

THE SPECIAL COMMISSION RELATIVE TO THE SEAL AND MOTTO OF THE COMMONWEALTH

Final Report and Recommendations

November 15, 2023

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LETTER FROM THE CHAIRS

The current seal and motto of the Commonwealth of Massachusetts were last updated in 1898. Secretary of the Commonwealth William M. Olin began the process in 1894, in consultation with a small group of men that included the seal's designer Edmund Garrett and Professor F. W. Putnam. Most of the deliberations took place inside the State House, where Garrett and others reviewed sketches of skeletons held at the Peabody Museum at Harvard, clothing and portraits of Indigenous men from the Bureau of Ethnography in Washington D.C., and a collection of broadswords from the 17th century. In his artist's statement, Garrett recalled that "the head is a portrait of a Chippewa or Ojibwa Indian called Es Sence or Little Shell," while the body was based on a "skeleton [that] was found at Winthrop."

Garrett acknowledged that not everyone agreed on the selection of an Indigenous man in the seal. "During the progress of the work of preparing the seal," he noted, "many people objected that an Indian did not and should not stand for the state of Massachusetts. That the reputation of the Indian is bad in our country may not be denied, and the writer, who knows but little about him, cannot undertake his defense."

Garrett's words capture the ways by which a small group of men, working in private and emboldened by the prejudices of their time, shaped a seal that now appears on official documents, public buildings, uniforms, and the flag of a state which has--and will always--play a central role in Americans' understanding of democracy and liberty.

As co-chairs of the Special Commission, we thank the Commonwealth and our colleagues for taking a different path. For nearly two years, the members of the Commission have operated in public, as required by law through our online meetings. We chose balance in our leadership, starting with the selection of co-chairs and vice-chairs to ensure that representatives of Native tribes held positions equal to non-Native members. Together, we reckoned with a history that is painful and too often marginalized from public narratives about our state. We educated ourselves on the histories and usages of state seals, looking to other states for guidance and best practices. We sought out public opinion, choosing to go beyond our charge in order to provide the people of Massachusetts with a voice in our recommendations. We acknowledged, time and again, that our efforts were only possible due to the decades of work led by activists including the late John Peters, known as Slow Turtle, and former State Representative Byron Rushing.

Perhaps most significantly, the Commission conducted its business with an emphasis on respectful, inclusive dialogue. We did not always agree, but we consistently agreed to listen to each other. In an era of deep division and rampant misinformation, we sought to represent our viewpoints and our communities with care and authenticity. Our membership included representatives of Native communities, legislators, subject matter experts, veterans, directors of cultural institutions, archivists, and artists. Charged with exploring the origins and interpretations of these ubiquitous public symbols, we prioritized collaboration over consensus, believing that the collection of information was the best way in which to fulfill the request of our enabling legislation.

This report seeks to sustain that approach by presenting recommendations and explaining the range of views that shaped these recommendations. We believe the information contained herein clears the way for the challenging decisions required to change the seal and motto of the Commonwealth.

In closing, we wish to thank the many Massachusetts residents from different backgrounds who have reached out to the Commission in support of this work, with constructive criticism, questions, dissenting opinions, and suggestions. We are particularly grateful to educators and students who have sent in their ideas and encouragement, to the 79 Massachusetts communities that have voted to support this Commission's work, to Kate Miller for her contributions to the Commission's proceedings; and to Governor Healy and the Legislature for their trust and patience.

Sincerely,

Brian Boyles, Co-Chair, Brian Moskwetah Weeden, Co-Chair, Michael Comeau, Co-Vice Chair, Brittney Peauwe Wunnepog Walley

FINAL RECOMMENDATIONS

1. **Massachusetts should create a new design for the seal and motto of the Commonwealth.** The current seal and motto do not reflect and embody the historic and contemporary commitments of the commonwealth to peace, justice, liberty, and equality and to spreading the opportunities and advantages of education. As required by the enabling legislation, the Commission dedicated significant time to understanding the origins of the current seal and motto. Our deliberations produced a succinct history of the precedents and usages of the current seal and motto, including the process by which they were last updated in 1898. That process was led by a small group of individuals, operating without transparency and excluding almost all residents of the commonwealth. Members of that group expressed hostile views about Indigenous people even as they appropriated images of Indigenous people without soliciting input or participation from Indigenous residents. The result of that earlier process are a seal and motto that fall short of the commitments of the Commonwealth.

Commission members brought to light the concerns of many residents regarding the harm and misunderstanding caused by the current seal and motto. Through the deliberations of the full Commission and its History and Usages subcommittee, the Commission has identified features that are harmful and/or misunderstood by the citizens of the Commonwealth. These include the heraldic charge, or Indigenous figure, which was designed without input from Indigenous residents and does not accurately reflect the history of Indigenous people in Massachusetts; the sword in the crest, positioned above that figure, which can be misunderstood to represent a celebration of the history of violence perpetuated by settlers against Indigenous populations; and the promises of the motto, which do not reflect the experiences of Indigenous people.

2. **Massachusetts should incorporate symbols and terms in a new seal and motto that are aspirational and inclusive of the diverse perspectives, histories and experiences of Massachusetts residents.** Following the decision to call for a new design, the Commission dedicated significant time and resources to identifying symbols and terms that could be included in a new seal and motto. Given the many images associated with Massachusetts, and the diverse interpretations of Commission

members, these deliberations presented multiple opportunities for education and an appreciation of the challenges inherent in narrowing down all that Massachusetts represents to images and words that would reflect the commonwealth's many communities. The collection of input and views about a new seal and motto included the views expressed during Commission meetings, the commissioning of a statewide survey, and the input sent to the Commission by members of the public.

The Commission's Research & Design Subcommittee learned about the best practices in seal and motto design, and about the processes conducted in other states as part of the redesign of seals and state flags. In many cases, states have separated the seal and the flag. They serve distinct purposes, with the best flags being easily rendered and replicated.

Members expressed views on a variety of symbols, including those official symbols, such as the state bird (chickadee), flower (mayflower), and state fish (cod). These discussions revealed differences of interpretation that the Commission found worth consideration. For example, the mayflower connects back to the colonial era and the Pilgrims, whose actions included the forced displacement of Indigenous people. The cranberry, one Commission member noted, conjures mixed feelings among some Indigenous residents due to its relationship to colonialism.

