

Smithsonian's Conflicting Legal and Public Claims Renew Debate Over Presidential Authority and Institutional Status

Smithsonian faces scrutiny as conflicting claims of independence and federal status fuel legal uncertainty over Trump's attempt to fire Director Kim Sajet.

WASHINGTON, DC, UNITED STATES, June 10, 2025 /EINPresswire.com/ -- The Smithsonian Institution has publicly asserted its independence in response to President Trump's recent announcement that he has dismissed National Portrait Gallery Director Kim Sajet. Yet in court filings defending Sajet in [Raven v. Sajet \(17-cv-01240-TNM\)](#), the Institution described itself as "government through and through," highlighting a stark inconsistency that raises renewed questions about its legal classification and oversight.

Institutional Assertions Clash in Legal and Public Arenas

Public Statement – Independence Claimed

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"...the Smithsonian is a government institution through and through"
Case# 17-cv-01240 TNM"

Judge Trevor N McFadden

In a June 2025 response to President Trump's declaration, the Smithsonian stated that Secretary Lonnie Bunch III, with the Board of Regents, holds exclusive authority over leadership appointments and removals. The Institution emphasized its identity as "[an independent entity](#)" created by Congress.

Legal Position – Government Status Claimed



Kim Sajet protesting Trump inauguration Jan 21, 2017 Women's March Washington D.C.

In contrast, during federal litigation over artist Julian Raven's pro-Trump painting *Unafraid and Unashamed*, the Smithsonian asserted in court that it functions as an arm of the federal government. This position was affirmed by U.S. District Judge Trevor McFadden, who applied the "government speech" doctrine to justify the rejection of the artwork.

A Legal Enigma With National Implications

This contradiction—independence in public, government entity in court—raises unresolved constitutional and legal issues:

If the Smithsonian is a federal agency, presidential authority over appointments and dismissals may apply.

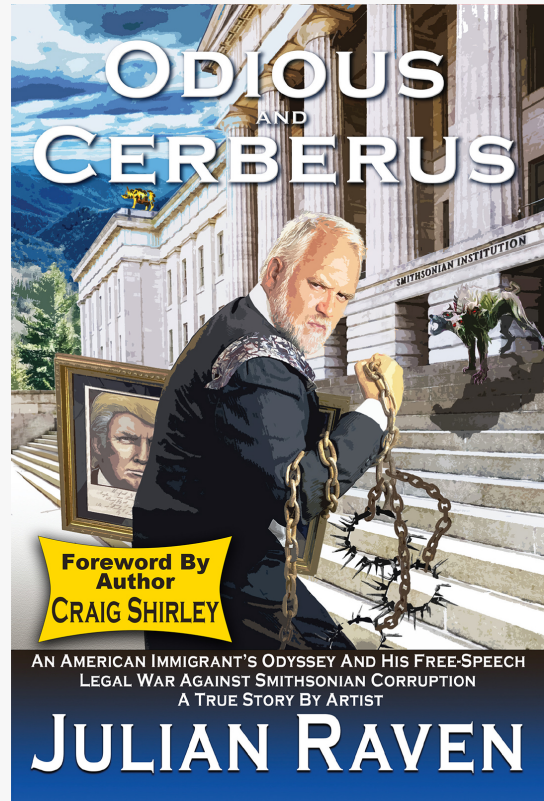
If it is a private trust, such authority may not extend to its leadership. Although these questions were central to *Raven v. Sajat* (17-cv-01240-TNM), [the U.S. Supreme Court declined to grant certiorari](#), leaving the Smithsonian's legal entity status undefined under federal law.

Judicial Characterization of Conduct

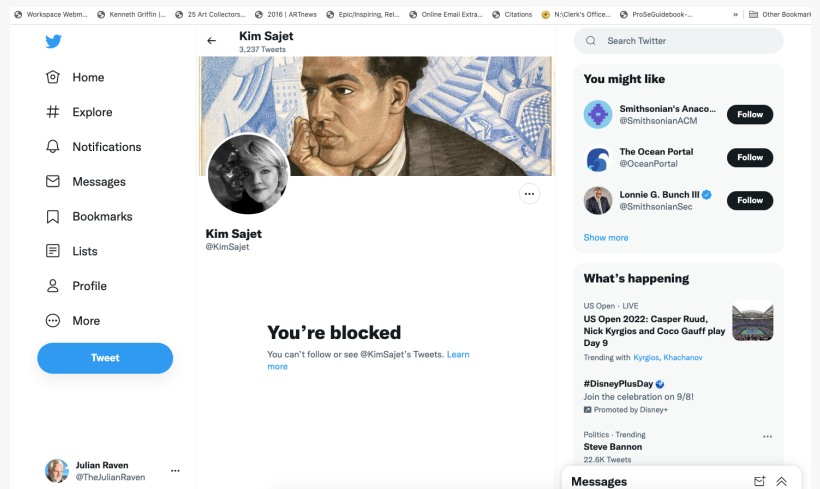
In his 2018 opinion, Judge Trevor McFadden described Director Sajat's actions in rejecting Raven's painting as both "odious" and "partisan." Despite this judicial assessment, the Institution has continued to support Sajat's tenure, further intensifying scrutiny of its governance and neutrality.

Renewed Legal Action

Artist and petitioner, Julian Raven, has announced his intent to file a renewed petition for



Book by Raven



Julian Raven blocked by Smithsonian Government Official Director Kim Sajat

rehearing with the U.S. Supreme Court, seeking clarification on the unresolved questions of federal law regarding the Smithsonian's status, oversight, and governance structure.

With over \$700 million in annual taxpayer funding, the Smithsonian's legal posture has national implications for:

Constitutional Authority: Who has the power to appoint or remove leaders of institutions receiving federal funds?

Public Accountability: Should institutions with substantial public funding operate without consistent legal standards?

Transparency and Oversight: Does the current structure allow for adequate public and governmental oversight?

Raven authored and documented his legal odyssey battling what he calls the Smithsonian Institutional enigma in his book titled "Odious and Cerberus: An American Immigrant's odyssey and his free-Speech legal war against Smithsonian corruption," where in he claims to have meticulously documented the legal mystery.

Julian Raven

Julian Raven Artist

[email us here](#)

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