

## Refuting the Four Legs of Southern Confederate Memorial Defenders' Arguments

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This article discusses four loosely related arguments to try to justify the maintenance of Southern Confederate Monuments. These arguments are: The Tradition Argument, The Slippery Slope Argument, The Free Speech Argument, and The Ethics of Instruction Argument. All four arguments are found wanting and in basic denial of the phenomenological reality that these symbols carry in the public sphere. The constituted phenomenological realities of the lifeworld of hate, violence, and terror these objects possess in the lives of Black Americans is evident when we turn to lived-experience.

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### 1. The Tradition Argument and the Phenomenological Rebuttal

In the history of the American experiment with democracy, there has arisen in every generation a philosophical and historical challenge to construct principles for living in an egalitarian social world. As the recent incidents involving the protests in Charlottesville demonstrate in August 2017, our current generation is not less involved in that ongoing project of realizing the basis of the democratic roots on which this powerful nation was built.

What happened in Charlottesville—the tragic and unconscionable loss of human life, the public display of symbols of racial supremacy, the uninterrupted manifestation of violence in the streets, the overt resistance guided by the protesters, the protective cover of

the white nationalists provided by the nation's executive office, the signs of a growing political fortitude given to white nationalists internationally—all of these served to remind a consuming public about the dangers to the American democratic project that have haunted its political and civil society since its inception. From Thomas Jefferson's proclamation of equality in the *Declaration of Independence* (1776) and ownership of slaves to John Locke's justification of natural rights and authoring *The Fundamental Constitution of the Carolinas* (1669) that justified slavery, the haunting dangers of American democratic project had already been contaminated with the germinating seeds of white supremacy. Even in contemporary times, explicit elucidations of the horrors of slavery and human trafficking remain the subject of academic explorations into American history, as opposed to common and vulgar descriptions of the mainstay of a distinctly American past. The emergence of conflict in Charlottesville was simply a reminder of the seemingly intractable political forms of *bad faith* that have permeated our culture since colonial times.<sup>1</sup>

A crucial aspect of the events that facilitated the eruption in Charlottesville has been an underground conversation about the meaning of memorials and monuments dedicated to the past existence of the Confederate States of America. Descendants of the Confederate fighters and their allies alleged that the ongoing existence of these monuments have served the public good by being material projections of an essential element of American history. They allege that such history is so essential to the providence of a historical awareness, their meaning for contemporary peoples can and should be transformed into an appreciation of the political difficulties of the American experiment, broadly understood. In addition, the *metaphorical sons and daughters* of the Confederacy also contend that many of these monuments stand as a present day testimony to the profound human suffering inflicted upon human beings in the course of the Confederate cause. As such, they are not only a site of the establishment of historical awareness, they are also concrete significations of the importance of collective mourning.

To explain collective mourning, we must first explain a distinction between interpretation and translation. Tradition contains the Latin *tradere*, which means to hand down. Interpretation is an act of encountering the mediating factors of tradition as it is passed down to us and includes our response to that tradition that constitutes a shared history. Translation of a symbol or artifact occurs within the historical tradition that grounds the possibility of translation and involves the members of a community with whom are connected by a common intersubjective shared norms of translating those symbols. This translation of meaning is not, according to the defenders of these statues and monuments, simply a theoretical exercise. Many of the monuments were constructed within a generation of the Civil War, and therefore they were created during the lifetimes of people who themselves had living memories of family members who died on the battlefields of places such as Petersburg, Fredericksburg and Antietam.

In contradistinction to the defenders of these memorials, there have been representatives of a growing generation of culture workers and activists who see the purpose of these monuments as untimely and inaccurate representations of human suffering and the genocidal indignities of human enslavement. These cultural activists and workers allege that the continued maintenance busts and statues of Confederate generals

and politicians is a present day manifestation of racism. In this essay, we contend that there is one historical tradition, and within that tradition, an honest and open translation of what these monuments and statues mean cannot deny the manifestation of racism perpetuated by their continual presence in the public spaces in Southern states.

Interestingly enough, the proponents of the removal of these statues often evade the task of articulating a philosophical challenge to the public existence of these monuments. They assume, often without question and with very little debate, that the objections to the removal of the monuments are themselves indications of their proponents' racist intent. But in light of the events of Charlottesville, one must ask if such an assumption is *philosophically* justifiable. Upon examining the violence that occurred in the Charlottesville incident, what one notices is that the presence of the white supremacists and white nationalists was not only an explicit attempt to gain international media recognition and thus spread the ideology of racial supremacy, their presence was also the manifestation of a qualitatively *defensive* posture. They conceived of themselves as a group who was defending the statue of Robert E. Lee from being proscribed by contemporary forces. This is significant not only because they responded to a demand to protect emblems of white supremacy. Similarly, the statue of Lee was a kind of political manifestation of symbols that transcended the historicity of confederate consciousness, a historical awareness that sanctified the existence of certain structures connected to the elevation of white pride and self-confidence.

