

# Reckoning with History

## *Confederate Monuments in American Cities*

### *Abridged Teaching Case*

GAYLEN MOORE, JORRIT DE JONG, KIMBERLYN LEARY, AND CHRISTOPHER ROBICHAUD

On the evening of June 17, 2015, two days before the 150th anniversary of the end of slavery in the United States, a young white man named Dylann Roof entered the South’s oldest African Methodist Episcopal (AME) church in Charleston, South Carolina, and asked to see the pastor, Clementa Pinckney. Accustomed to tourists and newcomers popping in, Pinckney, who was also a state senator, welcomed Roof into the sanctuary, where he was leading Bible study. Roof sat beside Pinckney for nearly an hour, listening and debating scripture, eventually becoming noticeably agitated. He finally pulled a gun from his bag and opened fire—first on Pinckney, then on the twenty-six-year-old congregant who rushed to the pastor’s aid and pleaded with Roof to stop. He continued firing on the remaining parishioners, reloading again and again over five terrifying minutes. By the time Roof turned his gun on himself, nine were fatally wounded, and he had already run out of ammunition.<sup>1</sup> Following his arrest, photos surfaced of Roof, an avowed white supremacist, posing with a Confederate flag, and a long-simmering national debate about whether there was any place for Confederate flags and monuments in public spaces came to a boil.

Since the end of the Reconstruction era, Southern States and advocacy groups had advanced a revisionist Civil War history that painted Confederate leaders as benevolent slaveholders fighting for a just cause.<sup>1</sup> After the massacre in Charleston, citizens in cities and towns across the country called for the removal of Confederate monuments and flags, arguing that the “lost cause of the Confederacy” was nothing to take pride in, and that the persistence of these symbols in public life only served to whitewash the moral calamity of slavery in America. Many local governments appointed commissions to study the issue and make recommendations for the fate of their existing monuments.

In February 2017, the city council of Charlottesville, Virginia, voted to remove a statue of Robert E. Lee, commander of the Confederate army, from a park named after him. A few months later, the city renamed the park “Emancipation Park,” and on August 11, hundreds of white supremacists descended

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<sup>1</sup> The Reconstruction era began in 1863, when the Emancipation Proclamation banning slavery in the Confederate (rebel) states took effect. In 1865, at the end of the Civil War, the Thirteenth Amendment to the US Constitution abolished slavery throughout the nation. The Reconstruction era saw the ratification of two additional constitutional amendments guaranteeing Black Americans suffrage and equal protection under the law, both of which were undermined by campaigns of violence and terror waged against Black people. Following the Reconstruction era, Jim Crow laws institutionalized racial segregation and the disenfranchisement of many Black voters throughout the Southern States. These laws remained in effect until the civil rights movement won a series of legal victories in the 1950s and 60s, including the Twenty-fourth Amendment banning poll taxes.

on Charlottesville, chanting racist and anti-Semitic slogans and clashing violently with counter-protesters. On August 12, a twenty-year-old neo-Nazi named James Fields Jr. drove his car into a crowd of counter-protesters, killing one, Heather Heyer, and injuring more than a dozen others. With more white supremacist rallies planned and spontaneous marches against hate cropping up in cities all over the US, mayors scrambled to respond.

## Baltimore

While Charlottesville was erupting on that mid-August weekend, Baltimore activists were also making themselves heard: they placed a statue of a pregnant Black woman carrying a child on her back and raising her fist in defiance in front of one Confederate monument and covered another in red paint. The chief of police warned Mayor Catherine Pugh that activists might tear down monuments themselves, as they had just done in Durham, North Carolina. She did not want to see that happen in Baltimore, she said, “over something that should have been taken down a long time ago.”<sup>2</sup> It had been two years since Freddie Gray, a young Black man, suffered a fatal spine injury in police custody, sparking massive and eventually chaotic protests in the city.<sup>ii</sup>

A commission formed by the previous mayor after the massacre in Charleston had recommended that the city remove two of its four Confederate monuments and change the signage on two others. The day after the carnage in Charlottesville, Baltimore City Council voted unanimously to remove all four. Pugh put in a call to a sympathetic city contractor. “I’m going to need your help,” she said, “and the city really can’t afford it.” The contractor agreed to remove the statues for the cost of labor.<sup>iii</sup> She requested that he do it the next night, between 11:30 pm and 5:00 am, when she knew newsrooms would be quiet.

