

THE ART OF RESISTANCE

MANIFESTATIONS OF HATE

By T. Mallon

Hate speech in the United States is challenging enough to regulate as restrictions conflict with the First Amendment's rights to free speech. Subsequently, freedom of expression, including artistic depictions, is proving an even more ambiguous target, especially when the subject-matter is defiant in character.

As fascist racism increases throughout today's world, the United States must question the continued presence of hundreds of CSA (Confederate States of America) statues, obelisks, plaques, and memorials. This collection is, in many ways, unique in the annals of history. Once overthrown, the symbols of oppressive regimes generally disappear, as was the case with Hitler and Stalin monuments. By contrast, the Confederate memorials were erected long after the Civil War, a fact, that in itself, is somewhat of an anomaly (*see NPR timeline link below*).



What to do with CSA monuments - Protesters attempt to cover a statue of Confederate General and Ku Klux Klan leader Nathan Bedford Forrest at Health Sciences Park in Memphis, Tenn. in August 2017. The statue was removed in December of that year.

Background

At the end of the American Civil War, President Lincoln had to decide if Jefferson Davis, Alexander Stephens, Generals Lee, Bragg, Beauregard, and others would stand trial for sedition. As *Politico* explained in 2018, those Confederates leading the revolt received presidential pardons:

- *"During his presidency, Lincoln issued 64 pardons for war-related offenses: 22 for conspiracy, 17 for treason, 12 for rebellion, nine for holding any office under the Confederacy, and four for serving with the rebels."*

These pardons, which Lincoln's Congress argued were too lenient, would eventually prove to empower post-war defiance to the terms of peace and ongoing resistance to post-war racial integration. As a response to the South's loss at war's end and humiliation suffered during repressive reconstruction, Southern whites turned their resentment and rage towards Southern blacks. Consequently, Jim Crow laws began to appear shortly before the turn of the 20th-century. Southern legislatures then began a century-long monument erection process dedicated to the memory of the very seditionists President Lincoln had graciously pardoned.

- **Jim Crow Laws:**
 - https://en.wikipedia.org/wiki/Jim_Crow_laws
- **Confederate Monument Installation Timeline:**
 - https://media.npr.org/assets/img/2017/08/18/southern-poverty-law-center_wide-8dd59c84cdf1835e87d11d69ad98e7c1dc119a02-s1600-c85.png

The Unforgiven

General Lee became a particular issue as a point of pride for the South. Not included in Lincoln's pardon, Lee was only granted amnesty and signed President Johnson's *Amnesty Oath*. He was then forced to reapply for citizenship, which was not restored until 1975, 105 years after his death.

Unpardoned and refused citizenship, it is worth noting, a century would pass during which numerous monuments celebrating this disgraced general and slave owner would appear across the South.

Iconoclasm vs Removal

Civilization has witnessed several instances of art and architecture being smashed, burnt, and buried because of religious beliefs. This was mostly artwork created with the best intentions to glorify gods or God, and other celestials attributed to distinct articles within a specified belief. However, this has not been the case with CSA monuments.

The driving force behind the creation of Confederate monuments and memorials is the UDC (United Daughters of the Confederacy), a tax-exempt, non-profit organization. The UDC is supported by State and US tax dollars, as well as private donations. Working closely with state governments, their claimed objectives are *"Historical, benevolent, educational, memorial and patriotic... dedicated to the purpose of honoring the memory of its Confederate ancestors."*

One has to wonder, if the political and military leaders of the Confederacy had been tried, executed, or sentenced to prison, as the majority of the US Congress then insisted, would this organization even exist? So why, after the repeal of Jim Crow laws and the Civil Rights Movement are Confederate monuments still being supported? Why is the UDC still receiving state and federal tax funding?

While a handful of Confederate statues have been unlawfully defaced and destroyed by mobs, there has been an ongoing process to remove, not destroy, CSA monuments and memorials since the 1960s. Alfred Brophy, a professor of law and legal history at the University of Alabama argues the removal of Confederate statues *"facilitates forgetting."* Nevertheless, Brophy eventually insisted upon the removal of the Charlottesville, VA statue of General Lee, which sparked the 2017 protest and counter-protest that resulted in the deaths of one counter-protester (vehicular homicide), 2 state troopers (killed when their helicopter crashed leaving the riot scene), 19 protester injuries, and 15 injured onlookers.

Saturation and Reappearance

Peppered throughout the United States, these statues, plaques, and obelisks appear as far north as Alaska. One wall plaque existed outside the United States commemorating a brief stay by Jefferson Davis in Montreal, Canada. This plaque was removed following the 2017 Charlottesville Unite-the-Right rally.

Ironically, in a December 2018 special report, *Smithsonian Magazine* stated, "*over the past ten years, US taxpayers have directed at least \$40 million to Confederate monuments—statues, homes, parks, museums, libraries and cemeteries—and to Confederate heritage organizations.*" Apparently, like an army of the living dead, Confederate soldiers are seemingly resurrected as quickly as they are removed.

What Now?

So, what's to be done with these antagonistic relics of America's most bloody conflict? According to one NPR report, a Shelby County Tenn commissioner has been hiding a Jefferson Davis statue and a statue of slave trader Gen. Nathan Bedford Forest, as well as other Confederate memorabilia. The city of New Orleans is storing four that have been removed, while Baltimore has four hidden in a secret location. However, most states have laws making it impossible for local governments to remove monuments. The city of Memphis was forced to petition the removal of the above-mentioned statues of Davis and Forest. This was initially denied and was only overturned after an overwhelming public outcry at the approach of the 50th anniversary of the killing of Martin Luther King.

Meanwhile, protests and counter-protests continue to mount for additional removals. Sadly, as we've already witnessed, obstinate removal is only overcome with large scale public outcry or the loss of human life.

Sources:

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