8
Relocation and Its Critics

Relocating a Confederate monument from a revered public space to a museum, a memorial park, or to private land, severs the association in the public mind between the monument's message and the local community and does nothing to destroy the structure itself. Opponents of relocation argue that relocation represents an attempt to rewrite history, needlessly causes racial strife, disrespects Southern heritage, and begins a slippery slope toward a policy of banishing from public spaces all memorials to any who owned slaves. Relocation does not literally rewrite history since the monument merely is relocated. Relocation could be understood to "rewrite history" in the sense that relocation could cause a loss of the historical fact that once a particular public space contained a particular monument over the course of certain years and that the monument was constructed by a certain group for a particular purpose. These historical facts need not be lost, however. In the public space that once contained a Confederate monument a local community could add a plaque or other reference material collecting all of the data needed to provide an accurate account of the presence of the now-removed moment. Nor does removal needlessly cause racial strife: indeed, honestly confronting the racial injustices of the past may provide the best hope for healing. Local communities need to be clear that monument removal reflects the local jurisdiction's decision that it no longer will lend its imprimatur to the Confederate monument's pro-Confederate message. There is no need to shame those for whom a pro-Confederate message remains valuable or shame their ancestors. Every generation of citizens is entitled to decide for itself what message it wishes for its community to project to the public. Nor are monuments to Washington, Jefferson, Jackson, etc. in jeopardy by the removal of a Confederate monument. A municipality chooses to remove a Confederate monument not because the person or persons honored in the monument owned slaves but rather because the citizenry has chosen to disassociate themselves from the pro-Confederate messaging, and its racist implications of White superiority, that the Confederate monument transmits. Unlike Confederate

monuments, monuments to the nation's founders do not exist because they owned slaves; they exist despite that they owned slaves in order to celebrate matters disassociated from slave ownership.

A PROPOSAL TO REMOVE a Confederate monument can precipitate a salvo of bitter responses, many grounded in the ideology of dual heritage: the accusation that removal constitutes an act of discrimination against Whites. This discrimination claim often is paired with complaints that removal of any Confederate memorialization diminishes the worth of those who value Southern heritage by sending the message "that they are not important."[1] To those who claim such an attachment to Southern heritage, those portions of the public landscape containing Confederate memorialization can take on the status of "sacred places" that become sites of controversy when their original designation is contested and new groups with enhanced cultural and political authority seek to have the site redefined.[2]

Proposals to remove/relocate a Confederate monument typically are met with what might be termed the "Confederate trifecta:" a run of three arguments that are most often advanced for not removing a Confederate monument.[3] The three trifecta claims are: 1) the history claim—one cannot rewrite history, slavery and the Civil War happened, monuments were raised, those are historical facts, and these historical facts cannot and should not be erased; 2) the "let sleeping dogs lie" argument—efforts to remove/relocate Confederate monuments needlessly provoke racial strife and inflame race prejudice at a time when we should be working to heal and promote racial harmony; and 3) the heritage argument—White Southerners have as much right to their heritage as do African Americans to theirs and removing monuments demeans Southern heritage.

The Rewriting/Erasing History Claim

If one were to catalog the most commonly advanced arguments for retaining Confederate monuments on public land, that list surely would include the claim that removing a Confederate monument is tantamount to an effort to rewrite history, an attempt to erase history. Monument removal, it is argued, is akin to book burning. Southern heritage preservation groups argue that "history isn't for sissies. If you made statues only of saints, you'd have no statues."[4] It is argued by supporters of the Confederacy (mostly, though not entirely, Southern Whites) that while it may be a painful reminder for some African Americans, the Confederacy and the Civil War are part of the Southern past for African Americans and White Southerners

alike. History cannot be erased by banning flags, removing monuments, renaming buildings and streets, or substituting new pages into history books. Heritage groups sometimes express this argument as an accusation that efforts to remove Confederate symbols and other reminders of White Southern heritage represent little more than a "totalitarian impulse [that] should be resisted" sometimes expressed as "historical revisionism and political correctness" or "radically politicized affront to [White Southerners'] canonical histories."[5]

Initially, it is useful to keep in mind that those proposing the removal/relocation of Confederate monuments from the public spaces they now occupy make no demand for relocation from private spaces. Moreover, relocation proponents do not urge the destruction of monuments, thereby destroying the physical historical record of their past placement at a certain time, by a certain group, at a certain place, and for a certain purpose. In other words, there is no attempt to purge from history the fact that a community once made the decision to erect a particular Confederate monument on certain public land.