The Commission appreciated the views of several of its Indigenous members who expressed support for keeping an Indigenous figure in the heraldic charge as a way to prevent additional erasure of their communities from the official history and iconography of the commonwealth. In addition, the Commission heard from members who believed that any human figure, regardless of their background, would be inherently exclusive, limiting the representation on the seal to a specific group or gender. Others expressed the view that a coat of arms is a Eurocentric concept which does not represent the breadth of populations in the commonwealth, and that the placement of an Indigenous person within such a concept is disrespectful of Indigenous culture and the experience of colonialism.

The Commission respects the different views on Indigenous representation in any new seal and recommends that the legislature prioritizes Indigenous participation in future decision-making about the seal and motto.

The Commission conducted two surveys of its members to compile a list of appropriate categories for potential symbols that could serve as the basis for a new design for the seal:

- Flora (examples: eastern white pine, elm tree, cranberries)
- Fauna (examples: chickadee, cod, feather, turkey)
- Geographic feature (examples: ocean, hills, coastline, state shape)

Commission members compiled a list of appropriate terms that could be included in a new motto:

- Commonwealth
- For the common good
- Equality
- Hope
- Liberty
- Names of Massachusetts tribal nations
- Peace
- Reciprocity

Input from Public Survey

From the outset of its work, the Commission understood that the current seal and motto are highly visible and used in a multitude of ways throughout the Commonwealth, in particular on the state flag, which serves as a banner for our service members in the armed forces. While the solicitation of public input was not included in the original legislation, the Commission felt strongly that a survey of the public would strengthen its recommendations and give legislators ample information for future decision-making.

In May 2023, the Commission contracted with the Center for Survey Research at the University of Massachusetts Boston (CSR) to create a survey that would inform the

Commission on how residents view the seal and motto and to gather public input that represents the diversity of communities and perspectives in the Commonwealth.

Four members of the Commission—two Indigenous members and two non-Indigenous members, sustaining the Commission’s equitable approach to leadership—advised CSR on the survey design. The survey included questions about information sources and how closely respondents followed news about the redesign; questions about the potential features in a new state seal; questions about the terms and phrases respondents would like to see in a new motto; and demographic questions (race, ethnicity, age, gender, length of time living in Massachusetts, and education level). The paper version of the survey was available in English and Spanish. The survey was set up in Qualtrics, a software application for online data collection, and made available in eight languages – English, Spanish, Portuguese, Chinese, Vietnamese, Khmer, Haitian Creole, and Russian.

The survey data were collected by CSR in August and September of 2023. CSR conducted a survey mailed to a random sample of 2,100 households in Massachusetts and created a public survey URL link to a web-based version of the survey. This link to the web survey was distributed among listservs maintained by multiple Native American communities in Massachusetts and shared by the Commission via a press release. In addition to the statewide survey, CSR conducted seven small group discussions via Zoom with members of Indigenous communities in Massachusetts and other Massachusetts residents to gather additional qualitative data for this report. A total of 341 (16.72%) households survey completed the survey. A total of 10,433 respondents accessed the public online survey.

The full survey results and analysis are attached to this report. The report includes ample analysis of the responses. This information should serve to inform the decisions of the Legislature in the creation of a new seal and motto. As the CSR team notes, the right whale, the coast or shoreline, the shape of the state, and cranberries received the highest support from respondents, while the most popular terms in a new motto were Peace, Equality, Justice, and Liberty.

The survey also reflects the nuances and differences in interpretation of the seal, motto, state flag, and the varying degrees of support for changing these public symbols. The Commission notes that the Public Access Survey garnered participation by several groups (Black/African, Hispanic, Asian) that was disproportionate to the population of Massachusetts. The Commission feels strongly that any further iteration of the decision-making process regarding the seal and motto strive to include representation by members of these groups.

The Commission acknowledges an important choice for any new seal: How to retain representation of Native people in the seal and motto if the current figure is removed from the current seal? The majority of Native respondents to the public survey indicated a preference for keeping a figure on the seal. Several members of the Commission spoke to the concern of erasing Native people from the public record. This challenge will need to be addressed in the final design of a state seal and motto, and the Legislature should ensure Native representation in that process.

3. **A new seal should be commissioned through a public request for proposals that seeks a professional lithographer.** The Secretary of the Commonwealth should issue a request for proposals for a lithographer to design a new seal based on the symbols and terms proposed by the Commission. The request would be for two initial sketches, three rounds of revision, and a purchase by the Commonwealth of the final version. A working group reporting to the Secretary of the Commonwealth will be responsible for validation, vetting, socializing, and providing actionable and concise feedback in order to stay within scope. The Commission recommends that the Secretary of the Commonwealth's office receives an appropriation to support this work.
4. **Massachusetts should dedicate more resources to educating the public about the Indigenous history and cultures of Massachusetts, the history and usages of the current seal and motto, the harm inflicted by the current seal and motto, and the efforts to change the seal and motto.** We must take this unique opportunity to create mechanisms for all of our residents to understand how our current symbols were adopted, what they mean to us today, and how and why some of these symbols are seen as inherently harmful by the Indigenous residents of the Commonwealth. Any

successful educational program is built on a foundation of clearly articulated objectives for learning and a curriculum developed based on the essential questions and specific content areas that will facilitate the achievement of those objectives. A framework included in this report reflects the commission's recommendations for the overarching goals and key content areas of the educational programs, with these learning objectives:

- a. Understand the historical underpinnings of seals, mottos, and flags and how they influence us today.
- b. Learn about local Native history and the effects of colonization on Native communities from a Native perspective.
- c. Explore the history and origins of the symbols and iconography of the current seal and motto and how they may be perceived differently over time and from different perspectives.

5. **A working group reporting to the Secretary of the Commonwealth should be established to carry forward the Commission's recommendations to the completion of a new seal and motto.** The work of the Commission represents an important step in a journey that began decades ago, through the leadership of activists, including the late John Peters, also known as Slow Turtle, and former state representative Byron Rushing, advocated for change. We were fortunate to partner with our colleagues to complete this stage in that journey.