This white pride, it should be remembered, was not necessarily conceived as a radical departure from the historical purposes of the Founding Fathers of the United States. The Confederates and their intellectual descendants have always seen their interpretation of the American historical *telos* as endemic to many of the Founders' original intent. Thus their argument presumed and depended upon one's awareness of Confederate history was inconceivable without understanding its embeddedness in the larger story of the American people. In addition, the white nationalists also saw the statue as a kind of *representation* for the interests of whites generally. In other words, the white nationalists not only conceived of their actions as a unified front, they also believed they were the *de facto* representation of a set of interests not made explicitly manifest in the Charlottesville conflict. When the white nationalists chanted "Jews will not replace us," it is apparent that they were not only referring to their particular group of protesters, but they also were conceiving their movement as one that embraced an entire (performatively white) race of people.

The issue of representation plagues any attempts to understand the underlying cultural forces compelling the onset of Charlottesville's violence. Although intuitively it seems clear that each "side" of the conflict was representing its own constituency, such an analysis overlooks the fact that both protest movements were the product of a variety of political and cultural interests. For example, the media portrayed the collective groups of white supremacists as almost identical in their intent of being present. Perhaps this was because they coalesced under the project of defending the statue of Robert E. Lee. But the extent to which the white supremacists constituted a single political and cultural intention can be debated, even in the context of the orchestrated event of disturbing the peace (e.g., in media depictions of the Charlottesville conflict), the commentators rarely discussed the

meaning of white nationalism. They often assumed that white supremacy and white nationalism were identical movements. Although they each coalesced their political aims during their protest, it is highly debatable that each group conceived of its role in the protest in exactly the same manner. Philosophically, this is important. The phenomenological distance established between white nationalists' own historicity and the performative space of mourning may have provoked varying interpretations of the meaningfulness of the Robert E. Lee Memorial. Upon closer examination, the issue of representations hermeneutics stands out here, for the question of who has control over the authoritative interpretation of material reality becomes the basis for the white nationalists' efforts to defend the Confederate memorials.

When the political descendants of the Confederacy claim to engage in a re-interpretation, or at least a charitable interpretation of Confederate history, they admittedly do so in order to neglect understanding the horrendous conditions attending the existence of the Old South's slavery-based economic system. We must be clear. This is not to say that whites sympathetic to the maintenance of the monuments always deny the existence of slavery. When they imagine the meaning of the Confederate monuments, they do so out of a basic respect for historical awareness and culture. In addition, such whites present to others a teleological challenge on the basis of the entire United States's connection to human trafficking, genocide and continual exploitation of African peoples. This teleological challenge contends that if slavery was practiced in both the North and the South, why do monuments to the Old South alone suffer the indignity of being maligned and eliminated? Why not continue such a process of erasing the material reminders of essential figures in the construction of the nation's history? If Thomas Jefferson and George Washington, men who openly participated in African enslavement, are memorialized through statues and money and monuments, then why stand for the perpetuation of those kinds of material production at the level of historical awareness? Does it not make sense to reinvent the memorializations of national symbols in the same manner as those memorials located throughout the Deep South?

Our position is that the arguments presented by the defenders of Confederate monuments deserve an answer on their own terms. It does no good to the public discourse around memorialization to eliminate monuments without presenting a concise and comprehensible response to the concerns of the children of the Confederacy. After all, in every culture there are attempts to guide a kind of cultural awareness and historical continuity—if not through discourse then through physical artifacts. The Confederate monuments are artifacts of such continuity.

The first response to the Confederate monument advocates can be summed up by affirming the existence of a social context of memorialization. If memory is conceived as a performative act of the imagination, then it is the *act* of memorializing itself that becomes the locus of interpretation. In other words, the interpretation of either a historical artifact or a material testimony to the historicity of an event can only be set in motion by an interaction between agents of represented hermeneutical interests. Although such interactions produce their own tangential meanings, such meaning trajectories are always conditioned by the presence and penultimate onset of historical awareness—the very traditions that foreground and prefigure the possibility of interpretation itself. The

monuments to the Confederacy, however, betray a fundamental context of human society when they neglect the trauma and dehumanization enacted by centuries of human trafficking. If confederate monuments are to be respected as site of historical consciousness, then they must do so in a public sphere that is devoid of a predetermined mindset for their reinterpretation. In short, the conditions by which the defenders of the monuments suggest the continued existence of the monuments must be encountered in a social context that is honest about the full richness of the history and how that history informs the context of the monuments and their actual present-day manifestations. Thus, there is an intellectual dissonance at the level of pronounced intent that cannot be separated from the efforts of the monuments' defenders to maintain the practice of their public exhibition.

The question of interpretative distance lends itself to the problem of understanding what is actively constituted in their encounter between physical artifacts and a present-day construction of social reality. Even if it were possible that the monuments' defenders could resurrect a historical meaning devoid of the horrors of human enslavement, one would have to address such a projects' impact on the behaviors of those constituting contemporary society. We contend that such a historical meaning devoid of human enslavement is all but impossible. After the Charlottesville incident, it seems clear that relations between varying political interests remain extant at the level of violence, for the monuments' defenders were more than willing to initiate violent conflicts to achieve their aims of sanctifying the memorial to General Lee. Furthermore, there is a sense in which disparate material realities have continued to plague the places in which one finds these monuments.