Nor do opponents of Confederate monuments endeavor to destroy or erase the messages the Confederate monument transmitted while it was located in a prideful public space within the community. Removal proponents urge a change of venue for transmittal of a Confederate monument's message.[6] The Confederate monument debate is not over proposals to destroy monuments or their message.

The controversy centers on an insistence that public entities modify a Confederate monument's placement in order to sever the community's association with the monument's message. The objection to Confederate monuments is that maintaining their placement in public spaces has the effect of local governments adding their imprimatur, their endorsement, to the monument's message. It is the government imprimatur that opponents find objectionable. Relocating the monument from space that the community controls protects a community from being associated with a viewpoint that it finds objectionable.

A group that funds a private monument and donates it to government to be placed on public land does so with the intent to convey to the public that government endorses the monument's message. If not, the monument's sponsoring organization could simply erect the monument on private land. Sponsors prefer that the monument be erected in a public space rather than on private land because location in a public space imparts a local community's agreement with the message the monument communicates. Indeed, gaining the benefit of government endorsement of the monument's message is the whole point of securing a public space for the monument's

location.[7] The central concern of Confederate monument opponents is that the state has "the ability to legitimate certain arguments merely by virtue of its being the state that is offering them [with the result that opposing views] will be denied legitimacy [and] marginalized."[8]

For its part, every government insists, and has the constitutional right to insist, that it retain control over how it presents itself to its constituency and to the outside world. In other words, as the Supreme Court has made plain, by erecting a monument on public land, "the State is speaking on its own behalf" and has the right to limit the content of its own speech.[9] "Governments have always used public monuments to express a government message [of its own choosing], and members of the public understand this."[10] The public associates government with a monument's message whether the monument is government-commissioned or is a "privately financed and donated monument that the government accepts and displays to the public on government land."[11] In either case, in the public mind a monument's message represents the government's viewpoint when government permits a monument to be placed on land it controls. Confederate monument opponents object to a local government extending its endorsement to the symbolic messages that a Confederate monument transmits. That objection, not a desire to rewrite history or erase the monument's message, is why opponents seek removal/relocation of Confederate monuments from public spaces.

For example, in 2018, the Southern Poverty Law Center, a highly visible advocate for removal/relocation of Confederate monuments, argued that "The Confederacy . . . was on the wrong side of humanity. Our public entities should no longer play a role in distorting history by honoring a *secessionist government* that waged war against the United States to preserve White supremacy and the enslavement of four million people."[12] The thrust of this claim is a plea to end public entities' role in "honoring" the Confederate government and its cause "to preserve White supremacy and [slavery]" by retaining Confederate monuments in public spaces. There is no intent here to destroy or erase history, only to end local governments' approval (affirmation) of the Lost Cause version of Confederate history, and the racist ideology underlying that history, that monuments transmit.

Nobody can reasonably charge that removing a Confederate monument from a public space to, for example, a museum, private land, or a Confederate memorial park constitutes "historical rape," or "intellectual vandalism," or otherwise is tantamount to the city's attempt to rewrite or erase history, or that the monument removal was akin to book burning. National values remain fundamentally fluid. The fact that Southern cities and towns once chose to glorify the false ideology of White supremacy by choosing

to sponsor Confederate monuments is an important event in the evolution Southern culture. The past glorification of White supremacy by the raising of Confederate monuments is a fact that needs to be retained as part of a community's historic record. Each generation profits from being taught this stain on Southern public life. But Confederate monuments that are removed to a museum, to private land, or to a memorial park containing many Confederate monuments do not cease to exist: they remain an important artifact for the study of racial hostility in the South and the South's retreat from the ideology of White supremacy. Confederate monuments should be preserved and studied for the clarity they provide with respect to how racism was once able to gain such cultural authority in the South. White supremacy is an important historical fact that ought to not be lost to history and the legacy of White supremacy as evidenced in Confederate monuments is not lost as a result of removing and relocating a Confederate monument from its previous situs in the city's town square. At its new venue, a museum for example, or a monument park, the monument remains intact for all to see, contemplate, and derive whatever benefit anyone desires to gain from viewing it. All that has occurred is a relocation and the concomitant decision by local government to end lending the community's assistance in any way to the *celebration or glorification* of a Confederate monument's racist messaging by hosting the monument on its public land.