The next group should be representative of the diversity, expertise and backgrounds of the people of Massachusetts. Membership in this working group should include the Secretary of the Commonwealth, who would also serve as co-Chair, and include the leadership of the Indigenous tribal governments within Massachusetts, representatives from the Department of Early Education and Care, Department of Elementary and Secondary Education (K-12), Department of Higher Education, the Adjutant General of the Massachusetts National Guard, the House and Senate Chairs of State Administration, the House and Senate Minority Leaders, the executive directors (or their designees) of the Massachusetts Commission on Indian Affairs, the Massachusetts Commission Against Discrimination, the Massachusetts Office on Disability, Mass Humanities, Massachusetts Historical Commission, and Mass Cultural Council. In

addition, the Commission emphasizes the need for educators and artists to be among the subject matter experts appointed by the Governor and/or the Secretary of the Commonwealth. The Working Group would not exceed 19 members and would appoint a project coordinator to assist with the work. The work remaining includes:

- Final selection of symbols and terms for the new motto
- Selection of a seal designer and supervision of design
- Determination of relationship between seal and flag
- Creation of a new state flag
- Soliciting cost estimates for changing the seal and flag across the Commonwealth
- Ongoing review of the seal, motto, and flag to ensure that these symbols continue to represent the values and aspirations of the residents of the Commonwealth.

This body should be provided with a budget to carry out these duties. These duties will require substantial time and effort, and should be expected to be ongoing until a new seal and motto replace the current seal and motto. Finally, the Secretary of the Commonwealth should consider ways to institutionalize a review of the seal and motto so that future generations can ensure that the values and aspirations of Massachusetts are reflected in these public symbols.

OVERVIEW OF THE COMMISSION'S WORK 2021-2023

The Special Commission Relative to the Seal and Motto of the Commonwealth was established in Chapter 2 of the Resolves of 2020, approved by Governor Charlie Baker on January 11, 2021 (see Attachment 1) The legislation established the Commission to...

“investigate the features of the official seal and motto of the commonwealth, under sections 1 to 6, inclusive, of [chapter 2 of the General Laws](#), including those features that may be unwittingly harmful to or misunderstood by the citizens of the commonwealth; and (ii) examine and study the seal and motto of the commonwealth to ensure that they faithfully reflect and embody the historic and contemporary commitments of the commonwealth to peace, justice, liberty and equality and to spreading the opportunities and advantages of education.”

The legislation requested that the Commission...

“make recommendations for a revised or new design of the seal of the commonwealth and a revised or new motto of the commonwealth and shall make recommendations for an educational program on the history and meaning of the seal and motto.”

The first meeting of the Commission took place on July 17, 2021, but the appointment of a full slate of members was not completed until shortly before the Oct. 1, 2021, reporting deadline established in the enabling legislation. An extension to July 31, 2022, was granted, and at its January 18, 2022, meeting, the full commission met for the first time.

Members agreed that a leadership structure of Co-Chairs and Co-Vice Chairs was an important step in setting a tone of partnership between Indigenous and non-Indigenous members of the Commission. The Commission elected as Co-Chairs Brian Moskwetah Weeden, Chairman, Mashpee Wampanoag Tribe, and Brian Boyles, Executive Director, Mass Humanities, and Brittney Peauwe Wunnepog Walley, Representative, Hassanamisco Nipmuc, and Michael Comeau, Executive Director, Massachusetts Archives & Commonwealth Museum, as Co-Vice Chairs.

At its February 15, 2022, meeting, the Commission engaged in a close reading of the enabling legislation to ensure that all members understood their responsibilities. During this conversation, and in many of the meetings that followed, Commission members recognized the individuals

and groups whose advocacy preceded them and expressed an interest in documenting those efforts and the work of the Commission for posterity.

The Commission established three subcommittees:

- Histories & Usages, led by Co-Vice Chairs Walley and Comeau
- Research & Design, led by Co-Chair Weeden
- Public Consultation, led by Co-Chair Boyles

Over the next three months, the Commission and the subcommittees convened to explore the history of the seal and motto, and to respond to the question of harm and misunderstanding, as requested in the enabling legislation. These meetings revealed the different views of the members regarding the question of intent and impact as they relate to the creation of the seal. The efforts to educate all members on the elements and usages of the seal sparked robust discussions of Massachusetts history, the enduring influences of colonialism, and the ways in which public iconography shapes public memory. Indeed, the concept of the “public record” created an opportunity to fill in the gaps—intentional or neglectful—that continue to marginalize Indigenous people and their histories from the public’s understanding of the Commonwealth.

Indigenous members addressed the sword in the crest, which, while part of heraldic tradition, is positioned above the head of the Indigenous figure in a way that evokes the history of violence and marginalization committed by colonists against Indigenous people. The sword was frequently cited as the most egregious element in the seal, but not the only source of harm. The motto’s promise of peace by the sword is understood by some to be a celebration of a peace won by colonists through the violence committed by colonists against Native people. An Indigenous member pointed to the enclosure of the Native figure within the confines of a coat of arms from the European tradition as similar to the enclosure of Native people within a system designed by Europeans to oppress and erase them. In a way, they noted, the seal is a perfect representation of that history, but certainly not one which the Commonwealth should wish to perpetuate.

Through these discussions, Indigenous members emphasized the need for acknowledgement of the validity of their experiences of the seal and motto. Their participation on the Commission, they noted, presented an opportunity to correct and expand the public record, not compete with it.

At the Commission's May 17, 2022, meeting, Co-Chair Weeden asked that each member offer their perspective on whether the Commission should seek a full or partial revision of the seal and motto. The Commission voted unanimously for a comprehensive redesign of the seal and motto.

It is important to note that during the discussion that preceded this vote, members expressed perspectives that were nuanced, thoughtful, and responsive to their own experiences as well as the perspectives of their fellow members. The decision for a comprehensive redesign is perhaps the most significant achievement of the Commission. It has also proven to be the Commission's greatest challenge, one that the members sought to address over the preceding months.

At its June 21, 2022, meeting, the Commission heard a report by Micah Whitson, a Commission member who participated in the redesign of the Mississippi state flag. At the outset of his presentation, Whitson pointed to a problem of choosing a symbol for Massachusetts, which lacks a communal icon along the lines of the "lone star" in Texas or the bear in California. In his review of flag designs, Whitson explained that Massachusetts maintains links between the state's coat of arms, seal and state flag, but that there are other ways to treat these relationships. Seals can be complicated, but a flag should be easy for a child to draw and include minimal lettering. Human imagery can be seen to limit a seal or flag's representation of the entire state. Brief statements work best for mottos (examples: Rhode Island's "Hope"). Whitson suggested a process by which the Commission could decide the contents of the seal and set the design parameters, then hire an illustrator to produce two designs for the Legislature to select. The final seal would be designed by a lithographer. A summary of this process is included in the Commission's final recommendations.

