foreign Office once again submitted the Belgian request to the Admiralty. The newly appointed Foreign Secretary Lord Curzon wrote the Admiralty on 20 August: 'It appears (...) that the arguments put forward by the Belgian Government to the effect that the German flag should not be recognized, are not altogether sound, seeing that it would appear that the difference between the newly adopted German flag and the Belgian flag should be sufficiently marked. It may be remarked that a similar resemblance exists between the Serbian commercial flag and [the] French flag, the Netherlands and French flags, and the Russian commercial flag and the French flag, and it is understood that there is little if any confusion between these various standards.'

Curzon needed to know from the Admiralty what they thought of the whole matter - was the new German flag causing confusion, and if so, what steps should then be taken to change the flag? The Admiralty informed Curzon on 29 August that it did not expect both flags to cause confusion. However, Curzon failed to communicate this to Belgian diplomats in London.

The British delegation at the Treaty of Versailles, which was still in Paris to finalize details of individual cases, also believed there was no reason to forbid Germany's new flag. They duly informed Lord Curzon of this on 6 November 1919. Six days later, and one day after the first anniversary of the Armistice, the Foreign Secretary gave Maskens a final answer on the flag issue: 'His Majesty's Government have given careful consideration to this matter and after consulting with their experts they are convinced that the different arrangement of the colours of the two flags is quite sufficient to obviate any danger of confusion between them.'

A similar answer was sent to Tokyo, because Japan had asked Curzon what position it should take in the Belgian-German 'flag war'.

Coming up against this unified front, the Belgian attempt to prevent Germany from 'stealing' Belgian colours definitively came to a halt. Perhaps there is consolation in the fact that, contrary to the Belgian negotiators' concerns, the last century has not experienced any significant confusion between Belgian and German flags. □

Notes

1. About the relationship between the colours black-red-yellow and the Lützower Free Corps, see: Wim Schuurman: 'Over de oorsprong van de Duitse driekleur en zijn politieke achtergronden', *Vlag!*, No. 17, Autumn 2015, 24-30.
2. Berndt Guben: 'The Verhängnisvolle Flaggendebate', *Schwarz Rot und Gold. Biography of Fahne*. Berlin: Ullstein Verlag, 1991, 248-256.
3. Unless otherwise stated, the data concerning the Belgian protests against the German flag are taken from the papers of the British delegation at the Peace Conference in Versailles. The National Archives Kew, Reference FO 608/129/4, 29-80.
4. *Algemeen Handelsblad* (Amsterdam), 13 May 1919, Avondblad, Tweede blad.

What can we learn from the Black Country's divisive flag-making experience?

Representing Everyone?

Matthew Stallard

'Black by day and red by night, it cannot be matched for vast and varied production, by any other place of equal radius on the surface of the earth.'

In the space of a few years the Black Country's flag has been enthusiastically adopted, becoming the most-purchased regional flag in the United Kingdom. Sadly, the flag has also become the centre of an ongoing and toxic "culture war" over its divisive chain symbology, in a region deeply involved in providing the metal goods that underpinned enslavement. By analysing the Black Country's experience, can we learn lessons which refine a best practice for flag-making that aims to invest in a truly broad and growing base of participation in local heritage?

Crystallising an image and idea developed over decades, the 1868 words of the American consul to Birmingham, Elihu Burritt, epitomised the truly global significance of the Black Country and its unique, troubling appearance, cementing the region's name and reputation in the popular consciousness.¹

The site of existing metalworking industries and workshops and pioneering experimentations of smelting with coke prior to the 18th century, the proximity of coal seams made the area ideal for iron production. It was a multi-focal region, with numerous towns that expanded rapidly in population, particularly in the 19th century, with migrants attracted to the burgeoning industries servicing increasing global demand.

Due to the combination of a unique concentration of mineral deposits and as the site of early technological breakthroughs at the birth of the industrial boom, the region was the first "shock landscape" on the face of the planet to be wholly expropriated to extractive fossil capitalism. The name and idea of 'the Black Country' became



The flag of the Black Country was adopted in 2012 after being designed by 11-year-old Gracie Sheppard. It was the winning entry in a competition run by the Black Country Living Museum

definitively linked to the extractive and metallurgical region to the north and west of Birmingham at the pivotal moment of establishment of industrial Britain's newly-forged economic and social settlement in the ferment following the Reform Act of 1832, the New Poor Law of 1834, the end of British slavery in 1838, and the crunch point of growing Chartist and trade union mass political activity.

Shortly after the region offered the backdrop of the poisonous hellscape at the nadir of Dicken's first blockbuster, *The Old Curiosity Shop*, the name first appeared in print in the early 1840s, gaining increasing traction in the minds of literate outsiders to the region as Victorian commentators wrote of the 'must-see' nature of the region for tourists and travellers on the newly-established railways.