Just because one group controlling city government in 1920 possessed the political and cultural authority to make "politically motivated decisions regarding the placement of monuments in sacred public spaces," it does not follow that their viewpoints retain a permanent claim to retain possession of those spaces for all time. Because one city administration chose to permit a particular Confederate monument to be located on its public land, and thereby chose to lend its endorsement to the monument's message of White supremacy, it does not follow that all subsequent city governments have surrendered their autonomy to withdraw the city's affirmation of White supremacy a century later by removing the monument. There is no justification in accusing the city of engaging in efforts to erase history, or rewrite it, simply because it has decided to remove a Confederate monument from a town square and thereby disassociate itself from the monument's racist messaging. No community is bound to endorse viewpoints simply because those governing in a prior generation chose those viewpoints as praiseworthy. It surely is true, as Sanford Levinson has written, that "to commemorate is to take a stand, to declare the reality of heroes (or heroic events) worthy of emulation."[13] Each generation has the right to insist on the autonomy to speak for itself and decide for itself what is and is not praiseworthy.

For example, a community may conclude that it has unique needs to strive for racial inclusiveness and that continued association with a Confederate monument's pro-Confederate message undermines that goal in a particular way because public opinion associates the community with racism due to its continued sponsorship of a Confederate monument.[14] Claiming that the monument's removal is tantamount to an effort to erase history or rewrite it is a transparent distraction, one that is calculated to divert attention from the real issues that a community presented with a demand to remove/relocate a Confederate monument must confront: what message does its Confederate monument transmit and does the public entity on whose land the monument is located wish to be associated with that message?[15] Southern communities cannot escape these questions, for the local government's grant of its imprimatur makes it an "active participant in the molding of the general culture." As Kirk Savage has shown, a "public monument represents a kind of collective recognition—in short, legitimacy—for the memory deposited there."[16] Every community reserves the right to decide what legitimacy it wishes to bestow. Accusations that a proposal to remove/relocate a Confederate monument is tantamount to rewriting history diverts the debate from this core insight.

The removal/relocation of a Confederate monument does create the risk of expunging history in one sense. The presence of the Confederate monument at a certain place, during a certain period of time, and constructed by a certain group for a certain reason is itself history. Removal without more can erase the historical fact of a Confederate monument's previous placement on a certain public space. This concern is easily addressed by adding appropriate signage at the former location of the Confederate monument explaining the facts of the now-eliminated presence of the Confederate monument in particular public space, including who raised the monument and why and the reasons why the community chose to remove the monument.

The Avoid Needless Provocations of Racial Strife Claim

The second of the Confederate trifecta arguments to resist the removal/relocation of Confederate monuments states that efforts to remove/relocate Confederate monuments should end because such efforts in the name of "racial justice" needlessly provoke racial strife and inflame race prejudice. In other words, the *status quo* of race relations should not be tinkered with—leave sleeping dogs lie.

The racial *status quo* may be satisfactory to some Whites, but African Americans have little reason to be content with the current state of race

relations given the structural racism that is so prevalent in America, as has been detailed earlier in this book. Whites may resist substantial change in the racial status quo and assert that Blacks who seek change are making "illegitimate demand for societal change." But for many Whites the real source of their anxiety is that granting Black demands for social change (such as removing/relocating Confederate monuments), is that Whites lose power and/or status, and perhaps also privilege.[17]

A variation of the avoid-needless-provocation argument accepts that race relations might benefit from a greater degree of racial justice but contends that the removal/relocation of Confederate monuments is an excessive remedy, simply political correctness and "multiculturalism run amok."[18] Those holding this view might conclude that structural racism is not a serious enough problem to justify risking increasing the racial strife already present in American life or it may be premised on the assumption that Confederate monuments do not contribute substantially to current levels of structural racism. In either case, proposals to remove/relocate Confederate monuments are viewed as an overreaction.