In the Deep South, there are large swaths of territory in which segregation and economic disparities between racial and ethnic constituencies remain so acute that they are easily visible through an anecdotal analysis. The writers of this essay are composing it in a coffee shop in the tourism-friendly area of downtown Savannah, a city with a majority black population. Yet 95% of the people in this coffeeshop are phenotypically Caucasian, while the remaining 5% are phenotypically Asian. Besides Walter, there are no other black patrons. Even more so, neighborhoods in Savannah are not mixed, but segregated by disparities between the well-to-do White residents of the Historical District and other less developed neighborhoods in the Savannah area. Such disparities comprise the natural attitude of the everyday Southerner, and these disparities become reinforced once one considers the senses in which the Confederacy is memorialized by the monuments scattered throughout the Southeastern United States (and often speckled in our own city of Savannah, Georgia). There are two issues of interpretative distance that should be elucidated here. One has to do with the present society's historical distance from the Confederate past, and the other has to do with the historical proximity of the material monuments relation to a contemporary observing public. Let's examine the former issue first.

It is usually a manifest assumption that popular understandings of historicity are sufficient for understanding scholarly examinations of the same. But upon close analysis, this assumption can be found to be deeply contradictory. For instance, as Alison Wylie notes, it is a standard challenge of the archaeological and artifact-based reconstruction of

the *objective past* that populations and cultures which have undergone an intentional proscription often lack the material traces needed to justify a scholar's reconstruction of the everyday processes constituting their historical existence. As a result the hermeneuticist of history must inferentially project onto such a past a complex state of affairs.<sup>2</sup>

However, a problem with this approach emerges immediately upon the act of reflective projection. If history is understood as a kind of movement, then a static construction of the ordinary affairs of history would be a representational distortion at the level of both text and object. Thus, the entire concept of an objective past is tantamount to a kind of idealist *naivete* at the level of historiographic discourse. Regarding the problem of objective narrations of history, Marxian philosopher Alex Callinicos distinguishes between the theoretical postures of historians teleological narratives of the same. He argues that theories of history must entail theoretical structures, transformations and directionalities. Thus they may intersect with queer readings of historicity while refraining from assuming what the status or "end" of that history must be. Historical narratives however are very different. According to Callinicos, they fall short of theoretical sufficiency by virtue of their negligence of the difference between history-as-lived and history as a socially constructed ideal. In his book *Theories and Narratives* he elaborates on this distinction:

Historical materialism, understood as a theory of historical trajectories, does not seem vulnerable to the charge that it is a secularized theodicy, and one which to boot justifies Western domination of the world. The suffering consequent on the development of the productive forces is not denied or explained away; at best it may be redeemed when revolution allows the victims of progress, or their proletarian descendants, to take control of these forces.<sup>3</sup>

Although the defenders of Confederate monuments claim that the Old South represents a "victim of progress," *in the case of preserving the Confederate memorials*, it is clear that the remnants of the Confederacy constitute the objective forces resistant to change. Furthermore, the argument that the Confederacy existed primarily due to cultural and economic differences with the Northern United States belies not only the subaltern context of human trafficking and the Confederate leaders' own pro-slavery justifications for their armed resistance, but it also manifests a desire to leave the authority of interpreting the narrative arc of the Old South primarily in the hands of the Old South's white descendants.

In addition to the problem of discerning the teleology of historical narratives removed in space and time from a present-day public gaze, when examined phenomenologically, memorials and monuments to the Old South cannot be dissociated from the present historical context in which they are embedded and which they continue to give themselves. If there emerges a complexity in the attribution of intent to the maintenance of Confederate statues, then such a complexity must be viewed in light of its location in the

foretext of a sense of historical worlds as lived-through and lived-amidst. If this is the case, then one must examine the impact of the monuments on the behaviors of those in the present who may encounter them under a variety of historical circumstances and prevailing modes of givenness. These modes of givenness are in terms of the various historical subjects' participation with these objects in genetic phenomenology. We have seen how the advocates of the monuments' maintenance desire to exert determinative control over the narrative arc of the monuments' belonging; however this commitment seems to represent (at best) a benign neglect of the social power of institutionalized structures of racism that constitute their phenomenological meaning in the shared world of appearances. The statues and monuments, in our reading, represent more than simply a rendition of the (presumably) remembered past. It also is constitutive of present-day social hierarchies.

These hierarchies are given in the very work of the monuments themselves. During the antebellum period, enslaved Africans in the Americas inhabited subaltern spaces of sociality. They were, in short, socially negligible to the institutions of white supremacy that governed cultural life in the antebellum South. This is not to say that enslaved people played a small role in the maintenance of the established social order. However, this establishment, despite their historical presence, demanded their cultural and political erasure. Furthermore, the very presence of enslaved Blacks as a constant threat to the established order made the policing of black bodies an essential element of daily antebellum life. Again, this is not to say that the only narrative of African cultural participation in the antebellum South was one of subservience and enslavement, but rather such conditions informed the background context through which Southerners of all colors had to negotiate meaning. The physical structures of the Old South—the mansions, the docks, the cotton fields and sugar plantations, etc.—were all brought forth out of a horizon of historically preordained world-constitution. What is often forgotten, however, in contemporary discussions of the place of these monuments, is how such a context for meaning-making continues in the present day. This is our phenomenological point. It is not only whites who must share public space with the Confederate monuments, but also minorities see their own presence as constitutive of the social and political worlds constructed in the midst of that space.