The Black Country symbolised to bourgeois Victorians all of their darkest preoccupations with the industrialisation that had provided the wealth and technology upon which modern Britain had been built. Its 'blackness' was elaborated in every sense: the black coal which it lay upon and generated its wealth and production, the shocking and unprecedented pollution of the air and ground, the poverty, as well as the lack of education and morality, of the region's working people, and the construction of ideas about class and race as the supposedly 'savage' inhabitants of the Black Country were equated with colonised and racialised peoples subjected to conquest and expropriation by British imperialism across the globe.²

And layer upon layer of condescension continued to build well into the twentieth century and beyond. Commentators continued to remark upon the ugliness of the industrial and post-industrial landscape of the Black Country and often continue to ridicule our distinctive regional dialect. Lonely Planet in 2009 decided to grab some headlines by unkindly naming Wolverhampton as the 5th worst city in the world to visit, while a 2015 ONS survey named it as the least prosperous and satisfied place in Britain.³

Nevertheless, a strong working-class culture, identity, and deep pride developed and persists in the area, although ties until at least the 1960s were far stronger to towns and local communities, as well as historic county allegiances, than to any overarching regional 'Black Country' identity. The old joke goes that the Black Country 'proper' always began at the next town, rather than yours!

Indeed, if there's one way guaranteed to start a fight in a Black Country pub it would be to ask the question of what does or doesn't constitute the region. For many it encompasses only those areas where the 30-foot coal

seam comes close to the ground, for others it is the wider former industrial region, mainly within Staffordshire, but including parts of Worcestershire, stretching all the way from Wolverhampton in the west to the edge of Smethwick in the east, Walsall and Wednesfield in the north and Stourbridge and Halesowen in the south. More recently, in political and official geographic terms it has come to refer to all of the four present-day boroughs of Wolverhampton, Walsall, Sandwell, and Dudley, although some areas in surrounding South Staffordshire, Cannock, and Worcestershire assert claims as well.

Concerted efforts to preserve and celebrate the region's industrial and cultural heritage began in the 1960s as dialect dictionaries were created and popular folk tales, poetry, and humour were collected and written, and the Black Country Society was founded, providing a thriving platform for local historians, archaeologists, and writers, just at the moment that

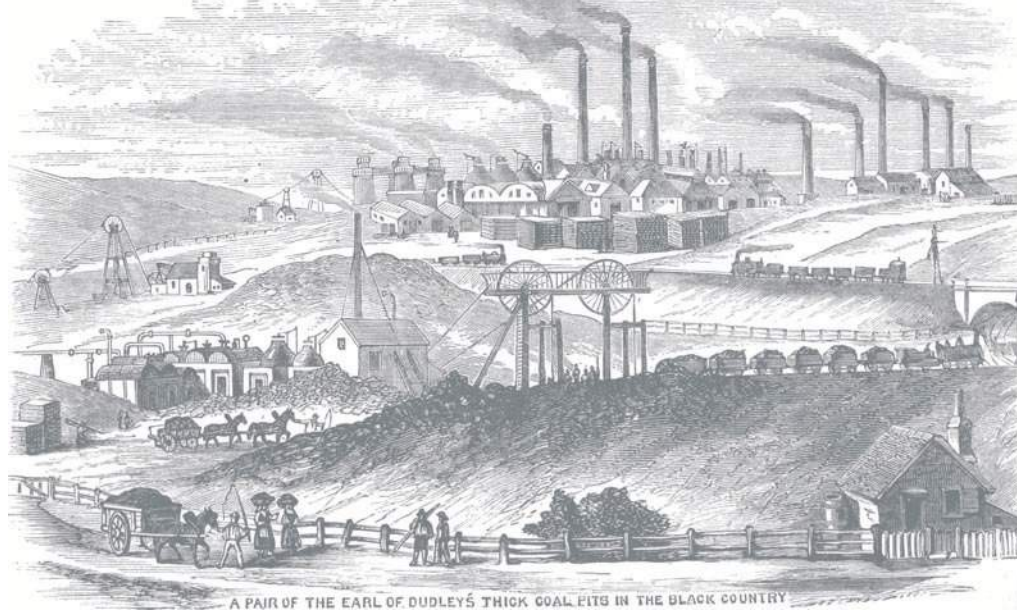
'The Black Country symbolised to bourgeois Victorians all of their darkest preoccupations with the industrialisation that had provided the wealth and technology upon which modern Britain had been built.'

many traditional industries and ways of life began to wane.