The discussion above has documented the dark shadow of contemporary structural racism, the bountiful evidence that such racism is real and substantial, and that Confederate monuments cannot escape the legacy of their creation. Southern elites such as the United Daughter of the Confederacy deployed these monuments to advance a cult of Anglo-Saxon superiority and Black "otherness." To many, these monuments are reminders of the humiliation and exclusion suffered by African Americans. Removal/relocation will not cure racism or satisfactorily atone for its harm. But addressing racism one step at a time surely represents more than a vacuous exercise in political correctness. There is efficacy in dismantling all aspects of the house of Jim Crow, if only brick by brick.

The avoid-needless-provocation argument thus reduces to the plea simply to avoid disputation. To such a plea, a community might wish to agree with Fitzhugh Brundage who has argued that we ought not lament the contentiousness that can develop over efforts to resolve questions regarding how Confederate memorialization has marginalized African Americans and their history and heritage. It is honorable for a community to initiate a "process by which inequities are acknowledged and the [Southern] region's civic live energized." It is quixotic to hope that "a pluralistic public culture will [magically] emerge in the South." The South will develop a multiracial shared memory of its history "only through the strenuous expression and airing of public differences." Contestation, the airing of different views, will provide opportunities for localities to learn more about their history and provide a forum for advancing Black historical memory.[19] The alternative

to *not* revisiting and reevaluating the distorted constructed memories and myths that comprise so much of the received Southern past is a continuing distortion of history that fosters unresolved problems, unaddressed emotions, and damaging legacies.[20]

The Respect for Southern Heritage Claim

Those opposing a Confederate monument's removal/relocation possess the ability, if they choose, to inform themselves of Confederate monuments' heritage of racism and the linkage between Confederate monuments and White supremacy detailed in the above pages. This book has amassed compelling evidence that racism was integral to Confederate monuments when they were raised, during decades thereafter as they resided in courthouse lawns and town squares, and to the present. Only the disingenuous or the tragically ill-informed can deny the historic association between Confederate monuments, racial segregation, and White supremacy.[21]

Historian Ulruch B. Phillips claimed that "the determination to maintain White supremacy 'is the cardinal test of a Southerner and the central theme of Southern history.'" Phillips wrote this in 1928. Political scientist V. O. Key concluded in 1949 that "the key to understanding Southern politics is 'the position of the Negro.'" Key concluded that many Southerners are not racist, yet "Southern political development after the Civil War revolved around issues of race."[22] For at least the first roughly three-quarters of the twentieth century, Southern history was the history of a campaign by constant gardeners of White supremacy to secure White unity built on an ideology of White racial superiority. Traditionalists who oppose removing/relocating Confederate monuments undercut their own credibility if they exhibit an unwillingness to acknowledge that race and racism have played a pivotal role in the South's history and traditions including the raising of Confederate monuments. "One cannot in good faith discuss the noble traditions of the South without mentioning the region's less favorable aspects as well." The appropriation of Confederate symbols by extremist hate groups further perpetuates and associates Confederate symbols with ideas of bigotry, hatred, and racial intolerance.[23] In short, Southern heritage, White Southern heritage, is inextricably bound up with oppression of Southern African Americans.

By the same token, a genuine desire for productive dialogue with respect to proposals to remove/relocate Confederate monuments requires acknowledgment by monument opponents that pride in Southern heritage can exist today in the absence of racial prejudice and hostility. That is to say, Confederate monument opponents bear some responsibility for a break-

down in communication if they find themselves unable to accept that one need not be a racist to support maintaining a Confederate monument's present location in the name of preserving Southern heritage.

To be sure, some claimed respect for Southern heritage is a pretext for bigotry, hatred, and White supremacy. But it is unhelpful with respect to efforts to find common ground to assume *a priori* that *all* argument in support of respect for Southern heritage is a cloak for racism. There are certain values unrelated to racial bigotry that are highly associated with the South and comprise the South's heritage.[24] Nothing is gained but intransigence from assuming that anyone who advances an argument supportive of Confederate monuments based on respect for Southern heritage necessarily does so as a pretext for racism.[25]

But a community that is open to the possibility that a Southern heritage defense of Confederate monuments can be severed from racial bigotry, might still justifiably decide to remove/relocate its Confederate monument. The decision whether to remove/relocate a Confederate monument must consider all competing legitimate interests, of which respect for Southern heritage is but one. A Southern heritage defense to retain a Confederate monument on public land is somewhat a misnomer. The Southern heritage referred to in a defense of a Confederate monument is an interest in preserving a *White* version of Southern heritage because Confederate monuments do not remotely transmit any of the wealth of Black Southern heritage. The interest in preserving White Southern heritage needs to be balanced against competing claims raised by African Americans and others.