The claim here is not an argument about the lack of relevance, as in the sense that monuments to the Old South have lost their relevance for a new, more progressive thinking generation but rather, the point is that the monuments themselves help frame and reinforce a racist social order in the present-day South. This present-day meaning emerges from the monuments and their initial past. Assuming minorities are powerless to remove them, they are not only reminders of the past; they are testimonies to the present (again invoking the double givenness from before). When understood as manifestations of historical and phenomenological backgrounds that coalesce with Black complicity, the monuments in effect demand the disappearance of Black bodies from the bedrock of social and political life in the contemporary South.

The result is similar when the monuments are phenomenologically foregrounded. Given the insistence that the monuments are not themselves emblems of slavery and given the absence of educating a consuming public on the horrors of slavery, the monuments

would still demand for contemporary observers an imagined disappearance of enslaved Blacks from the existence of the Confederacy. The continuation of this practice is all the more revealing when examined in light of its effect on the social behaviors of African Americans who are expected to not only be complicit with the maintenance of the Confederate memorials, but also acknowledge them as constitutive of *their* history also. It is quite revealing in such instances to examine Black Southerners' responses to the continued existence of the monuments. When discussing the issue, it is clear that many Black Americans see the monuments not only as testimonies to a racist past but also as evidence of the present and ongoing continuation of racist practices. In other words, the Confederates monuments have a *double givenness*, and this givenness can be understood along two lines in relation to Black Americans' experience. First, the forthright givenness is one memorializing a racist past. Second, the givenness of a racist past simultaneously is an elevation of blindness for White Southerners to see only pride where they should see the memorial's actual givenness, yet the memorial is also constituted by the systemic racism that these memorials are memorializing now in the present in *every spectator*. This, it seems, comprises a more adequate description of the phenomenological impact of these monuments on contemporary Southern society.

African Americans, as the guardians of the confederate monuments will admit, generally do not acknowledge the memory of the Confederacy as an affirmation of *their* history. Instead, they articulate them as a kind of witness to the history of human degradation and suffering. In this way, the Confederate statues constitute a social and political space that displaces African Americans from being included in the historical contribution of the United States. In other words, Black Americans are not historical subjects. This displacement gives rise to Lost Cause myths, but also removes from public consciousness that there was a problem at all with the legacies of the South memorialized in these statues. Thus, the argument that present and future generations will be edified in their understanding of Southern history by the continued existence of these Confederate monuments may be found wanting on the grounds of its ignorance of the actual impact seen in the present-day behaviors of minorities who interact with them and the phenomenological effect they have in the lived-experience of African Americans and all persons of color more generally.

## 2. The Slippery Slope Argument

In addition to these concerns, those who support the continuation of the monuments often raise the issue of a slippery slope with respect to the national monuments that constitute the popular symbols of national identity. They insist that the elimination of the Confederate monuments could be the first step in a gradual process of losing an American identity rooted in an appreciation of the political ideals of its Founders. According to them, even if one takes for granted the moral weakness of the Founding Fathers as it regards the enslavement of Blacks, it is still nonetheless true that the dominant discourses underlying American independence emerged from the philosophical ideas put into practice by the Founding Fathers. And when one uses the worst and most contradictory practices of historical figures to define their representation, one ends up with a *more* distorted

picture of their complexity than an examination of their actual historical achievements. At least in the cases of acknowledging their achievements, the historian has access to the trajectories of their ideals rather than simply an account of how far they fell short of achieving them. And as the defenders of the Confederate monuments are quick to point out, there are no historical figures without some degree of distance between their ideals and their actual practices. Practices drive ideals, not the other way around. However, if civil society endorses the political practice of defacing and proscribing monuments of its past, no matter how controversial, then civil society will in effect have institutionalized a revisionist form of public awareness. According to the monuments' defenders, there is a short step between revising this awareness and abandoning a common sense of identity that is necessary for a coherent national consciousness. There are a number of problems with this argument.

First, there is an assumption that there is a transitional continuity between the elimination of Confederate statues and statues of the United States. Even if one does not assume that a discontinuity is established by the existence of the Confederates as traitors who revolted against the government of the United States, there is the obvious problem of discerning what constitutes evidence for the presumption of an unabated trajectory of historical acts. If the act has to do with expanding a radical critique of national monuments, it would seem that such acts would attend a new set of discursive justifications for their elimination. This is not to say that national symbols should never be revisited. Such an argument indeed seems warranted on the basis of an evolving national self-understanding. However the contention that such evolution necessarily involves the loss of a coherent national identity reflects a thin understanding of how identities change as they move through time. After all, it is simply not the case that popular self-understandings of "American" (or United Statesian) identity has remained static since its inception. In fact, one could certainly conceive of the emergence of the Confederacy itself as a kind of resistance to a changing yet popular self-understanding of a distinctively American national character. In addition, the loss of a formal self-awareness need not entail a loss of values represented by that awareness. The contention of the Confederate monuments' defenders is that in the elimination of the statues and memorials, society loses valuable aspects of its identity. However, it intuitively appears that this need not be the case at all. Value as a manifestation of historically enacted desire cannot be separated from the material dialectics of apparently free movements such as choices and decisions. Yet when these movements of freedom are impeded, historical agents are presented with a set of guiding forces in which to frame the limited options of meaning-making. In other words, the instantiation of identity is constituted by choices, while the instantiation of choice is coextensive with the presence of identity. There's no static national identity to be lost.