At its July 19, 2022, meeting, the Commission reviewed a letter submitted by member Chairwoman Cheryl Andrews-Maltas on behalf of the Tribal Council of the Wampanoag Tribe of Gay Head Aquinnah that expressed the tribe's requests for changing the seal and motto. The letter called for the removal of the sword and motto, the removal of the downward facing arrow held by the Indigenous figure, and the replacement of the Indigenous figure with that of Ousamequin as represented on Coles Hill in Plymouth. The letter explained that the tribe wanted to ensure that the historical connection between the Wampanoag and the original settlers would not be erased from the seal. The discussion that followed included member Elizabeth Solomon's clarification that there existed multiple tribal entities in Massachusetts at the time of colonization that interacted with European settlers, and that the presenting of one tribe's history would mean excluding the histories of other tribes.

The Commission explored ways to gather public input that could shape its final recommendations. In July, the Public Consultation Subcommittee heard from Steve Koczela, MassINC Polling on how to use polling to gauge public interest on iconography. Given the expense of a poll, the Commission requested support from the legislature to cover expenses of \$100,000. (This request was eventually included in the economic development bill that passed in November 2022.)

At its August 16, 2022, meeting, Co-Chair Walley reviewed the Massachusetts General Law regarding the

Chapter 2, Section 1: Coat of arms of the commonwealth

Section 1. The coat of arms of the commonwealth shall consist of a blue shield with an Indian thereon, dressed in a shirt, leggings, and moccasins, holding in his right hand a bow, and in his left hand an arrow, point downward, all of gold; and, in the upper right-hand corner of the field a silver star of five points. The crest shall be, on a wreath of gold and blue, a right arm, bent at the elbow, clothed and ruffled, and grasping a broad sword, all of gold. The motto "Ense petit placidam sub libertate quietem" shall appear in gold on a blue ribbon.

Chapter 2, Section 2: Seal of the Commonwealth

Section 2. The seal of the commonwealth shall be circular in form, bearing upon its face a representation of the arms of the commonwealth encircled with the inscription within a beaded border, "Sigillum Re publicae Massachusettensis". The colors of the arms shall not be an essential part of said seal, and an impression from a seal engraved according to said design, on any commission, paper, or document shall be valid without such colors or the representation thereof by heraldic lines or marks.

The linkage between the coat of arms, seal, and state flag was the subject of ongoing conversations. Commission members understood that any changes recommended for the seal or motto would trigger changes to the flag, and that the Commission could recommend modifying the relationship between all three pieces in its final recommendation. Because the Commission ultimately proposed only possible changes to the seal, a final recommendation is not made regarding its relationship with the flag. Several members expressed support for an update to the MGL to relate to the seal in terms of shared imagery, but allow for a simpler design for the flag.

The issues of potential replacement images and terms, and the avenues for public input continued to drive the conversations for subcommittees. At its September 13, 2022, meeting, the Public Consultation Subcommittee heard video testimony from David Detmold of the Change the Massachusetts State Flag, which has worked through town meeting votes to gather support for changing the flag and, since the Commission's inception in 2021, to express support for the work of the Commission. At the time of the subcommittee meeting, Detmold had helped to coordinate successful town meeting and city council votes in 54 municipalities in the Commonwealth since 2018, losing only two of those votes. At the time of this report, 79 towns and municipalities had approved support for changing the flag: Acton, Amesbury, Amherst, Arlington, Ashby, Ashfield, Athol, Barre, Becket, Belchertown, Belmont, Bernardston, Bolton, Brewster, Brookfield, Brookline, Buckland, Cambridge, Charlemont, Chatham, Colrain, Conway, Cummington, Deerfield, Dennis, Eastham, Easthampton, Erving, Falmouth, Gill, Goshen, Grafton, Great Barrington, Greenfield, Hadley, Hanson, Harvard, Heath, Ipswich, Lee, Leverett, Leyden, Lincoln, Lunenburg, Merrimac, Montague, Newbury, Newburyport, New Salem, Northampton, Northfield, Orange, Orleans, Pelham, Petersham, Plainfield, Provincetown, Rowe, Royalston, Shelburne, Shutesbury, South Hadley, Stockbridge, Sturbridge, Sunderland, Swampscott, Truro, Warwick, Wellfleet, Wendell, West Brookfield, West Newbury, Westhampton, Whately, Williamsburg, Williamstown, Windsor. As Detmold noted, the towns reflected a diverse range of voting patterns on other issues, and varied geographically and economically.

The Commission spent much of September and October discussing ways to partner with outside entities to collect public feedback. Ideas included public forums and the hiring of a facilitator to maintain respectful and productive conversations in public forums, public polling, and the creation of materials to educate the public on the seal and motto. With the December 31 deadline looming, and the request for funding still unresolved, the Commission decided to survey its members to establish which symbols and terms were the most popular among members. Two surveys were conducted in October and November to narrow down the lists. The full lists are included in Attachment 3. These lists would later shape the public survey designed and implemented in 2023.

On November 10, 2022, Gov. Baker signed a \$3.76B economic development and closeout bill that included a \$100,000 allocation for the Commission. Not included in the final bill, however, was the Commission's request for a reporting extension to June 30, 2023. The Commission received guidance that the \$100,000 would need to be spent before the Commission's term

ended. In addition, the Commission was required to find a third party that could administer the funds.

With just six weeks to use these resources, the Commission decided to complete an Interim Report calling for an extension to allow it to fulfill its charge by making final recommendations, conducting a public survey, and building a framework for educating the public on the seal and motto. The report was submitted to Governor Baker and the clerks of the House and Senate on December 31, 2022.

On March 23, 2023, Governor Maura Healy approved an extension for the Commission to complete its work and make recommendations no later than November 15, 2023.

Co-Chair Boyles and member John Peters worked to confirm that the Executive Office for Administration and Finance could administer the funds. Co-Chair Boyles and Co-Vice Chair Walley met with the Center for Survey and Research Design at University of Massachusetts Boston (CSR) to gauge their capacity to conduct a public survey with an emphasis on outreach to Indigenous residents, veterans and a diverse cross-section of the public.