The regional heritage hub, the Black Country Living Museum, was founded in 1975 to bring the objects, buildings,

and working machinery salvaged from the wrecking ball and the scrap man into the care of conservators and allow the public to explore, learn about, and commemorate the region's industrial past. It now boasts preserved terraced streets, shops, pubs, working industrial workshops, and canal tunnels, preserving both physical and cultural aspects of the region's history. This flourishing of attention and interest in regional heritage and identity coincided with the managed industrial decline of the 1970s and 80s which had a drastic and hugely damaging impact on the local economy.⁴

Our present-day reinvigoration and reinvention of regional identity is built upon the deep foundational work of these institutions and the writers and



Griffiths' Guide to the iron trade of Great Britain

researchers who invested huge resources and expertise in capturing and communicating our industrial heritage at that post-industrial tipping point. Institutions and community groups around the region have worked successfully in recent years to combat this negative stereotyping, reinvent the area's reputation, and raise its national and international profile to encourage new investment and capitalise on a growing demand for industrial heritage tourism.

Campaigners have worked to literally get the region on the map, with the Ordnance Survey finally adding the name in 2009. The annual Black Country Festival is now held on Black Country Day, the 14th July, marking the inception of the world's first successfully steam generator, the Newcomen Engine, at Coneygree Coal Works in Tipton in 1712. The Black Country's historically-significant landscape has now also achieved UNESCO Geopark status thanks to the work of local campaigners.⁵

Building upon these decades of activism and organising and inspired by 2012's Diamond Jubilee flag design programme, the Black Country Living Museum launched a competition to design a flag for the region. Submissions were invited and initial entries were narrowed down by a judging panel to six finalists. This selection was then put forward to public vote, with the winner being that submitted by 12-year-old schoolgirl Gracie Sheppard.⁶

And the design is very striking in its simplicity,

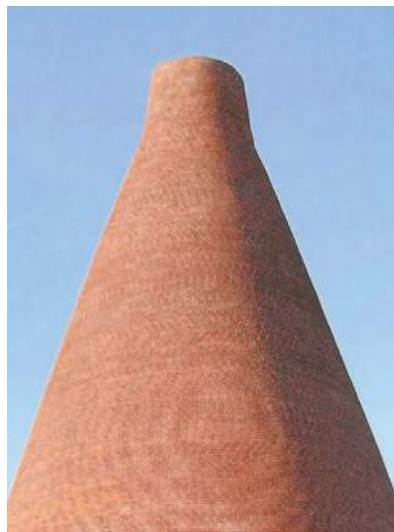
geometry, and colour palette. It draws direct inspiration from Elihu Burritt's seminal description of the industrial sky - 'black by day, red by night' - flanking a depiction of the distinctive glassmaking chimneys of Sheppard's native Stourbridge. A series of linked chains complete the field, representing the key metalworking industries.

The popular response and adoption of the motif has been hugely impressive. The flag's design and subsequent launch tapped into the deep pride in regional industrial heritage and a growing desire for greater recognition, providing for a flourishing, reinvented, and reinvigorated Black Country identity. It quickly became the biggest-selling regional flag in the UK, and you can see it all over: adorning people's homes, on car stickers and t-shirts, particularly prominent outside pubs and clubs and local businesses of all kind, at music festivals, football matches and other sporting occasions, and prominently on social media profiles and groups.

The speed and scale of the flag's adoption very much seemed to outstrip even the most optimistic predictions of the competition's organisers and to initial appearances, crystallise a positive and uniting branding in a way previous campaigns could never have hoped. Seemingly this was radical and positive vexillology in action and a chance for the competition organisers to put their feet up and watch the motif's steady and meteoric progress! ... Well, not quite ...



A 'Bobby' waves the Black Country flag at the Black Country Living Museum.



Redhouse glasscone.



Chain making.

Representing everyone?

Fast forward to 2015, and historian and activist Patrick Vernon, MBE, a native of the region, wrote an article for *The Voice* newspaper ahead of Black Country Day expressing his discomfort with the chains which take a prominent place in the flag. He argued strongly that the use of this imagery indicated a total lack of awareness of the region's links to slavery and the alienating and upsetting impact of its inclusion, particularly for those of Caribbean and African ancestry.

He explained with clear historical credence: "That is why I find the Black Country Day logo offensive, as the foundries and factories made chains, fetters, collars, padlocks, and manacles which were used on slave ships from Africa and in the plantations during slavery in the Caribbean and North America. The iron was used for trading by merchants for exchange in Africa. Such was the extent of this trade, Henry Waldram, a Wolverhampton ironmaker, advertised his specialism in *Sketchley's and Adam's Universal Directory of 1770* as 'Negro Collar & Handcuff maker'."⁷

This theme was picked up again in summer 2017, when Eleanor Smith, newly elected MP for Wolverhampton South West, and the first Black Country MP from a Black background, also publicly raised the problematic nature of the flag's design. In an interview Smith explained: "I have serious concerns about the racist connotations of the flag, particularly

the fact that chains are being used to represent the Black Country. The white on black imagery used together with the chains ... when you break it down I'm not going to pretend it doesn't worry me as a black person. People have to understand that it can be seen as offensive. ... It is not something I feel comfortable about standing in front of ... I understand the flag was designed by a young person, and I don't for one minute think they realised its connotations. I think it is time for an intelligent conversation about the flag. I would look to have it changed."⁸

While Vernon and Smith have generated the most attention for the issue, their interventions as prominent Black figures from the region have voiced the views of large numbers of people from the Black Country from all backgrounds who have previously lacked either the platform or courage to make public statements on this subject.