At 4:58 am on August 16, workers loaded the last statue onto a truck to be relocated to a city-owned lot on the outskirts of Baltimore. The following morning, Pugh answered the press’s questions about whether she’d had the authority to act unilaterally: “. . . what I did was what was right for my city. I didn’t start yesterday,” she said. “I think that any city with Confederate statues is concerned about violence occurring in their city.”<sup>3</sup> (For statistics on the rise in hate crimes and hate groups since 2014, see Appendix 1.) As she later explained, “I knew I didn’t have to ask anybody if I could I take them down if I thought that they were endangering the citizens of Baltimore.” Pushback from the public was minimal. “I think if we were further South, you might’ve had a different kind of reaction,” Pugh said, “but we border the South and the North, and Baltimore considers itself more of a Northern city. I think location had a lot to do with it.”

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<sup>ii</sup> Trial testimony suggested that Gray had been injured when the van driver took a hard turn, but subsequent reporting on the prosecution’s failure to call nine witnesses who claimed they saw police “throw” Gray into the van called this theory into question. (Justine Barron, “Freddie Gray, Five Years Later,” April 23, 2020, *The Appeal*, <https://theappeal.org/freddie-gray-five-years-later/>).

<sup>iii</sup> The final bill was just under \$20,000. (Source: Ned Oliver, “Baltimore Paid Less Than \$20,000 to Remove Four Confederate Monuments Last Month. So What Does that Mean for Richmond?” September 8, 2017, *Richmond Times Dispatch*.)

## Lexington

A bit further south, in Lexington, Kentucky, two bronze Confederate generals, John C. Breckinridge and John Hunt Morgan, had stood on pedestals in the Cheapside neighborhood—once the site of the state’s busiest slave market—for over a hundred years. A little over a week after the massacre in Charleston, someone had spray-painted “BLACK LIVES MATTER” across the granite pedestal beneath Morgan. Though he promised to investigate the vandalism, Mayor Jim Gray responded sympathetically: “The time has come for us to reconsider our Confederate memorials, and I am committed to laying a path forward that acknowledges our history while respecting diversity and inclusion.”<sup>4</sup> Initially, Gray felt that changing the signage on the statues would be a satisfactory response. “At that time, my view of it was that these statues had been so much a part of the visual history of the city,” he explained. “My feeling was that we could arguably place a plaque at the statues that would illustrate the real and truthful history of the men they represented.”<sup>5</sup>

He formed a commission to study the issue and at the end of 2016, it presented its conclusion: the monuments were fundamentally incompatible with the site on which they stood—outside the courthouse, on grounds that had once been a slave auction site.<sup>iv</sup> Because the city was renovating the courthouse, however, the commission acknowledged, “. . . the lawn of the courthouse and all of its assets have to remain in place in order to meet the criteria for enhanced tax credits on historic properties.”<sup>6</sup> In February 2017, the mayor’s office announced that it would not be relocating the monuments. Plans for new signage or additional monuments at the site were put on hold while construction went forward.

Frustrated with the city’s inaction and outraged by the senseless police killings of two Black men—Philando Castile and Alton Sterling—in the space of a week, local musicians DeBraun Thomas and Russell Allen began organizing Lexington’s Black community and local allies under the slogan “Take Back Cheapside.” Thomas pointed out that “Lexington has lots of stories of Black excellence that get swept under the rug,” even while the city paid homage to the men who had fought to preserve a legal right to enslave other men, women, and children.<sup>7</sup>

“The Take Back Cheapside advocates were very patient and very persistent,” Mayor Gray said. “They would call for a meeting with me about every two months. They also met with the police chief. They were making their rounds. They were meeting with council members.” He praised the group’s efforts as a masterclass in public advocacy. Over time, they persuaded the mayor, the chief of police, and city council members—over the vocal opposition of defenders of the monuments—that the statues could not stay on the site where they stood. Gray resolved to make his endorsement of the commission’s recommendation known in August of 2017: “I had decided to announce my recommendation to remove and relocate the statues. And then Charlottesville erupted,” three days before his planned statement.