At its June 13, 2023, meeting, the Commission reviewed a proposal from CSR to administer the survey. The total approved cost of the survey was \$84,796. Members emphasized the need for the survey to be available in multiple languages, the role of Commission members in assisting with outreach to their communities, the importance of limiting the votes to Massachusetts residents, and the clarity needed regarding small group interviews.

The meeting also included a first review of the Recommendations for an Educational Program on the Seal and Motto of the Commonwealth of Massachusetts, drafted by Commission member Elizabeth Solomon in response to the enabling legislation's request for an education program. In its Interim Report, the Commission had noted that its work presented a teachable moment, and that Massachusetts deserved more resources for learning the histories and cultures of Indigenous people.

The framework sets Learning Objectives:

- Understand the historical underpinnings of seals, mottos, and flags and how they influence us today.

- Learn about local Native history and the effects of colonization on Native communities from a Native perspective.
- Explore the history and origins of the symbols and iconography of the current seal and motto and how they may be perceived differently over time and from different perspectives.

Essential Questions:

- Why do we use symbols like flags and mottos?
- How do the symbols we use reflect who we are and what we value?
- Whose perspectives influence the adoption of symbols? Who is left out?
- How and why might symbols change over time?

Key Content:

- Indigenous history and culture of Massachusetts and New England. Since the current seal and motto prominently feature both a Native figure as well symbols directly related to our colonial history, it is critical that an education program about the seal and motto delve into the historical and cultural histories the influences the use of these symbols. This should include the long history of Indigenous peoples prior to colonization, the effects of colonization on local Native communities, and the contributions that Native communities have made to our current culture.
- The historical and current uses of seals, coats of arms, flags, and mottos. As appropriate to grade level or audience,
- The specific history of the seals and mottos of both colonial and post-colonial Massachusetts and the history of the contemporary effort to change the current seal and motto.

The Commission approved the Recommendations for an Educational Program at its November 1, 2023, meeting.

On October 10, 2023, the Commission heard a presentation on the initial findings from Lee Hargraves, Lee Hargraves, Interim Director, Center for Survey Research, who was joined by his colleagues Dragana Bolcic-Jankovic, Senior Research Fellow, Center for Survey Research, and Carol Cosenza, Research Fellow, Center for Survey Research.

The public survey opened on August 17, 2023. Four Commission members, Brig. Gen. Leonid Kondratiuk, Co-Vice Chair Walley, Donna Curtain, and John Peters, assisted in the design of the survey, which was approved by the Institutional review board at UMass Boston. The Questionnaire was organized in 4 sections:

1. Following the news – included questions about the most common way to get information about what is happening in Massachusetts and how closely respondents followed the news about the redesign of the Massachusetts seal and motto.
2. Redesigning the state seal – included questions about different potential features that respondents thought would be important to have on the seal, and how much they would like or dislike those features. Suggested elements were taken from the Commission’s Interim Report and included geographic features, examples of the state’s flora and fauna, representation of different population groups, and other potential symbols for the state seal.
3. Changing the state motto – included questions about different aspirational words or phrases respondents would like to see in the new motto, whether the motto should be part of the new seal, and in what language the motto should be written.
4. Demographics – included questions about how long respondents have lived in Massachusetts, age, gender, education level, and race and ethnicity.

A mailing was sent on August 17, 2023, for the Representative Sample survey (RSS) of Massachusetts residents. The mailing included an online option and was formatted as a 4-page self-administered paper instrument printed in English and Spanish, and the online survey was available in eight languages—English, Spanish, Portuguese, Chinese, Vietnamese, Khmer, Haitian Creole, and Russian. This survey closed on October 2, 2023.

On August 17, 2023, a Public Sample Survey (PSS), administered online only, was sent to listservs of Indigenous communities in Massachusetts, to the members of the Massachusetts Veterans Service Officers Association, to the newsletters and social media of many of the Commission members. A public invitation was shared widely through the press, including *The*

Boston Herald, WCVB-TV, WBUR, the Associated Press, Boston.com, and numerous local outlets. The public link closed on September 27, 2023.

In addition to the statewide survey, CSR conducted seven small group discussions via Zoom with members of Indigenous communities in Massachusetts and other Massachusetts residents to gather additional qualitative data for the report. The participants were recruited through researchers' networks from the UMass centers and institutes, and with assistance from members of the Commission.

The full survey report, including the questionnaire, results, methodology and analysis of CSR is included in this report. The Commission reviewed the survey results on October 10 and again on November 1. The Commission made several observations:

- The response to the Public Sample Survey exceeded CSR's expectations, with more than 10,000 residents completing the survey.
- The response of the Public Sample Survey did not reflect the diversity of Massachusetts, with several groups responding at rates that were lower than their representation in the population of the Commonwealth.
- Native and Indigenous respondents were in general more informed about the efforts to change the seal and motto.
- The majority of Native and Indigenous respondents supported the inclusion of an Indigenous figure on the seal.
- The low response rate to the PSS by residents from Spanish or French speaking demographics may have influenced the percentage that voted to abandon the Latin language for the motto. 70% preferred English language for the motto, followed by Indigenous People's language (14.4%), and only 11.7% selected Latin.

The full survey results and analysis are attached to this report. The report includes ample analysis of the responses. This information should serve to inform the decisions of the Legislature in the creation of a new seal and motto. As the CSR team notes, the right whale, the coast or shoreline, the shape of the state, and cranberries received the highest support from respondents, while the most popular terms in a new motto were Peace, Equality, Justice, and Liberty.

The survey also reflects the nuances and differences in interpretation of the seal, motto, state flag, and the varying degrees of support for changing these public symbols. The Commission

notes that the Public Access Survey garnered participation by several groups (Black/African, Hispanic, Asian) that was disproportionate to the population of Massachusetts. The Commission feels strongly that any further iteration of the decision-making process regarding the seal and motto strive to include representation by members of these groups.

Special Commission Relative to the Official Seal and Motto of the Commonwealth of Massachusetts

Recommendations for an Educational Program on the Seal and Motto of the Commonwealth of Massachusetts

Submitted by
Elizabeth Solomon
Commission Member
Representative of the Massachusetts Tribe at Ponkapoag
October 30, 2023

Overview

The legislation establishing this Commission requests “recommendations for an educational program on the history and meaning of the seal and motto.” The Commonwealth’s seal, flag and motto stand as representations of the values, goals, and aspirations of the institution of the Commonwealth and its people. The Commission believes that examining the seal and motto provides a teachable moment and a valuable opportunity for meaningful conversations among all residents of the Commonwealth about our history, our values and aspirations, and the symbols that best represent them. This examination also provides a unique opening for positive and reparative engagement with the Commonwealth’s Native communities. We believe that this process will benefit all residents.