As with most areas of the UK, scholarship and general awareness about the region's deep linkages to colonisation and enslavement has been lacking in focus, funding, capacity, and visibility. This, often wilful, amnesia is but one, regional, manifestation of what Paul Gilroy describes as our wider "postcolonial melancholia" and failure to face up to and come to terms with our imperial history and the legacies of Empire.⁹

The public interventions by Vernon and Smith offered

a great “teachable moment”. Here was a golden opportunity to have an open, honest, awkward, painful but wholly necessary discussion about the Black Country chains, manacles, and torture implements that supplied the transatlantic slave trade and plantation economies. A chance to highlight the role of Black Country suppliers to the gun trade and metal goods which supplied Liverpool and Bristol slave traders, the nails that literally held together the British Empire, or the vast colonial markets for regional manufacturers that sustained tens of thousands of jobs in various trades throughout the eighteenth and nineteenth centuries and beyond.

The local media and politicians from all sides of the spectrum, however, did not see the opportunity in this way. The biggest selling regional newspaper, the Express and Star, were quick to pick up on the gift the issue offered in terms of viral coverage to set up a highly polarising public discourse which no doubt provided them with huge amounts of clicks, shares, comments, additional readers, and advertising income. Capitalising upon the insecurities and resentments that two centuries of condescension, disempowerment, and recent post-industrial abandonment have generated, most press coverage framed Vernon and Smith’s comments as a direct attack on reinvigorated local pride and identity, helping fuel a massive Twitter and social media furore which built an overwhelmingly strong and vociferous reaction against the comments on both occasions.¹⁰

The most foregrounded commentator in press coverage was West Midlands UKIP MEP Bill Etheridge, a man with a history of xenophobic comments who wrote a book celebrating the history of golliwog dolls. With great toxicity, he claimed that: “At the end of this rainbow there is not a pot of gold, just another barmy MP who is more concerned with political correctness than the area she represents”, and, “This is political correctness garbage. The chains represent the chains built for the Titanic and in that spirit, Mr Vernon’s comments should be condemned to the bottom of the ocean.”

Dudley South Conservative MP Mike Wood wrote of Eleanor Smith’s comments that, “While we need to be sensitive, we should not be trying to re-write history...

She is demonstrating a complete lack of understanding of the identity of the Black Country and its proud industrial heritage ... for her to say that representing it on a flag that was designed by a child is absolutely nuts.” From the Labour side as well, Dudley North MP Ian Austin said of Vernon: “This is ridiculous nonsense. The Black Country Festival brings everyone from our diverse communities together. If he had come to Stone Street Square this weekend he would have seen people off all races and backgrounds enjoying the fun. It was an example of what makes our society something to celebrate.”¹¹

There was yet another reprise of the controversy picked up by the local and national press in summer 2020. In the wake of Edward Colston’s toppling, the local Fire Service temporarily stopped flying the flag from their stations while they reviewed its design and connotations, following concerns raised by some staff

‘I think it is time for an intelligent conversation about the flag. I would look to have it changed.’

members, which saw the flags reinstated after a few days.¹²

As local ire was whipped up, within the thousands upon thousands of votes in online polls, posts, shares, and comments were a small but sizeable minority of downright trolling, insulting, or abusive posts. One Wolverhampton man was eventually prosecuted for racist and threatening messages sent to Smith.¹³ It was as if an entire new regional mini-industry grew up overnight on both occasions to target and shut down two prominent Black voices who dared to voice their well-evidenced arguments and deeply-considered and rational personal feelings and opinions (and those of thousands of others across the region) as ‘barmy’, ‘ridiculous’, and ‘nonsense’. To compound this offence and insensitivity, an eminent Black historian and the first Black female President of the UK’s largest trade union were groundlessly accused by a host of clearly historically-illiterate politicians and commentators as not understanding the region’s working-class history.

How did we get here?

For vexillologists, not to mention everyone working to celebrate and cultivate local and regional heritage and identity, there are perhaps two pertinent lessons to

take from the unfortunate series of events that have occurred in the Black Country:

First: an analysis of the way in which the flag-selection process was conducted should inform the organisers of future flag competitions across the UK to ensure these are truly representative projects.

Second: we need to situate flag-selection and promotion within the broader ecosystem of local heritage and history to appreciate that creating these symbols is not, in isolation, an adequate practice of commemoration, celebration, and representation. Designing and championing a new flag needs to build on a broad, deep and existing foundation of organising and requires long term legacy planning and resource to ensure it continues to resonate with its community.