The mayor decided to make his announcement right away: “Before we got the questions of, ‘Jim Gray, where are you? Why are you not saying something?’ We had to make a decision.” Once he had come forward, white supremacist groups threatened to target Lexington next. The national and international

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<sup>iv</sup> A plaque on the grounds commemorating this historical fact, erected in 2003, was destroyed by vandals in 2015.

press descended on the city. DeBraun Thomas and Russell Allen, the public faces of opposition to the monument, “had to disappear for a little while.”<sup>8</sup> Thomas recalled the moment as surreal: “It’s a very weird feeling when you call the police chief to say you’ve had threats on your life and have them say, ‘We know.’”<sup>9</sup> Chief of Police Mark Barnard was similarly rattled. “All of a sudden Lexington was put in the spotlight,” he said. “I remember us saying, ‘We’ve got to do it, and do it quick.’”<sup>10</sup>

“But then we couldn’t,” the mayor explained. There were two major obstacles. The two sites that the city considered for relocation, Veterans Park and the privately-owned Lexington Cemetery, did not want the statues. Moreover, the statues appeared to be under the jurisdiction of a military heritage commission that wanted them to remain where they stood. The mayor recalled his chief of staff’s blunt assessment of the situation: “If we have to go to that military commission, we’re f—d.”<sup>11</sup>

As tensions rose in Lexington, the mayor’s office campaigned publicly and privately for the cemetery—which held the remains of many Confederate fighters, including Morgan and Breckinridge—to take the statues. Eventually, the Attorney General of Kentucky ruled that the previous mayor never had standing to turn jurisdiction of the statues over to the military heritage commission, because she had not consulted the Urban County Council. “That three-month period between when the announcement was made and when we got the attorney general’s opinion that we could move them was a very long three months that was constantly filled with meetings and conversations and trying to figure out a way to make this work,” explained Chief of Staff Jamie Emmons.

The statues came down the same day the attorney general handed down his decision. “It was not in the middle of the night, and I think everyone appreciated that,” said Emmons. “But just to illustrate both sides of this coin, the African American ministers did not want us to relocate the statues. They wanted us to melt the statues.” Instead, the cemetery relented, and the generals were moved to the graveyard without fanfare.

## Charleston

At the time of the massacre at Charleston’s Emanuel AME Church, the Confederate flag still flew at the Confederate monument on Columbia, South Carolina’s statehouse grounds. Originally hoisted to the Capitol dome in 1961 on the centennial of the start of the Civil War, and in the thick of the civil rights era, it was eventually moved to the monument after over 46,000 Americans participated in a march against the flag organized by Charleston Mayor Joe Riley. The same legislation that set out this compromise—the South Carolina Heritage Act of 2000—prohibited any “removal, changing, or renaming of any local or state monument, marker, memorial, school, or street erected or named in honor of the Confederacy or the civil rights movement” without the approval of two-thirds of both houses of the state legislature.<sup>12</sup>

Ten days after the massacre, on June 27, 2015, Bree Newsome, an artist and filmmaker—and the daughter of the former dean of the Divinity School at Howard University—scaled the flagpole on Capitol grounds. A white male accomplice acted as lookout while she took down the flag and made her way back down, reciting scripture before peacefully surrendering to police. Thirteen hours of debate at the State House ensued, and on July 6, the legislature finally reached the two-thirds threshold needed to remove the flag from the Capitol. “The symbols represent an ideology,” Newsome told a reporter

from the *Washington Post* in 2020.<sup>v</sup> “I don’t see a scenario where we have resolved racism . . . [while] we still have monuments to the Confederacy up. . . . The shift in the culture and the shift in the mind-set precedes the shift in the law. That’s always been the case.”<sup>13</sup>

For Charleston Mayor John Tecklenburg, who succeeded Joe Riley’s ten terms in office in 2016, one symbol was of particular concern: a 115-foot monument to John C. Calhoun that towered over Marion Square in the center of the city. Though Calhoun—former US secretary of state, senator, and vice president—died before the start of the Civil War, he laid the groundwork for it, rebranding slavery as not a “necessary evil” but a “positive good,” and argued for the states’ right to nullify any federal laws they deemed unconstitutional. (See Appendix 3.) The monolith was a continual reminder not only of the nation’s ugly past, but also of the barriers imposed by the Heritage Act. (For images of the monument, see Appendix 2.)

In 2000, Tecklenburg had followed Mayor Riley and local Black leaders from Charleston to Columbia, walking 120 miles over five days to protest the flag at the statehouse. Sixteen years later, as he led artists preparing designs for a memorial at the Emanuel AME Church on a tour of Charleston, he was disturbed by the inadequacy of the historical record the city presented—particularly as it pertained to Calhoun.<sup>14</sup> After the horror in Charlottesville, Tecklenburg wrote a letter to the City of Charleston History Commission asking for their help in fixing this problem, suggesting a new plaque for Calhoun and additional steps they could take to acknowledge the city’s history without violating the strict provisions of the Heritage Act.

