**High School Syllabus: Confederate Symbols**

“The past is never dead. It's not even past.” –William Faulkner

**Overview**

In this class, we will consider the philosophical and historical discussions around monuments, commemoration, and the political contestation over what belongs in public space. This class, in dealing with the particulars of monuments and memorials to offensive causes, will also deal rather explicitly with the question slavery, segregation, and racism within the United States. Moreover, aside from these political questions, students will also address and discuss the ethical questions of commemorating. For instance, can confederate monuments be impartial (invocative of heritage) or are they always morally offensive (racist)? What is to be done with monuments to unethical causes? Should they be maintained with amended information? Replaced? Removed? These and many more questions will be confronted and hopefully answered in the scope of this class.

**Topic 1: Introduction**

Class 1

-Whose Heritage? Public Symbols of the Confederacy by Southern Poverty Law Center, https://www.splcenter.org/sites/default/files/com\_whose\_heritage.pdf

-‘Dividing New Orleans’, https://www.youtube.com/watch?v=ZOHlOGHsZeI

**Topic 2: The History of the Civil War**

Class 2

* James M. McPherson, ‘What Caused the Civil War’, *North and South* 4, no. 1, 2000., pp. 13-22.
* ***Ta-Nehisi Coates ‘What this Cruel War Was Over’***[**https://www.theatlantic.com/politics/archive/2015/06/what-this-cruel-war-was-over/396482**](https://www.theatlantic.com/politics/archive/2015/06/what-this-cruel-war-was-over/396482/)
* James W. Loewen, ‘Five myths about why the South seceded <https://www.washingtonpost.com/outlook/five-myths-about-why-the-south-seceded/2011/01/03/ABHr6jD_story.html?utm_term=.4ef33ee8e873>
* Alexander H. Stephens, “Corner Stone” Speech http://teachingamericanhistory.org/library/document/cornerstone-speech/

Optional Advanced Reading:

* Michael E. Woods, “What Twenty-First-Century Historians Have Said about the Causes of Disunion: A Civil War Sesquicentennial Review of the Recent Literature”, *The Journal of American History* 99, no. 1, 2012, pp. 415-439.

Summary:

Before discussing the philosophical issues I believe it would be best to get students up to speed on the basic history. Indeed, on many views, the symbolic meaning of confederate monuments turn on question of history—either the history of the confederate cause itself or the history of confederate monuments. To begin then, students should learn about the history of the confederate cause itself. My sense for the historical component of the class is that it would not be wise to try to present a controversy here regarding the nature of the confederate cause. Instead we just present the (at least, current) historiographical consensus that puts the slavery at the centre of the confederate cause.

* The McPherson article provides a seminal and accessible introduction to the history of the confederate cause.
* The Coates article is essentially just a pithy collection of primary sources.
* The Woods article may be too challenging, but it gives a nice overview of the historiography and the reasonable debates that arise therein.
* The Stephens speech provides an explicit link between slavery and the confederate cause.

**Topic 3: The History and Function of Confederate Monuments**

Class 3:

* W. Fitzhugh Brundage, ‘I’ve studied the history of Confederate memorials. Here’s what to do about them. *Vox,* August 18th, 2007: <https://www.vox.com/the-big-idea/2017/8/18/16165160/confederate-monuments-history-charlottesville-white-supremacy>
* James Loewen, *Lies Across America: What Our Historic Sites Get Wrong, ‘Chapter 45: The White League Begins to Take a Beating’,* The New Press: New York, 1999.

Lecture:

James Loewen, ‘Confederate Monuments and Memorials’: https://www.c-span.org/video/?423748-104/confederate-monuments-memorials

Class 4

* James Loewen, *Lies Across America: What Our Historic Sites Get Wrong,* The New Press: New York, 1999,pp. 36-43.
* Kirk Savage, ‘The Past in the Present: The Life of Memorials’ http://www.harvarddesignmagazine.org/issues/9/the-past-in-the-present

Lecture:

Professor W. Fitzhugh, ‘A Vexing and Awkward Dilemma: The Legacy of a Confederate Landscape’, https://vimeo.com/255766103

Summary:

The second important historical issue concerns the history of the confederate monuments themselves. Most monuments were built well after the war at the turn of the 20th century and during the Jim Crow era. Although there were exceptions, it’s fairly clear that the vast majority of monuments were built as part of a general project of historical revisionism and white supremacy. Again, I don’t think it particular useful to teach any controversy here. The historical consensus seems firm.

