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Flags - Archives and History

Absent further legislative elaboration, Section 1-2-5 of the Code of Alabama 1975 requiring a cross of St. Andrew with diagonal bars crossing the flag from side to side would suggest that the modern state flag of Alabama should be rectangular in shape.

Dear Dr. Bridges:

Your inquiry concerned the proper shape of the Alabama State flag and the proper intersection of the arms of the cross of St. Andrew on the flag.

The central issue concerns the proper shape of the cross of St. Andrew required by Section 1-2-5 of the Code of Alabama 1975. The statute reads as follows:

"§ 1-2-5 Flag of the State-Description

The flag of the state of Alabama shall be a crimson cross of St. Andrew on a field of white. The bars forming the cross shall be not less than six inches broad, and must extend diagonally across the flag from side to side."

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Since 1895, the Alabama State flag has featured a crimson cross of St. Andrew on a field of white. Representative John W. A. Sanford, Jr., the sponsor of the bill served in the 60th Alabama Infantry Regiment in the Civil War and modeled the flag after the Regiment's battle flag.

As the exact shape of the flag cannot be determined by the words of the statute, precedent and practice would support the conclusion that our state flag is rectangular in shape, as all other state flags with the exception of Ohio are rectangular.

Although the Legislature modeled the state flag after the battle flag, there is no requirement that its measurements should be exactly the same so as to require the flag be square in shape.

As our state flag has appeared in print since 1896 and in the Alabama Official and Statistical Register since 1907 as rectangular and has been reproduced millions of times as a rectangle, the requirement that the state flag contain the cross of St. Andrew with diagonal bars crossing the flag from side to side would suggest that the proper shape of the state flag of Alabama should be rectangular.

I hope I have sufficiently answered your inquiry. If, however, our office can be of further assistance to you in the future, please do not hesitate to contact us.

Sincerely yours,

DON SIEGELMAN
Attorney General
By:



C. DEAN MONROE, III
Assistant Attorney General

DS/CDM/dn