

SECTIONS

Public art or desecration? Ire from governor and others brings down a flag at KU | The Kansas City Star

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Public art or desecration? Ire from governor and others brings down a flag at KU

[BY KATY BERGEN](#)

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An artist's version of the American flag was designed to point out the divisions in our country. After a flood of criticism, KU removed its copy of the flag. But an arts nonprofit in KC's Crossroads continues to fly this flag. [BY NEIL NAKAHODO](#) | [JILL TOYOSHIBA](#) | [KATY BERGEN](#)

The American flag was flying outside a University of Kansas building — bearing big black splotches roughly in the shape of a split United States and the image of a black-and-white striped sock.

The art piece was intended as a call to end political division. It promptly did just the opposite.

“I demand that it be taken down immediately,” Kansas Gov. Jeff Colyer said in a statement early Wednesday afternoon.

In a matter of hours, the university complied. Kendall Marr, a spokesman for the governor's office, told The Star that Colyer had spoken to KU Chancellor Doug Girod

and other university leaders, who agreed to remove the flag from its flagpole outside Spooner Hall.



KU

removed a controversial flag at the urging of Kansas Gov. Jeff Colyer. Jonathan Shorman JSHORMAN@WICHITAEAGLE.COM

In a statement later, Girod said the flag would be relocated to an exhibit in KU's Spencer Museum of Art.

“Over the course of the day, the conversation around this display has generated public safety concerns for our campus community,” Girod said. “While we want to foster difficult dialogue, we cannot allow that dialogue to put our people or property in harm’s way.”

The governor’s involvement followed outrage on social media after the flag was raised on July 5.

“The disrespectful display of a desecrated American flag on the KU campus is absolutely unacceptable,” Colyer had said earlier in his statement. “Men and women have fought and bled for that flag and to use it in this manner is beyond disrespectful. I have communicated with KU Chancellor Doug Girod and Board of Regents President Blake Flanders to express my disappointment that a taxpayer funded institution would allow such a display of our sacred flag.”

The flag is part of a national project called “Pledges of Allegiance,” in which [a New York City nonprofit](#) commissioned artists to create a flag that would bring attention to causes they are passionate about. The piece was the last of 16 flags displayed on campus since November by the Spencer Museum of Art and KU’s Commons at Spooner Hall.

Kansas Secretary of State Kris Kobach, who is running against Colyer in the August Republican primary, also had called on the university to take down the art piece.

“The fact that they call it art does not make it any less of a desecration of our flag. I call upon the university to take down that flag right away,” Kobach told [The Associated Press](#).

KU’s student Republicans group [called the display “disgusting,”](#) and various conservative news outlets and politicians weighed in.

“It hurts me to see a defaced flag fly at the University of Kansas,” [Steve Watkins](#), a Republican candidate for Kansas’ 2nd congressional district, [wrote on his Facebook](#) page. “My thoughts turn to my friends whose coffins were draped in our flag. I’m sorry that a Kansan would deface our symbol of strength, unity, and patriotism.”

The flag's creator, Josephine Meckseper, [is not a Kansan but a German artist](#) who is now based in New York City. Copies of her piece "Untitled (Flag 2)" are on display from July 5 to July 31 at more than a dozen locations across the country, as were the flags of other commissioned artists.

"The flag is a collage of an American flag and one of my dripped paintings which resembles the contours of the United States," Meckseper wrote [on the project's website](#). "I divided the shape of the country in two for the flag design to reflect a deeply polarized country in which a president has openly bragged about harassing women and is withdrawing from the Kyoto protocol and U.N. Human Rights Council."

The sock on the flag takes on "new symbolic meaning" in light of the recent "imprisonment" of children who have attempted to enter the United States at the border.

"Let's not forget that we all came from somewhere and are only recent occupants of this country — native cultures knew to take care of this continent much better for thousands of years before us. It's about time for our differences to unite us rather than divide us."

Watkins is having none of it. "Our flag represents the lives sacrificed to protect the very rights used to destroy it," he said on Facebook. "I have no demands of the artist, university administration, or students, other than this — thank a soldier."

Creative Time, the nonprofit sponsoring the art series, sent The Star a statement Wednesday night:

"Art has a responsibility to drive hard conversations. Pledges of Allegiance was begun to generate dialogue and bring attention to the pressing issues of the day. The right to freedom of speech is one of our nation's most dearly held values. It is also under attack. We are proud to stand by artists who express themselves. Today's events illustrate the same divisions in our country that the series has confronted head-on."

The U.S. Supreme Court has twice ruled that the government cannot ban the desecration of the flag to suppress expression, said University of Missouri law professor Sandy Davidson.