Second, confederate monuments are agents of a static cultural awareness. As testimonies to the continued values of the Old South, they demand a form of epistemic closure that belies a continually evolving national consciousness. If the purpose of the concrete monuments is, as their defenders claim, the conservation and preservation of Old Southern history, then it would seem that such preservation would encounter in each generation a new set of historical circumstances through which to envision that history. This is just what it means to exist as historical beings in time. In addition, if the defenders

of the monuments insist that mourning and “loss” are the objective context in which the monuments can be appropriately interpreted, then they are performing a contradictory suspension of that interpretation when it comes to the continued existence of the monuments themselves. If the loss and mourning of the Confederacy and antebellum South primarily inspired the erection of the monuments, then one may ask to what extent the lessons of loss and mourning have been learned through their continued existence? Put more simply, it is highly doubtful that if the erection of monuments can both mourn loss and simultaneously re-member what has been lost of the antebellum South?

For the Old South to be truly lost, then its memorialization would have to appear in a context devoid of its representational character. But we have already noted several instances in which representation of the Old South’s political and social interests themselves form an intentional context behind the Confederate monuments’ purpose for being. In fact one may go farther and insist that *the monuments are an explicit effort to reinstitute the values of the Old South through maintaining a present-day sacralization of antebellum society*. For many Confederates, the existence of the antebellum South was testament to their civilizational superiority over non-European others. As a result, when the South was defeated by the Union, their historical claim to civilizational supremacy was threatened. The shame attendant upon the loss of the war should not be underestimated; for it is largely out of this context that assertions of Southern pride made themselves historically justifiable. According to the defenders of the monuments, attempts at the shaming of White Southerners also occurred during the Civil Rights Era, primarily through the popular consumption of television images of hate-filled (and often poor or uneducated) racist whites. The shame attendant to the loss of the Confederate rebellion has for over 150 years been instilled in Southern white identity, even among those whites whose ancestors arrived after the Civil War ended. For those future generations of Southern whites the conception of a civilized white identity was threatened by the erection of mythological readings of the South.

As a result the loss that is mourned through the statues therefore cannot be limited to a loss of history or a loss of the antebellum South. Loss is inseparable from a loss of metacultural entitlement, a sense that the Old South contributed to the ongoing project of Europeans civilizing of the non-white world. Thus it seems that if our observation that the monuments demand black people’s phenomenological erasure is correct, then the loss as understood and mourned by the Confederate monuments’ defenders entails the endorsement of social realities embodied by the continued subjugation of minorities. Furthermore, if the focused intent of the mourning is the loss of white antebellum and Confederate leaders, then the inhibition of including a “lost” system of slavery implies that efforts to continue the social metaphysics of this system remain extant. Such processes are inseparable from a world-sustaining *zeitgeist* that is premised upon institutionalized racism.

### 3. The Free Speech Argument

Admittedly, the various objections to the Confederate monuments’ defenders thus far do not deal with their signature argument that the descendants of the Confederates have a

privileged position when it comes to the proper hermeneutic — that is, reinterpreting monuments in accordance with their own values and sensibilities. According to this logic, interpretation is a form of free speech, and it is wrong to impose an understanding of enslavement of human trafficking, suffering and enslavement onto Confederate monuments that, in our contemporary understanding, represent normative Southern history. In short, it is highly suspect whether or not the descendants of enslaved Blacks in the South are in any moral position to demand how the descendants of white slave-owners in the antebellum South should interpret their relation to those slave-owners. After all, it is a truism that many such descendants today admit that slavery was wrong and will always be wrong. Many also admit that the abolition of slavery contributed to the public good in the long run. They merely contend that despite this rather shameful history, the memory of the Confederacy as concretely represented not be erased from the public sphere.

For us, this claim seems to be a particularly powerful argument. It suspends the assumption that extra-communal norms should govern what a particular communal interest values as privately sacred. And so due to the norms of transactional relationships developed in the context of the private sphere, the question of interpretation addresses directly the issue of normative claims upon the relation between material manifestations of cultural practices and the hermeneutical principles that police such practices. If the normative claims of the state have as their end the elimination of all particular interests that do not complement the general will of the dominant culture, then it is highly questionable whether or not such an end has been established on democratic grounds.

On the other hand, particular group interests emergent within the political domain of a democratic social order cannot be assumed to be coherent with the interest of the unifying principles of political representation. The illustration of this dilemma is merely amplified when examined through the lens of physical institutions established on the basis of counter-narratives to the dominant political culture. In the case of the Confederate monuments, one not only has the presence of historically particular memorializations, but they specifically speak to the freedom of interpretive speech demonstrated by the fact that those memorialized actively rose against the state. This is a thorny issue, and it is our perspective that it cannot be addressed without making an appeal to metaphysical foundations which lay below the self-espoused teleology of modern democracy.

What advocates of the Confederacy often neglect is that there has been a fundamental historical trajectory manifested in the founding narratives of the United States that govern self-interpretation of the cultural processes found within the political and social representations of national civic belonging. In the dominant narratives espoused all over the United States, the existence of this nation has been privileged on the inherent dignities of both freedom and liberty. This is not to say that the United States has never fallen short of the realization of those ideals. The defenders of the Confederate monuments correctly point out that the Founding Fathers were complicit with the practice of human trafficking at best. What is at stake, however, in their objection to extra-communal rights to authoritative interpretation is the dominance of narratives external to the governing principle of human freedom. This is a site of much confusion in the debate over the existence of Confederate memorials.