Over the following year, Tecklenburg enacted a number of changes. He added signage to direct visitors to a statue of Denmark Vesey, an early leader in the AME Church whose preaching inspired thousands of enslaved people to follow him into what would have been the largest slave rebellion in US history. (The plot was discovered, and Vesey was hanged in 1822.) A plaque commemorating Union soldiers, long obscured by a surrounding flower bed, was raised for visibility. Particularly meaningful to Tecklenburg was a plan to place another plaque at the former site of a “workhouse” where, he explained, “if you owned a slave and you didn’t want to punish them, all you had to do was turn them over to the city of Charleston. We’d punish them for you.” He added, “That story really gets me. It’s really crazy that the city was in the business of punishing slaves.”<sup>15</sup> Plans were also underway for a major museum of African American History, a passion project of Mayor Riley’s, at the seaport site where slave traders had brought millions of enslaved Africans to America.

In June 2018, the Charleston City Council approved a resolution apologizing for its role in promoting and sustaining slavery and pledging to work towards racial equality. Mayor Tecklenburg made an impassioned case for the need to pass the resolution, detailing the myriad ways the city had participated in and benefited from slavery. But it was not lost on anyone paying attention that John C. Calhoun continued to hold pride of place in the city center. In trying to address the 115-foot elephant in the room, Mayor Tecklenburg found himself up against not only the Heritage Act, but also the fact that the city did not own Marion Square where the Calhoun statue stood. The property belonged to the Washington Light Infantry, the nation’s oldest active militia. “It’s in our lease that we have to get their permission, and they’re more right-wing than the legislature. It’s almost like you’re hog-tied,”

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<sup>v</sup> Newsome later married Marcus Bass and changed her last name to Newsome-Bass.

Tecklenburg explained. “If I wanted to remove this particular statue, I'd have to do it in the still of night or something, and then suffer the legal consequences with both the owner of the park and the state government.” Still, he acknowledged, “I have considered that, on this one statue. I felt, on occasion, ‘Just pull the damn thing down and let’s get rid of it. It’s the right thing to do.’ But, you know, then where do you stop?”

The mayor instead proposed that a plaque describing Calhoun’s support for slavery be placed alongside the monument. The Historical Commission proposed language on November 17, but the city council would not sign off on it, calling the tone “inflammatory.”<sup>16</sup> Tecklenburg said, “That was about a year ago, and I said we'd revisit it a year or so later, so it's about time for me to bring something back to Council to consider. My latest thought is, rather than to write up something about him, just quote him directly. Don't make any observation about what he said, but just tell people what the man said.”

## Appendices

### Appendix 1 Statistics on Hate

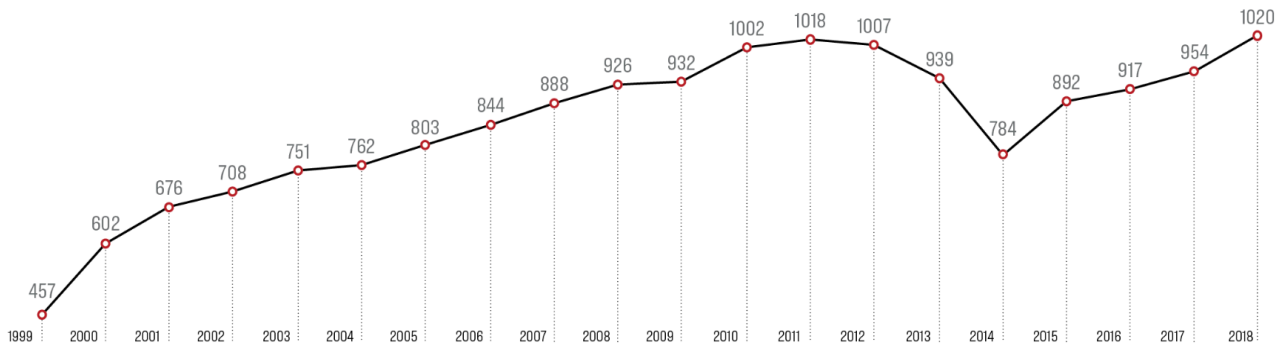
As of November 2018, hate crimes in the United States had risen for three consecutive years. The FBI defines hate crimes as “crimes in which the perpetrators acted based on a bias against the victim’s race, color, religion, or national origin,” as well as crimes “based on biases of actual or perceived sexual orientation, gender identity, disability, or gender.”