For example, Confederate monuments are understood by many as "offensive reminders of the worst aspects of Southern culture: a degrading, paternalistic view of African Americans as racially inferior people and a belief that slavery was necessary, and appropriate, to the economic and cultural interests of the antebellum South." It is particularly offensive to the decedents of slaves, and to many others, when, for example, Confederate symbols such as monuments are associated with the denigrating argument advanced by the Lost Cause movement that plantation life was a benign institution that in fact benefitted those held in bondage. In addition, Confederate symbols, such as the Confederate battle flag, are particularly egregious when one understands that they were deployed in the South in relatively recent memory, during the 1950s and 1960s, as a symbol of defiance to court-ordered school desegregation and other court-ordered racial integration.[26]

Even if some members of the community (White members) honestly do not see connotations of crippling, demeaning images of African Americans as a class in Confederate monuments, and even if a defense of Confederate

monuments is not motivated by racial hostility, many African Americans continue to genuinely, and reasonably, view Confederate monuments as oppressive symbols of racial inferiority and proclamations of White superiority. One needs only remember the old "colored" man who, when viewing the unveiling of the Lee monument in Richmond in 1890, blurted out, "The Southern White folks is on top—the Southern White folks is on top." That was perceptive. Part of White "Southern heritage" entails a heritage of intent to deploy Confederate monuments to "vindicate the Old South and its slaveholding class."[27] Moreover, abundant evidence assembled in previous chapters of this book substantiates that Confederate monuments are closely linked with the ideology of the Cult of Anglo-Saxonism, the Ku Klux Klan, and other variants of White supremacy.[28]

Negative emotional responses by African Americans to Confederate monuments are real and are well-documented. Those whose ancestors were slaves have expressed great pain and have explained the humiliation caused by their communities' decisions to praise Confederate generals and the Confederate cause that attempted to keep their ancestors in human bondage. For example, at a hearing before the Richmond City Counsel to discuss adding a monument honoring African American tennis star Arthur Ashe to Richmond's fabled Monument Avenue, "Blacks could hardly contain the rage they felt about Monument Avenue and the decades of Confederacy-worship they'd suffered through before the civil rights struggle. For them, putting Ashe on Monument Avenue represented . . . [a] gesture that would salve some of the insult Blacks had so long endured."[29]

Likewise, American jazz trumpeter, composer, and music educator Terence Blanchard encountered New Orleans's Confederate monuments as a teenager. His reaction was that these statues of Confederate generals left a feeling that denied his humanity. "Blanchard *felt* the weight of history. [He] knew that every day, to get to his high school . . . he had to pass by a mounted warrior, a symbol of the war to preserve slavery. Terence got the message promoted by the United Daughters of the Confederacy, politicians, and city officials associated with the Lost Cause [that] the South had fought a noble war . . . and it would rise from defeat to rule by White supremacy. Terence got it, he swallowed it, and he hated it."[30]

In the median strip on the busiest street in Salisbury, North Carolina, stands a Confederate monument raised in 1909. It depicts in bronze an angel cradling a dying Confederate soldier and chiseled in the monument's stone base are the words *Deo Vindice,* which appear on the Great Seal of the Confederate States—"With God as Our Defender." The monument's symbolic message is that God was on the side of the slaveholding South and had dispatched an angel to escort a dying Confederate soldier to Heaven. An

African American minister, a life-long resident of Salisbury, objected to his community celebrating such a view: that God was on the side of the slaveholding class and was "involved with one race putting down another[;] [t]hat's going against the grain of a Christian nation. God ain't with racism or anything to do with subdividing people." This minister also recoiled to the reality that he was required to pass that monument every day on the way to work and confront it, particularly "every time I'm struck at a red light." This African American resident of Salisbury was unimpressed with the argument advanced by local traditionalists that the monument was not racial but rather was a "symbol" of ancestors of Whites who had "fought and died for their beliefs," to which he answered, "your great-grandfather fought and died because he believed my great-grandfather should stay a slave, I'm supposed to feel all warm inside about that?"[31]