In 1989, the court said flag desecration is protected under the First Amendment. In *Texas v. Johnson*, it ruled 5-4 in favor of a man whom Texas had convicted for burning a flag at

a political rally protesting Ronald Reagan. (Justice Anthony Kennedy, who announced his retirement this June, was the only current member of the Supreme Court who had voted in the case. He voted with the majority.)

When Congress tried to pass a law banning flag burning a year later, the Supreme Court again struck it down.

“In terms of morality and thinking about other people’s deeply held feelings — people who have lost loved ones — desecrating a flag is certainly something that’s a moral issue. But the Supreme Court has said it’s not a legal violation,” Davidson said. “That’s part of our freedom of expression. That’s what our service men and women have fought and died for.”

On Wednesday, KU emphasized that the flag project was privately funded.

“When the project began, partners in addition to the Spencer Museum of Art and The Commons included the Rhode Island School of Design Museum, Cornell’s Herbert F. Johnson Museum of Art and the Museum of Contemporary Art Detroit, among others,” university spokesperson Erinn Barcomb-Peterson said. “The project is designed to encourage conversation about the current political climate.”

Marr said the governor’s office understood that an art piece is a protected expression.

“We didn’t force compliance,” he said. “We just had a conversation with leaders and made our opinions known.”

Davidson said there are only two ways that the desecration of the flag would no longer be protected by the First Amendment.

“A constitutional amendment,” she said. “Or a change in the Supreme Court that would flip the vote.”



[Craig T. @CraigAToma](#)

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[Replying to @SpencerMuseum and 5 others](#)

You receive public funds right? Why are public funds being used to desecrate or display a desecrated flag?



[The Commons](#)@TheCommonsKU

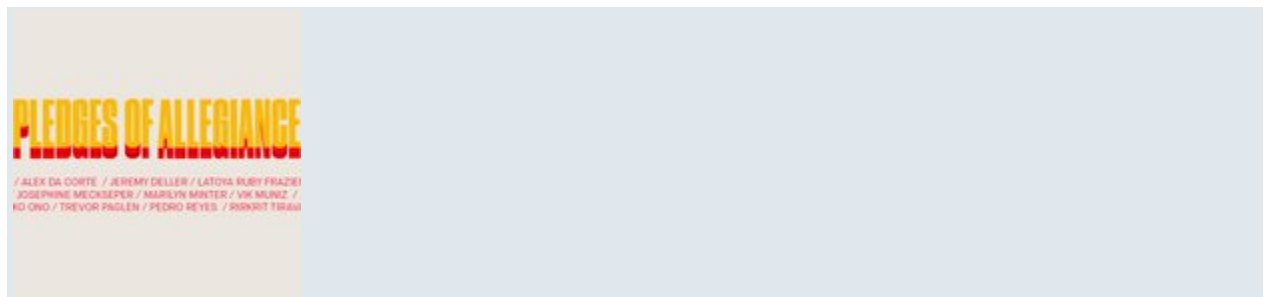
Hi, and thanks for your question. Just to clarify--this project has been funded entirely by private funds. It's part of a national project intended to facilitate dialogue across differences. There's a bit more information here:

[http://creativetime.org/projects/pledgesofallegiance/ ...](http://creativetime.org/projects/pledgesofallegiance/)

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[Pledges of Allegiance - Creative Time](#)

Creative Time presents Pledges of Allegiance, with 16 artists creating flags to be raised on flagpoles in the New York City metropolitan area.

creativetime.org

20 people are talking about this





[KU CRs@KUCRs](#)

Words cannot even begin to describe how big of an embarrassment this is [@KUnews](#) . This is absolutely disgusting.

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[5:57 PM - Jul 10, 2018](#)

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[SpencerMuseum of Art@SpencerMuseum](#)

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[Replying to @KUCRs @KUnews](#)

Hi! The flag is the final installation in a series called [#PledgesofAllegiance](#), by [@creativetime](#), which we ([@TheCommonsKU](#) & [@SpencerMuseum](#)) have been hosting since November: <https://spencerart.ku.edu/exhibition/pledges-allegiance> ...



Spencer Museum of Art

Spencer Museum of Art presents the nationwide public art project Pledges of Allegiance.
spencerart.ku.edu



[SpencerMuseum of Art@SpencerMuseum](#)

The purpose of the series is to raise discussion about topics of national importance. The current flag is by artist Josephine Meckseper, and it addresses division in the U.S. The black color field is an abstracted representation of the U.S. divided in two parts.

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[11:58 PM - Jul 10, 2018](#)

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[See SpencerMuseum of Art's other Tweets](#)



The art piece "Untitled (Flag 2)" was removed from a flagpole outside Spooner Hall at the University of Kansas in Lawrence on Wednesday. ORLIN WAGNER *THE ASSOCIATED PRESS*

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