In the Black Country, lobbying for a flag for the region began in 2008 when Philip Tibbetts, now the Flag Institute's Community Vexillologist, proposed and launched an initial design as a way of sparking a conversation in the region, gaining media attention for the flag proposal and seeding the idea in the minds of institutions. This priming came to fruition in 2012 when the Black Country Living Museum launched their call for designs and ensuing public competition.¹⁴

1,500 votes were cast, both online and in-person, and the current design was proclaimed the winner and began to be flown and promoted in August 2012. On the surface that seems like quite an appropriate way for a museum to go about designing a new logo or motif to support their work and the Black Country Day celebrations. This process raises an important question for flag competitions and adoption more generally, however:

Who actually has the right to assert that their competition and their flag is a true representation of the identity and will of their whole community?

Seemingly, a single institution in a huge region perhaps overreached themselves somewhat in this regard.

The subsequent huge success of the flag undoubtedly

took the museum by surprise and was probably beyond their wildest dreams. After a disappointing level of activity and recognition of Black Country Day in 2013, renewed efforts were made to reboot the festival, which included Dudley Council deciding to start flying the flag on public buildings, an important part of their strategy to develop the local heritage tourism economy and part of their (unilateral and not uncontroversial) rebranding of Dudley as the "historic capital of the Black Country".¹⁵

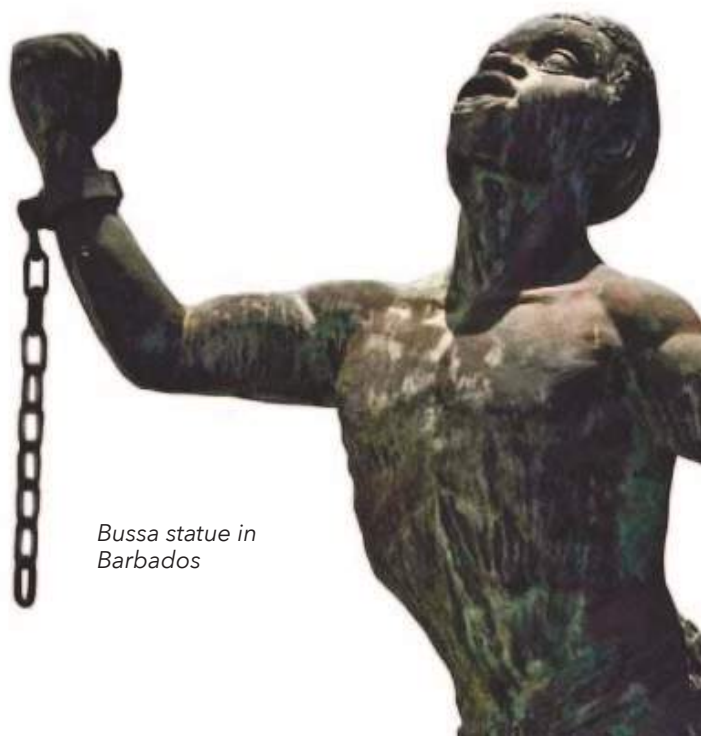
While the other three local authorities have to some extent recognised the flag and encouraged Black Country Day celebrations, the way its 'official' adoption has grown on an ad hoc basis means there was never a concerted plan and thought of how to gain universal

'it's fair to say that the actual voting electorate was probably not entirely representative of the region.'

consent. 1,500 votes sounds like a decent amount of votes for a museum's new logo competition, but as part of an open public

discourse on choosing a flag to represent the identity of a region of over 1.1 million people, it was actually less than 0.14% of the regional population.

While there was a publicity campaign and some coverage in the local press, it's fair to say that the vast majority of people in the region had no idea the competition was



Bussa statue in Barbados



Mary MacArthur statue, Mary MacArthur was a trade unionist who led women chainmakers in a strike in 1910, designed by Luke Perry. Mary MacArthur Gardens, Cradley Heath

happening. The actual electorate for the flag therefore really selected itself based on factors such as an existing interest in 'traditional' local heritage, visiting the museum during the voting period, reading or watching a news story and being interested enough to find out more or vote, or hearing through word of mouth or other indirect means that the competition was going on.

Thinking about the vast diversity of locations, class, gender, age, language, ethnicity, and race across the Black Country, without any statistical evidence I think it's fair to say that the actual voting electorate was probably not entirely representative of the region.

Which leads us on to the representativeness of the flag's imagery. Now, it is perhaps a truism to state that different images mean different things to different people. Although particularly pertinent to a large and diverse region like the Black Country, the assertion is equally applicable to any area, large or small.



Some imagery will be highly meaningful to some people, and pretty meaningless to others, and indeed, some might actually have very negative connotations for certain groups.