Those African Americans who object to the public existence of the monuments do not do so on the basis of an attempt to erase the history of the Confederacy. They do so on the basis of what they assert is an affront to the social expression of a quality that is fundamentally human. What makes such an expression social is the necessity of difference in the constitution of change. Freedom, the capacity to conceive of oneself as not only both the agent and author of human expression, but also a manifestation of the satisfaction of ontological desire, should be held as one of the most fundamentally sacred qualities of a normative human existence.

According to Black Americans, any memorializations that are connected to any social ontology that denies this principle has forfeited its right to inhabit the *sacred* dimensions of public space. This is not to say that material expressions of memory play no role in the collective consciousness of a national identity. The point is that African Americans have embraced that identity on the premise of its conformity with an essentially human quality, such that the extent of one's erasure of that capacity for freedom becomes coextensive with the extent to which a dehumanizing presence arises in history. Therefore, the case can be made against the free speech argument. Let us explain. Free speech is as much a sacred act as the symbols displayed in its name. Both monument and speech are connected to freedom. Free speech that frees us, that engages the soul of the Republic is speech that furthers the end of freedom. When it does not, both monument and free speech constitute an act of dehumanization.

This dehumanization, in the language of historians of religion, can be displayed in the public sphere, but its proper context is only as a reminder of its *profanity*, its exclusion from the realm of values associated with human affirmation. In the language of some moral philosophers, this dehumanization is a de-personalization, a rendering of the person into nothing more than an object.<sup>4</sup> If a human being is an embodied constitution of free expression, the extensional reach of this expression does not matter as much as the affirmation of the existence of such an extension through choices. Human affirmation is only valuable through the capacity of freedom. Thus the interpretation argument of the defenders of Confederate monuments fails on another account: the channeling of free expression through the material contextualization of bodies. Let us explain.

Interpretation is never an act that emerges in solipsistic ideal. Interpretation is an exercise that is mediated through the historical conditions of materiality, and this materiality functions as a kind of ontological restraint upon the legitimacy of authorial reading. For these reasons, it cannot be presumed that the Confederate monuments stand as isolated givens in a universe spiritually random variations of meaning. To insist otherwise would betray the historical fact that such monuments memorialize actual historical persons who were themselves rooted in a set of social and political relations, including the cultural assumptions, popular attitudes and political institutions attendant upon any given civilization and worldview. *In these social relations, the dehumanization of Blacks included rape, torture, enslavement, and exploitation bordering on near complicit genocide.*

Despite what the Confederate defenders may insist, context always functions as a constricting force upon meaning, and if the criterion of reinterpretation is simply the matter of the relation between the physical memorial to persons and the contemporary

community in support of its existence, then the community has denied a fundamental feature of all interpretation: its mediation through embodied agents and ties of history.

The observation of African Americans that the competing narratives of American self-understanding and the affirmation of human existence presents us with a profound example of the conceptual limitations of modern political institutions. If anything, national identities are taught to people such as children, immigrants and extended families of citizens. No national identity emerges without the conditions necessary for a conceptual transaction of distinctive and ideal forms of selfhood. In short, it intuitively appears correct that the white nationalists should be afraid of the historical implications of transforming human relations to material affirmations of human degradation. By making an appeal to fundamentally human quality of social expression, Black Americans have in effect challenged the basis on which to maintain the sacredness of the public sphere. The public sphere's very sacredness depends upon supplying the promised conditions of freedom for all races. If the public sphere of national consciousness remains sacred solely on the basis of self-edifying tradition, without the constraining principles of human affirmation, then the historical stage has been set for contradictions leading to the political irrelevance of the state.

Ironically, the state can remain relevant in these instances by conforming to the principles of historical movement. This historical movement is not a claim about human "progress." Progressive narratives need not be any more humane than conservative ones (in fact both of us admit how often progressive narratives can conceal injustice just as those that call for preservation of the status-quo). Instead what is called for is a steady attentiveness to the dimensions of coordination between the principles of statehood and the expressions of freedom. This is a paradox that the defenders of the Confederate monuments have also ignored.

The more resistance that is offered up on behalf of such monuments, the more those monuments are viewed in the dominant culture as sites of proscription. However, the more such monuments are connected to the broader story of human affirmation in the metanarrative of Americanness, the more legitimate their claims of historical belonging appear. Thus their claims to be able to interpret do have merit so far as those interpretations admit a social and political world through which embodied agents contextualize the historical movement of freedom itself. If the Confederate monuments conceptually address human freedom by denying their role in the degradation of humanity, then the stage for their historical irrelevance has already been set. They should be found wanting even before they are put on their pedestals!

The irony here is that such an interpretation is actually tantamount to a preservation ethic. This preservation ethic is another aspect of the debate which is ignored or denied by the Confederate monuments' defenders. It is not the case that those outside the genealogical descendants of the Confederacy wish to lay assault on the memorials. Confederates are in fact attempting to ensure the survival of the memorials by placing them in their proper pedagogical context. The very existence of Confederate monuments teaches us that they shouldn't be.