The current seal and motto are currently widely disseminated within multiple media. Residents encounter their symbols daily. In addition to the Commonwealth’s flag which is widely flown throughout the Commonwealth in both government and private settings, the seal appears on state websites, on street signs and bridges, and on all official state correspondence, publications, and documents. However, the symbolic elements of the seal and motto are representative of a history that is both complicated and unfolding.

Our most common historical narratives focus almost exclusively on European colonization and its role in the development of the United States while providing minimal insight into the histories and influences of both Indigenous and African American communities, both of which are fundamental to a complete understanding of where we have been and where we are going. Significantly, our Native communities have long objected to multiple elements of the iconography of the current seal and motto as harmful. We now have an opportunity to understand the histories underpinning those harms both in the pursuit of developing and teaching a fuller history of Massachusetts and as one means of beginning to undertake overdue reparative work.

We must take this unique opportunity to create mechanisms for all of our residents to understand how our current symbols were adopted, what they mean to us today, and how and why some of these symbols are seen as inherently harmful by the Indigenous residents of the Commonwealth.

Educational Program Goals and Content Parameters:

Any successful educational program is built on a foundation of clearly articulated objectives for learning and a curriculum developed based on the essential questions and specific content areas that will facilitate the achievement of those objectives. This section outlines the commission's recommendations for the overarching goals and key content areas of the educational program.

Learning objectives:

- Understand the historical underpinnings of seals, mottos, and flags and how they influence us today.
- Learn about local Native history and the effects of colonization on Native communities from a Native perspective.
- Explore the history and origins of the symbols and iconography of the current seal and motto and how they may be perceived differently over time and from different perspectives.

Essential Questions:

- Why do we use symbols like flags and mottos?
- How do the symbols we use reflect who we are and what we value?
- Whose perspectives influence the adoption of symbols? Who is left out?
- How and why might symbols change over time?

Key content:

- Indigenous history and culture of Massachusetts and New England. Since the current seal and motto prominently feature both a Native figure as well symbols directly related to our colonial history, it is critical that an education program about the seal and motto delve into the historical and cultural histories the influences the use of these symbols. This should include the long history of Indigenous peoples prior to colonization, the effects of colonization on local Native communities, and the contributions that Native communities have made to our current culture.
- The historical and current uses of seals, coats of arms, flags, and mottos. As appropriate to grade level or audience,
- The specific history of the seals and mottos of both colonial and post-colonial Massachusetts and the history of the contemporary effort to change the current seal and motto.

Targeted Audiences

The developers of effective curricula carefully design them to meet the unique needs of the specific learners or audiences that are being targeted. However, examining and reimagining the symbols and iconography that represent the Commonwealth impacts all the Commonwealth's residents and education around this process necessarily spans multiple audiences with very different needs. The learning, objectives, essential questions, and key content areas outlined in the "Educational Program Goals and

Content Parameters” above apply to all aspects of the broad educational program. However, the commission has identified two essential audiences that the program should target, both which have unique needs. We outline these audiences below with specific recommendations for both content and execution.

K-12 Students

- The development of mandatory curriculum modules as part of the state learning standards on local history and culture. Specific modules should be designed to be used at designated grade levels in elementary, middle, and high school classrooms.
- The development of the curriculum modules should be undertaken by paid professional educational designers. Close collaboration with paid representatives of local Native communities will be required to ensure the incorporation of Native history and perspectives into all aspects of the curriculum.
- The legislature should enact legislation for the development and design of learning modules tailored to grade levels in elementary, middle, and high school classrooms and to allocate funds to support the awarding of an RFP that support the costs of this work. Award criteria should include experience with the development of curricula that include and incorporate Indigenous perspectives.
- For the K-12 learners we suggest the addition of the following key content areas to the overarching “Educational Program Goals and Content Parameters.”
 - Hear contemporary indigenous voices and perspectives
 - Integration of the content of these modules with education on the workings of governments
 - Exposure to the analysis of sources
 - What makes a source primary or secondary?
 - What reliable information can be gleaned from primary sources? What is missing and why?

- How do we adjust for what is lacking from primary sources?
- How do we decide on what is a reliable source?

Massachusetts Adult Residents

- A public educational campaign targeted to the public on the work of the Commission as the legislature considers our recommendations.
- The development of educational materials for the public should be contracted out to by the appropriate controlling body. Close collaboration with paid representatives of local Native communities is required.
- The products should include easily accessible materials that summarize the final report of the commission as well a bibliography to facilitate the needs of residents who wish to explore the issues in-depth.
- Products produced should include materials in multiple media and must be presented at a comprehension level accessible to the public.
- Design different dissemination methods to reach multiple types of learners and multiple constituencies so that all residents have access to these materials.
- Provide widespread access to these educational materials through the use of publicly available and highly utilized distribution sites such as public libraries, government offices, and senior and community centers.
- For the public we suggest the addition of the following key content areas to the overarching Educational Program Goals and Content Parameters.
 - o Prominently feature the current Seal and the Motto of the Commonwealth. Although it appears on the state flag as well as in many other places, it is likely that because of its ubiquity, that many members of the public may encounter the images without “seeing” them.
 - o Overview of the work of the Commission
 - o Information on where the seal and motto regularly show up.
 - o Brief history of the elements of the current flag
 - o Explanation of how the elements may be interpreted by different constituencies and residents. What elements are seen problematic?

- o Brief history of the move to change the seal and motto.

Conclusion

The Commonwealth's seal, flag, and motto stand as representations of the values, goals, and aspirations of the institution of the Commonwealth and its people. For nearly half a century there have been voices calling for changes to our current seal, flag, and motto. While it is the responsibility of the legislature to consider the recommendations of this commission, the images and designs that make up our seal, motto, and flag are something that concerns and affects all residents of the Commonwealth. Our hope is that the proposed educational program will inform the public on the issues involved in the work of this commission, educate our students on how the ongoing intersections of Native and Euro-American histories influence both the past and the present, and that all of our residents actively engage in considering how the Commonwealth wishes to represent itself both internally and the world. We believe that both our current residents and future generations can learn from the process of exploring these symbols and imagining new ones.