One of the issues, therefore, of consulting a comparatively small number of people about heritage, identity, or a flag (or any other public issue, for that matter) is that some constituencies can potentially have disproportionate impact. For example, chainmaking was only particularly prevalent in some pockets of the historic Black Country, particularly Cradley and its surrounds, while glassmaking, the other industry shown on the flag, was centred in Wordsley and Stourbridge, which some die-hards might even claim were not part of the 'real' or 'heartland' of the Black country anyway. So the main motifs of the flag are not necessarily directly pertinent to the vast majority of the region.

The chain motif central to the controversy, meanwhile, is clearly understood differently in certain contexts and by certain audiences. Many trade union banners over the last two or more centuries have prominently featured chains as a symbol of solidarity, while the motif appears prominently in the memorial to the female chainmakers of Cradley who, led by Mary McArthur, won their trailblazing campaign for a minimum wage. Indeed, of the six shortlisted entries in the 2012 flag selection competition, four of them included chains, so the issue of that imagery and the lack of discussion around its wider implications is in no way unique to this design.

Who gets to decide what a new local or regional flag looks like?

At times it can seem like a small coterie of those already interested in local heritage, perhaps one or a small number of institutions, like a museum or council, who naturally do what they can to interest others in the process but are constrained by the limitations of their networks and the usual barriers they face to consultation and engagement. If a decision is ratified by a local authority, that may make a flag "official" but it doesn't necessarily mean that that flag is any more meaningful to ordinary people or that most citizens have had any more genuine input into its selection than any other civic logo, crest, or branding.

This is the case because the way in which ‘community engagement’ often works is linked heavily to the short-term nature of public, lottery, or academic funding for programmes that often are ancillary to the main activities of museums, galleries, universities, and other large institutions. While there are amazing and inspiring community heritage projects and examples of local best practice and network-building across the country, in general there are a huge range of barriers to access, from class and financial situation to location and accessibility, from levels and experiences of education and digital exclusion to lack of English language skills, not to mention historic experiences of exclusion or invisibility within heritage or educational institutions from those of diverse ethnic or racial backgrounds.

Running a flag-creating competition in any setting where these barriers are prevalent is always going to make aspirations to represent as wide a constituency as possible incredibly difficult. And the barriers faced in every village, neighbourhood, town, city, and region will be unique to that local setting. It requires long term vision and really, really hard work to invest in the networks and capacity of communities to, not only access heritage, but to truly participate in shaping their shared and individual ideas about it with confidence and visibility in a public forum.

Dropping into any area without a strong community participatory infrastructure for a short project around flag design and some ‘official’ ratification reflects to some extent the similar short term “engagement-based” approach of many other public and institutional projects which, as we saw in the Black Country, potentially can increase barriers and division. In any case, the potential for simply reflecting and reinforcing existing barriers and feelings of alienation from cultural and public discourse should mean that any heritage-based project should be asking hard question about whether they can truly deliver a representative process and outcome.

As the success of the Black Country flag’s wide adoption shows, however, it may be that a flag design competition can offer an excellent opportunity to gather and build momentum around local capacity



Walsall F.C.'s flag-sporting away kit.

and networks. In that case, again, proper legacy planning is essential to ensure that the work of the wider historical and heritage sector can retain investment and ensure deep and meaningful participation and representation going forwards. Again, we might ask questions such as:

Can regular, annual, or seasonal updates to flags be a way to constantly find new groups, communities, and creative ideas for engagement and investment in local capacity?

Is a flag, once ratified, the flag forever? What would be the process to change it? Should a review and renewal process be built into any ratification?

To what extent does an assumption of permanency actually build in future problems around meaning, engagement, and representation?

Whose heritage?

Reflecting on the ad hoc process in the Black Country and how narrow the opinions and voices represented were brings to mind Stuart Hall’s seminal 1999 essay ‘Whose Heritage?’ He outlines here his concept of ‘The Heritage’ – capitalised – the assumptions about our heritage which are treated as given, timeless, true, and inevitable but which “it takes only the passage of time, the shift of circumstances, or the reversals of history to reveal those assumptions as time- and context- bound, historically specific, and thus open to contestation, re-negotiation, and revision.” Importantly, he makes the point that “those who cannot see themselves reflected in its mirror cannot properly ‘belong’”.¹⁶

We have not yet had a region-wide discussion and

conversation, in all localities and with people from all of the diverse groups that make up the Black Country, about what the area's identity and heritage means to them. The competition essentially took place without widespread and ongoing community participation, within a small network of interested parties. If the networks and legacies of the great foundational work which took place across the region to mark the 2007 Bicentenary of the Abolition of the Slave Trade had had the capacity to be preserved and built upon, and a proper coming to terms with and open discourse about these difficult aspects of our shared past had been had before any idea of a competition were mooted, I'm certain that we would never have ended up in this position.¹⁷

With blinkered thinking from the organising institution about whose voices and representation mattered, we ended up with a situation, exacerbated a hundredfold by the press reaction, where it would appear to many that: **this** group of people get to decide what the history and identity of the region are – if **you're** not part of that group, and if you disagree with what they

think, you don't actually have a say. Worse than that, you'll be called 'barmy' and 'ridiculous' and have your right to assert your voice undermined.