Pulitzer-Prize-winning author and Yale law professor James Forman Jr. has relayed an event from his high school years that caused him anguish then and later into his adult years. Forman attended high school in Atlanta, Georgia, and in 1984 was in the twelfth grade. Atlanta was a mostly Black-populated city and Forman's high school had mostly Black teachers and Black students. In 1984, approximately 60 percent of the Georgia state flag consisted of the Confederate battle flag. As a protest to school desegregation, Georgia had integrated the Confederate emblem into its existing state flag in 1956. The state did not remove the Confederate reference from the flag until 2001. Every morning in the spring of 1984, Forman watched from his high school home room window as a Black groundskeeper pulled the cords to raise the Georgia state flag with its celebration of the Confederacy and symbolic demand for a return to Jim Crow racial segregation. Forman found he was unable to ignore this daily ritual although it pained him that his state government had chosen a flag design that called upon its citizens, Black and White, to honor the racist goals of the Confederacy. As an adult, Forman continued to feel the pain from those teenage years.[32]

Even more than the Confederate battle flag, Confederate monuments celebrate the Confederate cause and thus stigmatize—symbolically define African Americans as members of an inferior or dependent caste who are unworthy to participate in the larger White community. Fundamental to understanding Confederate monuments is that their celebration of the Confederacy is the celebration of an effort by White supremacists to create a slaveholding republic committed to maintaining the institution of slavery that would continue to hold in bondage the ancestors of millions of our fellow-citizens who are African American. If we have learned anything from the Supreme Court's decision in *Brown v. Board of Education,* it is that segregation generates a feeling of inferiority in its victims and the racism

upon which all segregation is built amounts to a demeaning, caste-creating practice.[33] The core of the majority opinion in *Brown* is recognition that the "social meaning of racial segregation in the United States is the designation of a superior and an inferior caste, and "segregation proceeds on the ground that colored citizens are . . . inferior and degraded."[34] That degrading sense of exclusion was the cause of the pain felt by twelfth-grader James Forman Jr., which extended into his adult years. The message of humiliation and exclusion is what American jazz trumpeter Terence Blanchard was forced to "swallow" and learned to "hate." Indeed, a degrading sense of exclusion is the consequence of all of racism's demeaning cast-creating practices.

It would be a grave mistake to conclude that the horrific images that Confederate iconography forced upon our African Americans neighbors during Jim Crow resulted from racism that occurred in a bygone era of American history that has since been eradicated. One readily can find ample evidence of continuing virulent racism in the contemporary South and an ongoing association of Confederate monuments with overt expressions of racism.

In the late-1990s, Pulitzer-Prize-winning journalist Tony Horwitz took a ten-state journey mostly in the South, from Gettysburg, Pennsylvania, to Vicksburg, Mississippi, and from Charleston, South Carolina, to hamlets in Tennessee. His goal was to understand how the Lost Cause still resonates among many in the South. Horwitz wrote his book *Confederates in the Attic* to collect what he had learned.[35] Horwitz interviewed hundreds of local citizens.

In one summary, he reports a conversation with several men who were active in a local chapter of Sons of Confederate Veterans (SCV). In discussing why men who did not own slaves fought for the South, it was offered that men in 1861 objected to oppression of government control of their lives, at which point a SCV member chimed in, "Same as today . . . Government's letting the niggers run wild." Every week, at meetings of the Sons of Confederate Veterans, members pledge their allegiance to the Confederate battle flag by reciting, "I salute the Confederate flag with affection, reverence and undying devotion to the Cause for which it stands." Over breakfast with members of a group called the Council of Conservative Citizens (CCC), who had assembled to urge that South Carolina continue to fly the Confederate battle flag over the dome of the its capitol building, Horwitz was informed by one member of the all-White group that "I'm here to defend my race against the government and the Jewish-controlled media." And at the South Carolina Confederate memorial located on the statehouse grounds, a middle-aged CCC member who was an admirer of the memorial stated that "We may have lost the war, but at least we should have [Confederate battle