THE GREAT SEAL OF THE COMMONWEALTH OF MASSACHUSETTS

BRIEF HISTORICAL OVERVIEW

Submitted by Michael Comeau and Leonid Kondratiuk

A “seal” is a device used to create an impression on wax, paper, or some other medium that conveys personal or corporate symbolism or authority. The term commonly refers to either a matrix or die cast from a hard substance on which an image, either in relief or intaglio, has been produced, though the term in some instances can also allude to the actual impression made by the device as well. The use of seals can be traced to early civilizations, and have existed in various forms throughout most of recorded history. As writing in earlier times was a skill mastered by few regardless of station, for centuries people would signify acceptance of a document by affixing their symbols or coats-of-arms on soft wax attached to the manuscript. The seal device was commonly an instrument carried by a person for this purpose, or an engraved marking on a signet ring worn by the owner. Generally, these engravings would be distinctively personalized, as they served as the “signature” of the individual. Likewise, the prevalence of illiteracy forced many to seek absolute assurance of the contents of documents and papers before they would affix their seal. This practice of validating documents with a seal would gradually evolve into the larger convention of authenticating official records in similar fashion.¹

The use of national coats-of-arms and seals also date back to antiquity, and continuance of this custom as an assertion of sovereignty extends to the present day. In England, the use of royal seals dates back to the late 7th or early 8th centuries, with the earliest seal to survive in contemporary wax impressions being that of Edward the Confessor. Though the tradition of using seals with documents extends back to ancient Mesopotamia, early Anglo-Saxon seal matrices were more probably inspired by contemporary continental precedents such as papal seals.²

As colonies in North America were established under the authority of Great Britain, armorial seals were created for their use. In the Massachusetts Bay Colony, the earliest seals - embossed on paper or impressed into wax by a mechanical screw press – validated activity of the General Court and certified proclamations and commissions. In both the New World and back in England, the seal would serve as tangible acknowledgement of the governor's authority in the colony as well as the King's sanctification of that authority in absentia.³

Chapter VI, Article IV of the Massachusetts Constitution requires that, "All commission shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy and have the Great Seal of the Commonwealth affixed thereto." ⁴ Custody of the Seal is charged to the Secretary of the Commonwealth, who "shall have the custody of the State Seal; and copies of records and papers in his office, certified by him, and authenticated by the State Seal, shall be evidence in like manner as the originals."⁵

The New England Colony for a Plantation in Massachusetts Bay was authorized to have a seal by the Charter of the Governor and Company of the Massachusetts Bay in New England granted by Charles I in 1629.⁶ The first General Letter to Governor John Endecott and his Council in Massachusetts Bay dated April 17, 1629 states "We haue caused a comon seale to bee made, which wee send by Mr. Sharpe." In a postscript the Governor, still in England, wrote that he had sent over "the Companyes seale in silver, by Mr. Samuel Sharpe, a passenger in the *George*."⁷

The seal itself was oval in shape, depicting a Native Person holding a bow and arrow, standing between two pine trees. The arrow is held in downward position, as a gesture of peace. A word balloon is attached to the Native Person that reads, "Come over and

help us.” This is taken from a prayer of a man of Macedonia to St. Paul (Acts, XVI:9).⁸ Authorities of the Massachusetts Bay Colony, like their counterparts in Plymouth, saw Native Peoples as analogous to pagan Macedonians who were desperate for the light of the gospel.⁹ As Brona Simon, Executive Director of the Massachusetts Historical Commission and State Archeologist, explains, the inclusion of a Native Person with the word *balloon* was used by John Eliot as a propaganda tool to convert Indigenous Peoples in the eastern part of Massachusetts and establish “praying towns”. These transculturated Native Christians, or “Praying Indians,” lived in both Anglo and Indian worlds, and were products of the overtly missionizing intent the Colony sought to memorialize on its seal.¹⁰

In his report to the Committee on the Judiciary that accompanied the Act that codified the state seal in 1885¹¹, William H. Whitmore states that the seal delivered by Mr. Sharpe, “was the only one used for over fifty years or until the abrogation of the first Charter in 1684.” In truth, the story was a bit more complex, with more than one (applied by either hand or screw) used by future Governors until revocation of the Charter. Joseph Dudley, serving as president of a provisional council governing Massachusetts Bay, New Hampshire, Maine, Narragansett, and Plymouth, used a similar seal with the figure of an Indian until the arrival of Sir Edmund Andros in December 1686.¹²

Andros, serving as Governor of the Dominion of New England formed in 1686 by James II, was furnished with a new, two-sided seal. On one side, there was the King in his robes with two kneeling figures – a colonist and a Native Person. The reverse side depicted a lion, a unicorn, and a crown. Subsequent Governors affixed their personal seals to commissions issued to officers in the military.

Andros was imprisoned and the Dominion of New England overthrown on April 18, 1689, shortly after news of the Glorious Revolution in England had reached Boston. In its place an extralegal provisional government known as the Council for the Safety of the People and Conservation of the Peace was established. Returning to the form of

government in effect in 1684, this new provisional government existed until 1692, when the charter for the new Province of the Massachusetts Bay was brought to Boston.

The new charter, signed by King William and Queen Mary on October 7, 1691 and inaugurated in Boston on May 14, 1692, provided that, "Orders Lawes Statutes and Ordinances Instructions and Directions as shall be soe made under the Seale of our said Province or Territory shall be Carefully and duely observed kept and performed,".¹³ The seal itself was the Royal coat-of-arms of William and Mary, and was used with minor variations until 1714, at which time it was replaced by the Seal of George I, followed by that of George II and George III upon their respective ascensions to the throne. As the Governor served as Commander-in-Chief of the provincial forces under the Province Charter, all commissions to officers in the military service were issued under a Privy Seal, bearing the personal coat-of-arms of the governor.¹⁴

Following the Boston Tea Party in December, 1773, Parliament passed a series of punitive measures in early 1774 known collectively as the "Coercive" or "Intolerable" Acts. Implementation of these Acts by Royal Governor Gen. Thomas Gage resulted in his dissolution of the Assembly in June 1774, at which point the Assembly resolved itself into the first of three Provincial Congresses. After consultation with the Continental Congress in regard to a permanent government, a newly elected General Court "resumed" government under a modified version of the 1691 Province Charter on July 19, 1775.