A feeling of belonging in the place you call home or feel connected to is an essential part of being a full, secure, and active participant in cultural and civic life. As vexillologists across the world know very well, flags can be powerful conduits for identity and meaning. Making decisions that can hugely and unpredictably mould these deeply powerful forces imparts a huge responsibility on the institutions and individuals who would assert a claim to designing a new flag for any location. Alongside the wider historical and heritage community, community flag champions can hopefully draw some important lessons from our experience in the Black Country and avoid making similar mistakes and inflicting unneeded upset and dislocation in future. □

*This is an edited version of the paper delivered on 20 November 2021 by Matthew Stallard at the Winter Conference/AGM of The Flag Institute at the People's History Museum in Manchester.

Notes

1. Elihu Burritt, *Walks in the Black Country and its Green Borderland* (London, 1868) - <https://archive.org/details/walksinblackcou00burrrgoog/page/n7/mode/2up>
2. Matthew Stallard, "Environment and the Invention of the Black Country - the "Shock Landscape" of Extractive Fossil Capitalism", *The Blackcountryman*, Vol. 54, No. 4 (2021).
3. "Wolverhampton named fifth worst city in world", BBC News, 31st December 2009 - http://news.bbc.co.uk/1/hi/england/west_midlands/8435823.stm "Wolverhampton the least prosperous place in Britain, says study", *The Independent*, 27th October 2015 - <https://www.independent.co.uk/news/uk/home-news/wolverhampton-on-the-least-prosperous-place-in-britain-says-study-a6709611.html>
4. Simon Briercliffe, "BCLM: Forging Ahead: building a new urban history of the Black Country", *Urban History*, Vol. 48, No. 2 - <https://doi.org/10.1017/S0963926819001159>
5. "The Black Country is being included on OS maps for the first time", *The Telegraph*, 21st Aug 2009 - <https://www.telegraph.co.uk/news/newstopics/howaboutthat/6065678/The-Black-Country-is-being-included-on-OS-maps-for-the-first-time.html> "Black Country awarded Unesco geopark status", *BBC News*, 10th July 2020 - <https://www.bbc.co.uk/news/uk-england-birmingham-53361073>
6. "Stourbridge schoolgirl's new Black Country flag flies high at museum", *Stourbridge News*, 6th Aug 2012 -

7. <https://www.stourbridgenews.co.uk/news/9854775-stourbridge-schoolgirls-new-black-country-flag-flies-high-at-museum/>
7. "Fury Over Black Country 'Slave Chains' Flag", *The Voice*, 10th July 2015 - <https://archive.voice-online.co.uk/article/fury-over-black-country-slave-chains-flag>
8. "Black Country flag is 'racist' and should be scrapped says Wolverhampton MP Eleanor Smith", *Express & Star*, 15th July 2017 - <https://www.expressandstar.com/news/politics/2017/07/15/black-country-flag-is-racist-and-should-be-scrapped-says-wolverhampton-mp-eleanor-smith/>
9. Paul Gilroy, *Postcolonial Melancholia* (Columbia University Press, 2006).
10. Matthew Stallard, "The Black Country flag row shows Britain is still blind to its colonial past", *The Guardian*, 21st July 2017 - <https://www.theguardian.com/commentisfree/2017/jul/21/black-country-flag-britain-colonial-past-slavery>
11. "Black Country flag is 'racist' and should be scrapped says Wolverhampton MP Eleanor Smith", *Express & Star*, 15th July 2017 - <https://www.expressandstar.com/news/politics/2017/07/15/black-country-flag-is-racist-and-should-be-scrapped-says-wolverhampton-mp-eleanor-smith/> "Black Country flag 'offensive and insensitive' says leading racism campaigner", *Express & Star*, 13th July 2015 - <https://www.expressandstar.com/news/2015/07/13/black-country-flag-offensive-and-insensitive-says-leading-racism-campaigner/>
12. "Official Black Country flag that was designed by a 12-year-old schoolgirl is BANNED by fire chiefs for fears it is linked to slavery", *Daily Mail*,