flags and memorials] to look back on. . . . All my life it's been one thing after another. First, they integrated the schools. Then they integrated everything. . . . I feel like I've swallowed enough for one lifetime." Stating that things in the town where he lived would be better if the South were still racially segregated, this CCC member explained that during segregation "Blacks . . . knew they wasn't supposed to live with White people [but now] they're all around . . . . I'm here today to stand up for heritage." Another man in South Carolina told Horwitz that "I'm not an American, I'm a citizen of the Confederate States of America, which has been under military occupation for the past hundred thirty years." This same person told Horwitz that "Blacks are a primitive race, not as intelligent as we are. . . . They look human so you give them the benefit of the doubt, but really they're savages. They have bigger teeth than we do, for chewing things, but their brains are small. They need supervision to survive. . . . Black's natural overseers were Whites . . . ." At a saloon, located in Guthrie, Kentucky, near the Tennessee line, the customers recently had celebrated the Martin Luther King birthday by having a "Thank God for James Earl Ray Party." One patron told Horwitz, "We got a few people standing up for White rights. The rest are pussies who let niggers trample all over them." At Elkton, Kentucky, several roads intersect at the town square. On a Sunday after church, the KKK had set up what they called a "literature roadblock"—rebel-flag-toting trucks parked alongside the road and "a dozen people in jungle fatigues and combat boots standing at strategic points around the square handing out flyers to the afternoon traffic." The flyer was headlined: "The only Reason You are White! Today is Because Your Ancestors Practiced & Believed in Segregation YESTERDAY!" Below it the flyer stated: I WANT YOU FOR THE ALMIGHTY KU KLUX KLAN." It was signed—"Yours for White Victory and the name of a person identifying himself as "Grand Dragon for Christ, Race & Nation." Drivers returning from attending church stopped to take one of the KKK flyers, one "burly pedestrian in a farm cap [who] stopped . . . grouse[ing], 'I've had enough of niggers telling us what to do." The KKK members handing out the flyers discussed a cross burning they hoped to attend soon. At this literature roadblock, the Klan handed out 750 flyers and recruited ten new members.[36] Some who have researched Confederate monuments have noted that a town's local Confederate monument often is used as gathering places for groups desiring to memorialize the Confederate cause particularly as "Confederate monuments . . . became permanent symbols of devotion to patriotic principles as southerners understood them."[37]

Throughout the South, children today continue to be indoctrinated to accept the Confederate world view through participation in a group called Children of the Confederacy (C of C), which is an auxiliary of the United

Daughters of the Confederacy. The C of C prepares youngsters for Confederate citizenship and they move into either the UDC or the SCV chapters as they reach adulthood. At C of C meetings, after singing Dixie, the children recite the C of C Creed, which includes a pledge to "study and teach the truths of history," including the most important tenet, "that the War Between the States was not a Rebellion nor was its underlying cause to sustain slavery." Then the children are tested on their knowledge of the Confederate Catechism, "a sixteen-page pamphlet that serves as the children's guiding text." Arranged in a question-and-answer format, this catechism was published in 1954 in the wake of the Supreme Court's decision in *Brown v. Board of Education*. Some sample entries include the following:

> *Question:* What causes led to the War Between the States, from 1861 to 1865?
> *Answer:* The disregard of those in power for the rights of the Southern States.
> *Question:* What was the feeling of the slaves towards their masters?
> *Answer:* They were faithful and devoted and were always ready and willing to serve them."

C of Cs meetings include a Catechism Quiz that tests rote learning. A teenager, acting as the moderator, poses questions from the catechism to a group of children aged twelve and under who compete to be the first to provide the (often verbatim) answer the catechism provides. If, within fifteen seconds, none of the children is able to provide the correct answer, the moderator declares "Books," and all of the children pull out their Confederate Catechism and page through it to find the designated correct answer to the question.

At a meal at a restaurant with some local citizens who are active in the Confederate celebration movement, Horwitz was about to begin his meal when the family's four-year-old son was asked to say Grace. He said, "Lord, we thank thee for this meal and especially for the great and wonderful Confederacy." The four-year-old son was then asked by his mother to tell Horwitz whether "there [is] anything you hate more than Yankees." The four-year-old responded, "No sir! Nothing." Thereupon the child flung himself under the restaurant table yelling, "Someone told me there's Yankees around here. They hate little children."[38]