|  | 2015  | 2016  | 2017  |
|--|-------|-------|-------|
| <b>Total hate crime incidents</b>  | 5,818 | 6,063 | 7,106 |
| <b>Total number of individuals victimized</b>                              | 7,121 | 7,509 | 8,493 |
| <b>Total number of known offenders</b>                                     | 5,475 | 5,727 | 6,307 |
| <b>Percentage of hate crimes motivated by race/ethnicity/ancestry bias</b> | 56.9  | 57.5  | 58.1  |

Source: FBI Uniform Crime Report<sup>17</sup>

The number of hate groups also rose steadily after 2014, reaching an all-time high in 2018.

### HATE GROUPS 1999–2018



Source: Southern Poverty Law Center<sup>18</sup> Used with permission.

**Appendix 2** John C. Calhoun Monument in Charleston, South Carolina

Photo by Andy Hunter. Source: <https://www.scpictureproject.org/wp-content/uploads/calhoun-monument.jpg>. Used with permission.



Image by Ron Cogswell on July 9, 2012, accessed at flickr.com. Image cropped. Used under Creative Commons license.



**Appendix 3** Excerpt from John C. Calhoun's Speech on Slavery as a "Positive Good," Delivered on the Senate Floor, February 6, 1837<sup>19</sup>

We of the South will not, cannot, surrender our institutions. To maintain the existing relations between the two races, inhabiting that section of the Union, is indispensable to the peace and happiness of both. It cannot be subverted without drenching the country in blood, and extirpating one or the other of the races. Be it good or bad, [slavery] has grown up with our society and institutions, and is so interwoven with them that to destroy it would be to destroy us as a people. But let me not be understood as admitting, even by implication, that the existing relations between the two races in the slaveholding States is an evil:—far otherwise; I hold it to be a good, as it has thus far proved itself to be to both, and will continue to prove so if not disturbed by the fell spirit of abolition. I appeal to facts. Never before has the black race of Central Africa, from the dawn of history to the present day, attained a condition so civilized and so improved, not only physically, but morally and intellectually.

In the meantime, the white or European race, has not degenerated. It has kept pace with its brethren in other sections of the Union where slavery does not exist. It is odious to make comparison; but I appeal to all sides whether the South is not equal in virtue, intelligence, patriotism, courage, disinterestedness, and all the high qualities which adorn our nature.

But I take higher ground. I hold that in the present state of civilization, where two races of different origin, and distinguished by color, and other physical differences, as well as intellectual, are brought together, the relation now existing in the slaveholding States between the two, is, instead of an evil, a good—a positive good. I feel myself called upon to speak freely upon the subject where the honor and interests of those I represent are involved. I hold then, that there never has yet existed a wealthy and civilized society in which one portion of the community did not, in point of fact, live on the labor of the other. Broad and general as is this assertion, it is fully borne out by history. This is not the proper occasion, but, if it were, it would not be difficult to trace the various devices by which the wealth of all civilized communities has been so unequally divided, and to show by what means so small a share has been allotted to those by whose labor it was produced, and so large a share given to the non-producing classes. The devices are almost innumerable, from the brute force and gross superstition of ancient times, to the subtle and artful fiscal contrivances of modern. I might well challenge a comparison between them and the more direct, simple, and patriarchal mode by which the labor of the African race is, among us, commanded by the European. I may say with truth, that in few countries so much is left to the share of the laborer, and so little exacted from him, or where there is more kind attention paid to him in sickness or infirmities of age. Compare his condition with the tenants of the poor houses in the more civilized portions of Europe—look at the sick, and the old and infirm slave, on one hand, in the midst of his family and friends, under the kind superintending care of his master and mistress, and compare it with the forlorn and wretched condition of the pauper in the poorhouse. But I will not dwell on this aspect of the question; I turn to the political; and here I fearlessly assert that the existing relation between the two races in the South, against which these blind fanatics are waging war, forms the most solid and durable foundation on which to rear free and stable political institutions. It is useless to disguise the fact.