#### 4. The Ethics of Instruction Argument

At this point, one may see that our argument has dovetailed with our earlier observations on the bad faith necessary for the maintenance of an idealized narrative of the Old South. As we noted, there is a profound difference between an objective past and narrations of it conditioned present. The foundational justification for the purpose of the Confederate monuments has been one rooted in an ethic of instruction. The monuments exist, in other words, to educate future generations about the past. But what the appeal to the social context of the Old South's historicity demands is the Confederate monuments' advocates reorientation toward the "nature" of historicity. Let us explain.

If one takes the critique of those protesting the statues seriously, then it becomes apparent that they are making a claim about both constitution of both history and ahistory. Historical awareness, when mediated by embodied agents, cannot be divorced from the narrations of human freedom attendant to the dialectic of encounters framing historical discourses. To deny the social context through which these discourses appear is to engage in an ideal, yet ahistorical act of construction (and an uncritical acceptance of blindness not to see the double givenness of the Confederate monuments mentioned earlier). The nature of ahistories is often neglected by those who argue over the appropriateness of certain curricular and pedagogical contents for public education. However, it seems academically dishonest to engage in a set of competing assertions over the appropriate narratives of history without an elucidation of what constitutes the ahistorical. An example may be in order.

It is well known that representations of the Old South in tourist-friendly cities such as Savannah and Charleston are premised on renditions of history that exclude reproductions of the historical consequences of human trafficking endorsed primarily by those cities' white inhabitants. After all, few whites would probably desire to be reminded of how brutal and horrendous the conditions of Black life were in these cities. Yet is precisely the brutality of antebellum Southern society that marks its ideal representation as fundamentally ahistorical. In short, the defenders of the Confederate monuments exhibit an acute form of bad faith when they insist that the existence of the monuments is meant to educate the Southerners about their history, yet forget their forgetting of the attendant horrors of slavery itself. There is such a distance, such a sharp inhibition, such a dangerous distortion, exhibited between idealized representations of the Old South and the testimonies of enslaved Africans who lived during the antebellum period that any reasonable person is left wondering about the extent to which the metaphorical sons and daughters of the Confederacy have constructed a fundamentally ahistorical "history."

For many enslaved Africans, history was conditioned by what one may call *panthetic events*. A panthesis is an event involving the interaction of material substances that are subjectively lived as being without material content.<sup>5</sup> If you are someone who appears historical simply by virtue of being a thing (what we are calling material here), then our point is time stops for you.<sup>6</sup> Thus inanimate objects cannot be said to be panthetic because they do not possess the quality of a lived, experiencing body. However, if one accepts the assumption that time itself is an object of experience, then it follows that believers in the panthesis of embodied freedoms may conceive of historical events without

attention to the attempt at historical narration as a formal reconstruction of the succession of particular events. It is through this process that those on the underside of antebellum civilization have reoriented their relationship to Confederate history. The ahistorical in the case of the defenders of Confederate monuments and the ahistorical for the descendants of enslaved people are fundamentally different.

As we indicated above, the Confederate monuments' defenders articulate the (ahistorical) presence of an Old South that never existed. What African American descendants of the enslaved contend, however, is that slavery itself was a kind of ahistoricity. Like the substances belonging to a chemical chain reaction, for them history is something that is made—or more precisely history is done to them. The resultant objectification of persons are regarded as nothing more than instrumental objects. History is constituted out of the raw materials of human existence, and if the substance of that history is not a reflection of freedom's presence, then what has been made is a mirage of existence, a reflection with no material content, an impersonal process happening to objects, not free persons who live through history with a sense of their own subjectivity. Slavery is, in short, a both a value deception and a denial of humanity.

The upshot of this argument is that the physical matter that constitutes the Confederate monuments actually persists in the making of images and mirages that deny each generation the material necessary to make history. A panthetic approach to historical meaning-making is fundamentally materialist in orientation, but it is a kind of matter that does not guarantee the succession of events as the only way of conceiving history. In fact, African Americans have a long tradition of making history by transforming structures and institutions so that they may be more accurate manifestation of humanity through their coherence and correspondence with freedom. It is freedom that demands a response on the basis of national culture. It is freedom that has guided the civilizational progress of the United States' collective national identity. Despite the long and continuing tradition of its abandonment and ignorance, freedom has always been the rallying cry of the liberties embodied in the founding documents of the United States. Freedom was the impetus behind the revolution of the British colonialists of North America. Freedom was the motivating power behind black people's conscription into the Union forces during the Civil War. Freedom was the deep, insatiable compulsion that created the Pan-African movement of the 1930's.

Freedom was the spiritual force that animated the protests of the Civil Rights movement of the sixties. And in the current era, Freedom has once again become embraced by a generation of those who wish to transform human relations into panthetic iterations of civility and peace. And so as contemporary thinkers seek to engage the arguments and counter-arguments espoused on behalf of those competing interests in the maintenance and/or elimination of the Confederate monuments, it is crucial that the fundamental sanctification of human freedom never be neglected in attempts to inscribe history. There is a basic transactional quality to freedom if it is conceived as a panthetic reality. It is always unsure of itself. Like Callinicos' theoretical mode of history-making, human freedom may have a structure and trajectory, however any attempts to enclose human freedom in a predetermined course of action belies the nature of the human condition. Human persons naturally gravitate towards freedom. The people who endured

centuries of slavery and human trafficking in the Americas clearly embraced this insight, and so let us never forget, under the guise of constructing idealized and ahistorical metanarratives, confederates historically intractable contributions to human self-understanding fall short of being honest about the panthetic reality of freedom.