- 16th July 2020 - <https://www.dailymail.co.uk/news/article-8529281/Black-Country-flag-BANNED-fire-service-fears-linked-slavery.html>
- 13 "Man given suspended sentence over racist emails to MPs", *The Guardian*, 4th June 2018 - <https://www.theguardian.com/uk-news/2018/jun/04/pensioner-given-suspended-sentence-over-racist-emails-to-mps>
14. "Flying the flag for the Black Country", *Express & Star*, 17th Mar 2008 - <https://www.expressandstar.com/news/2008/03/17/flying-the-flag-for-black-country/>
15. "Black Country Day 2014: There's so much for us to be proud about", *Express & Star*, 21st Jan 2014 - <https://www.expressandstar.com/news/2014/01/21/black-country-day-2014-theres-so-much-for-us-to-be-proud-about/>
16. Stuart Hall, "Whose Heritage? Un-settling 'The Heritage', Re-imagining the Post-nation", *Third Text*, Vol. 13, No. 49 (Winter 1999) - <https://doi.org/10.1080/09528829908576818>
17. For a record of 2007 Bicentenary projects across the UK see the Anti Slavery Usable Past archive - <http://antislavery.ac.uk/> D I Callaghan, "The Black Presence in the West Midlands, 1650-1918", *Midland History*, Vol. 36, No. 2 (2011) - <https://doi.org/10.1179/004772911X13074595848997> John Oldfield, Mary Wills, "Remembering 1807: Lessons from the Archives", *History Workshop Journal*, Vol. 90 (Autumn 2020) - <https://doi.org/10.1093/hwj/dbaa016>

Obituary **Nick Weekes**

(1945-2021)

Malcolm Farrow OBE FF FFI and Ian Sumner FF FFI

Nick Weekes was born in London on 8 January 1945 and brought up in Kent. Passing out of Sandhurst in 1965, he was commissioned into the Royal Irish Fusiliers (later Royal Irish Rangers), serving with them in the UK, Europe, Africa and the Middle East.

After leaving the Army in 1994, Nick became an archive reviewer with the Cabinet Office until 2014, involved in the preservation or destruction of Cabinet Office records and in the identification of sensitivities within records selected for preservation. He was also involved in the official histories sponsored by the Cabinet Office, helping authors to locate relevant records.

Nick had a life-long passion for military history, flags and heraldry. He became a member of the Flag Institute and was a Council member in 1994-97 and in 2008-13. Nick's contribution to the Institute was immense, and was rightly rewarded by Fellowship of the Institute in 2013. His eye for detail, contributed greatly during the Institute's move to become a charity, and his knowledge of some of the more obscure aspects of historic military flags and ensigns in particular, was a resource we will sorely miss.

Some of the results of his research are currently available in the Members' Area of the FI website, including a detailed chronology of British colonial flag badges, a



select bibliography of flags (a good starting point for anyone starting a collection of flag books), and a paper detailing the involvement of the College of Arms in the adoption of defacements of the Union Flag and of British ensigns. He proposed the systematic recording of vexillological information contained in the files of the National Archives by the Institute - a project that unfortunately never completely bore fruit.

Nick was also involved in the drafting for the proposed *National*

Flag Bill, first proposed by the Institute in 1995 and again in 2008. He followed up this work with two presentations - at our 2008 Conference in London, he presented *Who is in charge?*, an overview of the overlapping responsibilities of the fourteen Royal and Government departments and agencies which regulate the UK's national flags (unlike the much clearer situation in Canada, Australia and New Zealand, as his presentation of 2009 revealed).

He was also active in his regiment's Old Comrades' Association, and produced detailed accounts of the colours of the battalions of the Leinster Regiment, as well as researching the fate of the colours of the Irish regiments that were laid up in 1922 on the creation of the Republic.

Nick died on 24 December 2021 and is survived by his son and daughter and by four grandchildren. □

WORLDFLAGSHOP

Worldwide Flags Ltd t/a **Worldflagshop.com**, is a supplier of the largest selection and most exciting range of flags in Europe. Flags of the World, Specialist Collectors, Historical, War, Ensign/Army, Counties,

Plain Colours, Checkered, Striped, Celebration, Symbolic, Party, Pirate, Gay Pride, American, Patriotic & World Events. Hand Flags, Car Flags, Table Flags, Bunting, Windsocks and Flag Poles. Custom flags also available

and can be made to order. Fly our flags, hang them on your walls, wave them at celebrations, sit them on your desks or wear them as a cape!

sales@worldflagshop.com
01560 480 333

Monthly Maritime Magazines

WARSHIPS

INTERNATIONAL FLEET REVIEW

Shipping

TODAY AND YESTERDAY



Puts the spotlight on the latest developments in the world's navies.



www.warshipsifr.com



The monthly specialist magazine for the shipping enthusiast.



Available from all good newsagents
or on subscription direct
from the publishers.

www.tandymedia.com

www.shippingtandy.com



Tandy Media Ltd, PO Box 302, Bexhill-on-Sea, TN40 9HN, UK
T: +44 (0)20 3745 3367 E: subs@tandymedia.com

