

Emergency Petition Targets Smithsonian's Legal Contradictions: Is It Government or Independent? SCOTUS Must Decide

Raven to Supreme Court: End the Smithsonian's Legal Ambiguity That Shields It from Both Accountability and the Constitution

WASHINGTON, DC, UNITED STATES, June 12, 2025 /EINPresswire.com/ -- Artist, author, and constitutional petitioner Julian Raven has filed an [Emergency Petition for Rehearing](#) at the Supreme Court of the United States, addressed individually to Chief Justice John G. Roberts, Jr., and each of the eight Associate Justices. The petition seeks judicial review following the Court's 2019 denial of certiorari in [case No. 19-6548](#). Raven's filing revisits the legal implications of the Smithsonian Institution's status under federal law, now made more pressing by recent public and political attention.



Kim Sajet @NPGDirector · Jan 21

Loved #WomensMarchOnWashington w
#girlfriends #thisiswhatdemocracylookslike
#GirlPower #fightlikeagirl



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

Raven's petition focuses on the unresolved legal question surrounding the federal or independent character of the Smithsonian Institution. This issue has become central following recent controversy involving President Trump's efforts to remove Kim Sajet, Director of the National Portrait Gallery. Sajet's conduct was previously characterized by Federal Judge Trevor McFadden in *Raven v. Sajet* (17-cv-01240-TNM) as "odious" and "partisan." She remains in her role while broader questions of oversight and accountability remain unsettled.

Legal Status and Institutional Ambiguity

Raven's petition points to a constitutional ambiguity that remains unresolved: in court, the

Smithsonian has asserted it is “government through and through,” qualifying for protection under the government speech doctrine. Yet in public, its leaders—including Secretary Lonnie Bunch—have described it as an “independent” entity. Raven argues this contradiction has allowed the Institution to operate without clear legal boundaries.

“The Supreme Court is the only authority that can definitively determine whether the Smithsonian is a federal agency or a private trust,” Raven said. “This isn’t about politics, but legal clarity and accountability in publicly funded institutions.”

Role of Congress and Legislative Oversight

The petition also explores the role of Congress as the Smithsonian’s principal trustee, as outlined in the 1846 Act of Congress that established the Institution. Raven contends that Congress has the legal authority to restructure the Smithsonian’s governance, including the Board of Regents, to align more closely with the intentions of its original benefactor, James Smithson.

Raven suggests that, under trust law, the removal of directors who breach fiduciary duties—such as loyalty, impartiality, or adherence to the trust’s purpose—is both lawful and necessary. These principles, he argues, should apply to directors whose actions are perceived as politically biased or inconsistent with the Smithsonian’s mission of “the increase and diffusion of knowledge.”

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In sum, despite its philanthropic mien, the Smithsonian is a government institution through and through.”

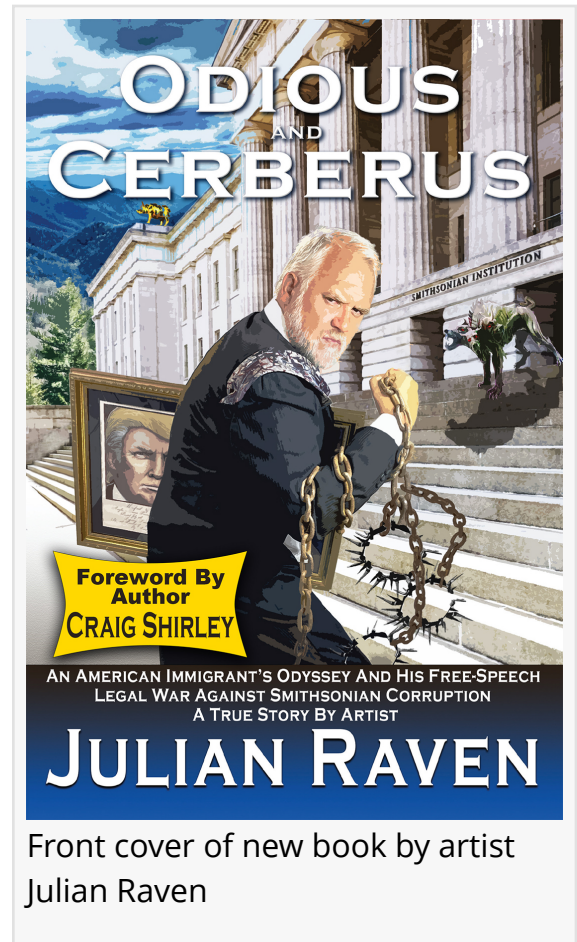
*Judge Trevor McFadden Case
17-cv-01240*

Documented Legal History and Ongoing Dispute

Raven’s book, *Odious and Cerberus: An American*

Immigrant’s Odyssey and His Free Speech Legal War Against Smithsonian Corruption, chronicles his eight-year legal effort and provides historical and legal context surrounding the Smithsonian’s structural challenges. The book serves as both a personal memoir and a reference guide to understanding the Institution’s complex legal standing.

In the petition, Raven also cites cases such as *Lebron v. National Railway Corp.* and trust law precedent to argue that entities receiving substantial public funds must be subject to



Front cover of new book by artist Julian Raven

constitutional standards. He argues that while other plaintiffs in similar hybrid-government cases prevailed, his case remains unresolved due to the Smithsonian's undefined legal classification.

Judicial Responsibility and Public Interest

While the controversy surrounding the attempted removal of Kim Sajet has attracted significant media attention, Raven notes that his legal claims and judicial findings have largely gone unreported. He references *Marbury v. Madison*, underscoring the Supreme Court's role in declaring the law.

"If the Smithsonian is a public institution, it should be accountable to the public. If it is private, it must respect the constitutional rights of private citizens. But the current ambiguity undermines both standards," Raven said.

Next Steps

With the Emergency Petition now filed, Raven is calling on the Court to address the questions it previously declined to hear. "This is about institutional clarity. It's about ensuring that taxpayer-funded entities are governed by consistent, transparent legal frameworks," he said.

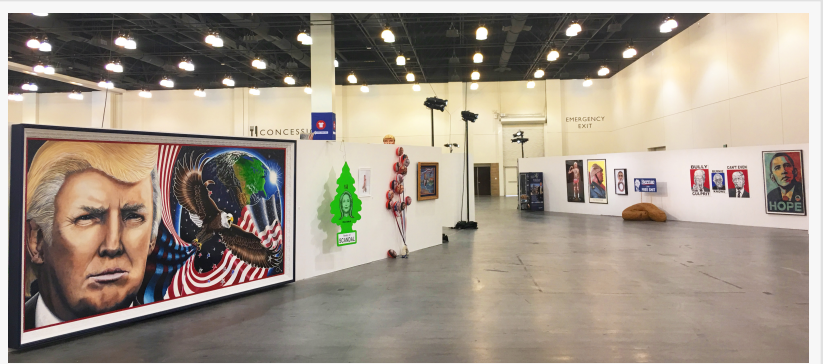
Julian Raven, is a pro-se litigant, and is available for interviews and media appearances. For press inquiries, please contact:[Insert Contact Information]

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Trump portrait at Politicon - the Art of Politics Show, Pasadena, CA, 2016

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