## Endnotes

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- <sup>1</sup> Wayne Drash, "Inside the Bible Study Massacre: A Mom 'Laid in Her Son's Blood,'" December 17, 2015, <https://www.cnn.com/2015/06/19/us/inside-charleston-bible-study-massacre/index.html>.
- <sup>2</sup> Interview with Catherine Pugh by Christopher Robichaud, Gaylen Moore, and Anna Burgess, conducted March 15, 2019. All subsequent quotes from Catherine Pugh are from this interview unless otherwise noted.
- <sup>3</sup> PBS NewsHour, "Baltimore Mayor Addresses Removal of Confederate Statues from City Overnight," YouTube video, 10:47, August 16, 2017, <https://www.youtube.com/watch?v=cWliRvGc8W4>.
- <sup>4</sup> Hannah Scheller, "John Hunt Morgan Statue Spray-Painted With 'Black Lives Matter,'" June 26, 2015, *Lexington Herald Leader*, <https://www.kentucky.com/news/local/counties/fayette-county/article44607117.html>.
- <sup>5</sup> Interview with Mayor Jim Gray, Chief of Staff Jamie Emmons, and Chief of Police Mark Barnard by Jorrit de Jong, Chris Robichaud, Gaylen Moore, and Anna Burgess, conducted January 4, 2019. All further quotes by these individuals from this interview unless otherwise noted.
- <sup>6</sup> Georgia Henkel, Letter to Mayor Jim Gray and Urban County Council, November 10, 2015, <http://previous.lexingtonky.gov/Modules/ShowDocument.aspx@documentid=31504>.
- <sup>7</sup> Interview with DeBraun Thomas by Gaylen Moore, July 5, 2019.
- <sup>8</sup> Jay Blanton, "WUKY's DeBraun Thomas Discusses A Passion For Music and a Call to Community Activism," February 19, 2019, *University of Kentucky News*, <https://uknow.uky.edu/professional-news/behind-blue-wukys-debraun-thomas-discusses-passion-music-and-call-community>.
- <sup>9</sup> Thomas interview.
- <sup>10</sup> Gray, Emmons, and Barnard interview.
- <sup>11</sup> Ibid.
- <sup>12</sup> General Assembly of the State of South Carolina, South Carolina Heritage Act of 2000, [https://www.scstatehouse.gov/sess113\\_1999-2000/bills/4895.htm](https://www.scstatehouse.gov/sess113_1999-2000/bills/4895.htm).
- <sup>13</sup> Kevin B. Blackistone, "As Confederate Monuments Fall, Don't Forget Bree Newsome's Athletic Act of Protest in 2015," July 12, 2020, <https://www.washingtonpost.com/sports/2020/07/12/confederate-monuments-fall-dont-forget-bree-newsomes-athletic-act-protest-2015/>.
- <sup>14</sup> Harve Jacobs, "Charleston History Commission to Review Mayor's Plan for Calhoun, Other Monuments," August 30, 2017, Live 5 News, <https://www.live5news.com/story/36255379/charleston-history-commission-to-review-mayors-plan-for-calhoun-other-monuments/>.
- <sup>15</sup> Interview with John Tecklenburg by Jorrit de Jong, Gaylen Moore, and Anna Burgess, conducted February 21, 2019. All further quotes from Tecklenburg from this interview unless otherwise noted.
- <sup>16</sup> Abigail Darlington, "Charleston History Commission Wrestles Line-By-Line with Language for Revisionist Calhoun Plaque," November 1, 2017, *The Post and Courier*, [https://www.postandcourier.com/news/charleston-history-commission-wrestles-line-by-line-with-language-for/article\\_de117326-bf4b-11e7-9798-d333e3949e3b.html](https://www.postandcourier.com/news/charleston-history-commission-wrestles-line-by-line-with-language-for/article_de117326-bf4b-11e7-9798-d333e3949e3b.html).
- <sup>17</sup> Federal Bureau of Investigation, "2015 Hate Crime Statistics," [https://ucr.fbi.gov/hate-crime/2015/topic-pages/incidentsandoffenses\\_final](https://ucr.fbi.gov/hate-crime/2015/topic-pages/incidentsandoffenses_final); "2016 Hate Crime Statistics," <https://ucr.fbi.gov/hate-crime/2016/topic-pages/incidentsandoffenses>; "2017 Hate Crime Statistics," <https://ucr.fbi.gov/hate-crime/2017/topic-pages/incidents-and-offenses>.
- <sup>18</sup> "Hate Groups Reach Record High," February 19, 2019, <https://www.splcenter.org/news/2019/02/19/hate-groups-reach-record-high>.
- <sup>19</sup> John C. Calhoun, "Slavery a Positive Good," February 6, 1837, accessed September 21, 2020, <https://teachingamericanhistory.org/library/document/slavery-a-positive-good/>.