Parents enjoy the constitutional freedom to teach their child to hate Yankees, to thank God for the Confederacy, believe that the cause of the Civil War was unrelated to slavery, or bring up children to believe that slaves were treated well and loved their masters. And if one desires to travel to a Confederate monument and there express the view that his town was

better off when segregated, we properly say that one has the right of free speech and association and freedom of conscience to hold and express these views, as do the patrons of the saloon who choose to celebrate the assassin of Dr. Martin Luther King and refer to African Americans by using the "N" word. To some, Southern heritage today continues to mean celebrating the heritage of hate, Jim Crow segregation, disfranchisement, lynching, school textbook distortion of history, and White supremacy. All of these things are integral to the historical development of Southern heritage as the previous pages document. African Americans (and others) thus can be excused when hearing White defenses of Confederate monuments in the name of "Southern heritage." Such heritage defenses evoke images of racial animus by Whites, teaching young children that slavery was a benign institution, and of Southerners advocating the view "The only Reason You are White! Today is Because Your Ancestors Practiced & Believed in Segregation YESTERDAY!" And a Southern community can thus also be excused if it chooses to reject "Southern heritage" as a sufficient reason to compel the community's continued association with the message of White supremacy that its Confederate monument continues to transmit.

A community may conclude, for a variety of reasons, that it now desires to sever itself from that portion of White "Southern heritage" that has caused such pain to so many over the years. Or it may conclude that its continued sponsorship of a Confederate monument is divisive—not well calculated to bring its citizens together. The point is that a demand to respect White Southern heritage cannot be the end game, even when the Southern-heritage claim is advanced by honorable people who themselves find racial bigotry anathema to them: there can be, and are, overriding competing interests that a Southern community may legitimately take into consideration. A community is privileged to conclude that no one group has the right to insist that its interests in preserving White Southern heritage are absolute just because they are pure, especially when those interests result is a clear and present danger of creating an overriding societal harm, some pressing public necessity justifying the removal of these monuments. An interest in preserving Southern heritage by maintaining a Confederate monument in a public space will need to yield when a community, through a democratic deliberative process, concludes that removing a Confederate monument is necessary as a step in ending the blight of racial bigotry.

The "What About George Washington and Thomas Jefferson" Claim

The previous three, "Confederate trifecta," arguments to retain Confederate monuments are the most often heard. But there is a fourth worth

mentioning, though it is perhaps the easiest to refute. The claim is that once Confederate monuments are removed/relocated, there will be no principled way to resist the removal/relocation of monuments to other American heroes who were slave owners, such as George Washington and Thomas Jefferson. "It is a slippery slope!"—so goes the claim.

This argument misses the point. Confederate monuments are not removed/relocated because of the character traits of those depicted in the monuments, including whether or not the person honored by a monument owned slaves. A community is most likely to remove/relocate a Confederate monument located in its public space to dissociate itself from the monument's racist message. In other words, a community provides its imprimatur to the Confederacy and its cause of racial oppression by continuing to sponsor a Confederate monument in its town square. It follows that a community has the right to withhold that imprimatur by removing/relocating the monument. The decision to remove or not remove does not focus on the character of the individual[s] depicted in the monument. If a monument to Robert E. Lee or Jefferson Davis is to be removed/relocated, it is not because both owned slaves. It is a dead-end street to have the Confederate removal/relocation debate turn on shaming individuals by focusing on and debating their character. Plus, a decision to remove/relocate a generic standing soldier monument by definition can have nothing to do with slave ownership since most rank-and-file Confederate soldiers were not slave owners. In short, the debate over Confederate monuments has nothing to do with the slave ownership, or lack of ownership, by the figures depicted in statues incorporated into Confederate monuments. It is the glorification of the Confederacy and its cause by a local community that is at issue.

Unlike a Confederate monument, the Washington Monument, for example, is not a celebration of White supremacy. It never was built for that reason and is not understood today as a shrine to White supremacy. The same with the Jefferson Memorial in Washington, DC. There is no monument to George Washington or Thomas Jefferson in the United States that was raised to proclaim the "God-given right" of a White man to control the destiny of a Black man or otherwise was raised to symbolically transmit the message of a "proper" racial hierarchy for America. The Washington Monument and the Jefferson Memorial will be perfectly safe, even if (when) one day the equestrian statue of Robert E. Lee in Charlottesville, Virginia, is removed and relocated from a public park. If one day it is removed, the Charlottesville statue of Lee will suffer that fate not because Lee owned slaves but because the monument lionizes the actions of a man who directed his many talents to keeping other men in bondage and extolled a cause that the citizens of Charlottesville, Virginia, find offensive.