## 5. Conclusions

In this article, we never distinguished between complete removal and a case-by-case solution about removal and recontextualization of Confederate monuments. After you analyze the previous four arguments, our position should be clear. There is no intellectual justification for these arguments. Our position is that the public should remove them based on taking seriously the subjectivity of Black Americans and their relationship to the concrete appearance of these statues. These monuments memorialize a conception of the past cleansed of our African American brothers and sisters that are supposed to be integrated and liberated in the American polity. With that said, the examined arguments herein do not examine the phenomenological experience of Black Americans.

As Hannah Arendt once regarded the public, public space of appearances is the setting in which meaning is disclosed concretely, and these Confederate monuments constitute a conception of the public realm. If we permit these statues in the public spaces of the United States, then the public realm is both implicitly and explicitly not open to those Black Americans that have put down roots and call the United States home. By permitting these Confederate monuments a space, we are sending the clear message that Black Americans are not welcome in these spaces despite the trivial silence that never claims anything specific regarding race. By permitting their existence, perhaps we may even go so far as to claim that the United States implicitly is claiming that Black Americans should not be political as they statues are claiming an unwelcomeness in the very public spaces all are said to have access. The silence and avoidance of the racism these symbols generate in everyday discourse continually perpetuates the terror that is sedimented in the cultural horizons of the United States.

What we can speak on are the intellectual justifications for maintaining Southern Confederate monuments are constantly false. These monuments continually assail the dignity of those they exclude. In other words, all things being equal, we simply desire honesty from those Confederate monument defenders that have put forward dishonest arguments. These dishonest arguments are propped up by constant denial of the phenomenological experience of Black Americans, and the bad faith structure of these arguments is rather daunting. Put more directly, this dishonesty prevails however in small microaggressive ways in which every time there is a legislative or court ruling victory in favor of pushing integration forward, the logic of white supremacy rearticulates itself, reconfiguring itself in a way that it can pass itself off as tradition, heritage, or some other false myth like that of the “lost cause.” These monuments have become material manifestations of the reconfiguration of white supremacy time and time again.

We have encountered four legs of this debate. In every case, they are easily handled, and these Confederate monument defenders never accurately understand (and in many cases incapable of honestly understanding as they are in existential bad faith with

themselves) the full context of the monuments and their relation to the oppression of non-Whites.

Once we admit that these arguments are easily refuted and expand our conception of the political imaginary to include within its conception the Black American phenomenological experience, then the continued presence of all Southern Confederate monuments cannot continue, which means that complete removal and/or recontextualization are the only morally defensible positions left. Given that it is feasible that recontextualization of monuments could be absorbed into a rearticulation of white supremacy, we conclude it is better that they be removed from the public spaces they inhabit. In removing the monuments, we encounter their legacies and the moral underpinning of how these material objects continually reconstitute the public spaces where they are displayed. While detractors will often point to the fact that some are offended and their removal is an affront to first Amendment rights, we hope to have showed that this counter-move to our suggestion of their removal is disingenuous.

Our goal in this paper has been to show that it is not only offense that calls for their removal, but an active concern with dismantling the very material symbols that generate and help sustain the logic of white supremacy. Since we are both phenomenologists engaged in an analysis of lived-experience, it is a commitment of us both that material symbols continually generate meaning in the field of everyone's experience on an intersubjective level, and that Confederate monuments generate hate and terror in the field of everyone's experience on an intersubjective level.

#### Notes

1. Lewis Gordon and Jane Anna Gordon, *Not Only the Master's Tool: African-American Studies in Theory and Practice* (London: Paradigm Publishing, 2006), pp. 6-7.
2. Alison Wylie, *Thinking from Things* (Berkeley: University of California Press, 2002), pp. 23-24.
3. Alex Callinicos, *Theories and Narratives: Reflections on the Philosophy of History* (Durham, N.C.: Duke University Press, 1995), p. 163.
4. J. Edward Hackett prefers the language of personalism in both the traditions of Edgar Sheffield Brightman and Max Scheler. Persons are Scheler's term for the conception of human life purged from the natural attitude, and they are the bearers of value in the sense that values emanate from conscious and intentional beings. If they are the source of value, then it can also be held that they are not the same as objects. Persons should never be regarded as things, and this thought is echoed in Martin Luther King, Jr.'s commitment to personalism having expressed a desire to study with Edgar Sheffield Brightman.
5. This term has its origins in Walter Isaac's philosophizing and will be further explained in future efforts.

6. Maurice Natanson, *The Journeying Self: A Study in Philosophy and Social Role* (Reading, MA: Addison-Wesley, 1970), p. 89. While we cannot develop this insight here, in the Middle Passage when Africans are transported. Time stops for them on an experiential level. Now, as a thing, persons qua things do not experience historical narration. Some of this insight is influenced by Natanson, but explication can be gleaned in James Noel *Black Religion and the Imagination of Matter* (London: Palgrave Macmillan, 2009), pp. 60-65. Nonbeing is the negation of a denial of the fundamental realities of social life and being a person. Conservative estimates put the death of Africans in the Middle Passage about 12 million.

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