With Gage retaining custody of the Royal Seal, and his authority no longer recognized by the province, a new seal was ordered by the Council, the body in which executive power had been vested. Action in this regard was initiated by a Council Order dated July 28, 1775, forming a "Committee to Consider what is necessary to be done relative to a Colony Seal."¹⁵ A report attending this order reveals that an initial design of an "Indian holding a Tomahawk & Cap of Liberty," be replaced with an "English American holding a Sword in the right hand Magna Charta in the Left hand with the words Magna Charta imprinted on it." The report also for the first time introduces the motto, "*Petit sub*

libertate quietem.”.” The quote, attributed to the English politician, political theorist, and soldier Algernon Sidney, was adjusted to read, “*Ense petit placidam sub libertate quietem.*”¹⁶

As an ambassador to the court of Denmark, Sidney had inscribed these words in a book of mottos which lay in the Kings library (“Every noble stranger who came to Denmark was allowed to write a motto or verse in the King’s book of mottos”).¹⁷ Sidney’s *Discourses Concerning Government*, a defense of republicanism and popular government and repudiation of royal absolutism and the divine right of kings, had some influence on political thinking in the American Colonies at the time of the Revolution.

The full text of Sidney’s inscription reads, *Manus haec inimica tyrannis ense petit placidam sub libertate quietem.* This translates as, *This hand, an enemy of tyrants, seeks with the sword a quiet peace under liberty.* The Massachusetts motto uses only the second part of this sentence. Often loosely translated as, *by the sword we seek peace, but peace only under liberty*, its more literal translation reads, *she seeks with the sword a quiet peace under liberty.* Within the literal translation, the pronoun “she” alludes to the subject “hand” from Sidney’s full quotation, itself modified by the clause, “an enemy to tyrants.” The seal itself, which was engraved by Paul Revere, became known as the “Sword in Hand” seal, and remained in use for the next five years.

With adoption of the 1780 Constitution for the Commonwealth of Massachusetts, it was decided that a replacement seal more symbolic of the history and purpose of Massachusetts – with independence then firmly established in America – be devised. To this end, a joint committee was formed and a report created for submission to the Governor and Council.¹⁸ For reasons impossible to discern from the public record, the report was rejected by the Senate and a special committee was convened, which in turn approved the initial report and referred it to the Governor and Council.¹⁹

The next evidence of action found in the public record is a Council Order dated December, 13th 1780, appointing Nathan Cushing as a Committee to devise a new Seal.

It is here that the details later codified into the current coat-of arms and motto were laid out. Cushing's design, which replaced the English-American with a Native Person as the feature element, incorporated a heraldic presentation: the Crest (the ruffled sleeve and hand holding a sword); the Wreath or Torse (the braided ribbon beneath the Crest); the Escutcheon (the shield, of Norman design); the Mullet or Mollette (the 5-point star within the shield); the Heraldic Charge (the Native Person depicted on the shield); and the Bottom Banner in which the motto appears. Cushing's description of the device for the Seal is as follows:

...Sapphire, an Indian dressed in his Shirt, Moggasins, belted proper, in his right Hand a Bow Topaz, in his left an Arrow, its point towards the Base; of the second on the Dexter side of the Indian's head a Star, Pearl, for one the United States of America.
Crest On a Wreath a Dexter Arm cloathed & ruffled proper, grasping a Broad Sword, the Pommel and Hilt Topaz, with this motto Ense petit placidam Sub Libertate Quietem -²⁰

Though the artistic representation of the coat-of-arms would vary over time, the basics of its construct remained constant.

There is no record of any subsequent action taken by the Legislature. William H. Whitmore, in his 1885 Report to the Committee on the Judiciary, surmised that, "Probably the members thought that acceptance of the report, referring the matter to the Governor and Council, was sufficient, without the enactment of a law conferring on them the power to define and establish the seal." The lack of legislation defining strict regulation as to the seal's representation, however, resulted in many stylized interpretations – in Whitmore's words, "a ludicrous amount of variation from the standard" – being used over the years.²¹

The lack of legal adoption by authority of the Legislature led to the Great Seal being prescribed in its present form by statute in 1885.²² It is in this legislative Act that the distinction between the seal and the arms was drawn: the Great Seal of the Commonwealth being the circular boundary bearing the inscription, *Sigillum Reipublicae*

Massachusetts, and the arms consisting of the coat-of-arms and motto positioned within.²³ The specific components of each, as well as the approved color scheme, are also defined within the statute. Pursuant to the statute, the seal,

...shall be circular in form, and shall bear upon its face a representation of the arms of the Commonwealth, with an inscription round about such representation, consisting of the words "Sigillum Reipublicae Massachusetts"; but the colors of such arms shall not be an essential part of said seal, and an impression from a engraved seal according to said design, on any commission, paper or document of any kind, shall be valid to all intents and purposes whether such colors, or the representation of such colors by the customary heraldic lines or marks, be employed or not.

The arms, which form the central part of the Great Seal,

...shall consist of a shield, whereof the field or surface is blue, and thereon an Indian dressed in his shirt and moccasins, holding in his right hand a bow, and in his left hand an arrow, point downward, all of gold; and in the upper corner above his right arm, a silver star with five points. The crest shall be a wreath of blue and gold, whereon is a right arm, bent at the elbow, and clothed and ruffled, the hand grasping a broadsword, all of gold. The motto shall be "Ense petit placidam sub libertate quietem."

Well-known 19th century illustrator and painter Edmund H. Garrett, under the direction of Secretary of the Commonwealth William H. Olin, was selected to produce the final design, which was approved pursuant to St. 1898, c. 519.²⁴ In an article published in 1900 in the *New England Magazine*, Garrett provided insight from his perspective as to the various elements included in his final design, as well as the rationale of he and the principle specialists involved in their selection and application.²⁵

Massachusetts General Laws Chapter 2, Section 5 places custodial responsibility of the Seal of the Commonwealth upon the state secretary, and all representations of the arms, seal, and flags of the Commonwealth are to strictly conform with specifications

prepared by the secretary in 1971.²⁶ Promulgated regulations for the specifications, use, display, and manufacture of the Great Seal are defined within 950 CMR 34.00.

The use of the coat-of-arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law. In addition to commissions, all records certified by the Secretary must bear the Great Seal. Permission to use the coat-of-arms and the Great Seal must be obtained from the Secretary of the Commonwealth.²⁷