**Topic 4 – Moral Wrongdoing, Moral Evaluation, and the Past**

Class 4

* David A. Bell, ‘Is it still okay to venerate George Washington and Thomas Jefferson?’, August 17th, 2017, Washington Post:<https://www.washingtonpost.com/news/posteverything/wp/2017/08/17/yes-washington-and-jefferson-owned-slaves-trump-is-still-wrong-about-robert-e-lee/?utm_term=.10a7a0d1594c>
* Allen Buchanan, ‘Judging the Past: The Case of the Human Radiation Experiments’, *The Hastings Center Report,* Vol. 26, No. 3, 1996.

Class 5

* Peter Unger, *Living High and Letting Die, New York: Oxford University Press, 1996, pp. 14-21.*
* Miranda Fricker ‘Moral Blame’, *The Philosopher’s Arms,*  <http://www.bbc.co.uk/programmes/b038c7bq>
* Miranda Fricker, ‘Blame and Historic Injustice’ - Interview on Philosophy Bites, 4th March, 2008, <http://www.open.edu/openlearn/history-the-arts/culture/philosophy/blame-and-historic-injustice>

Optional Advanced Reading:

* Miranda Fricker, ‘The Relativism of Blame and Williams's Relativism of Distance’,*Proceedings of the Aristotelian Society*, *Supplementary Volumes,* Vol. 84 (2010), pp.151-177.

Summary:

In this topic students discuss questions relating to the moral status of distant historical figures and their conduct. A fairly common type of argument against confederate monuments goes something like the following Disqualification Argument:

(1) Persons who participated in the confederate cause are blameworthy for serious moral wrongdoing.

(2) Persons who are blameworthy for serious moral wrongdoing should be disqualified from receiving public honors.

(2) Confederate monuments honor persons who participated in the confederate cause.

(C) Confederate monuments honor persons who are disqualified from receiving public honors.

Defenders of confederate monuments rarely defend the confederate cause itself. Instead they argue that confederates are eligible for public honor and veneration in virtue of some other morally laudable quality or action that they manifested in the course of their participation in the confederate cause (for instance martial courage or fraternal loyalty). Regardless, those who make this claim must nonetheless dispute the idea that the *in toto* conduct of confederates disqualify them from public honors.

One way they can do this is by challenging premise (1). On the moral relativist challenge we deny that confederates did anything wrong in defending slavery because slavery was not wrong relative to the values of Southern society. Ideally, we move on from this argument fairly quickly. Firstly, I don’t think it is an argument that many people actually make. Secondly, we show to students that the moral relativist thesis is highly controversial, and that there are difficulties involved in formulating the view correctly. Thirdly, we show that it is not entirely clear that moral relativism would in fact render slavery permissible.

* The David A. Bell reading and the Allen Buchanan reading (pp. 25-27) will give students useful reading on these issues.

I think we should move on quickly from the moral relativist challenge to the more promising (and actually prosecuted) line of argument concerning the ‘relativism of blame’. On this argument we do not challenge premise (1) by denying that the confederate cause was morally wrong, rather we deny that confederates were blameworthy for their participation (and thus are not disqualified for public honors). On this view, even though we concede that confederates engaged in wrongful action, we also claim that is would be inappropriate or unfair to condemn or blame them for their conduct. As such, they cannot be thought to have morally damaged characters that render them ineligible for public honor. We will consider first Peter Unger’s ‘Moral Progress’ proposal for why one might it think it inappropriate to blame distant historical figures for conduct that has come to be regarded as immoral (Note: Unger does not endorse this argument, but thinks its underpins people’s intuitions about the relativism of blame.) The deficiencies of his explanation will then move us to a ‘culturally induced moral ignorance’ argument against blaming confederates. We will examine this argument and its applicability to the case of confederate figures.

* The Peter Unger, Allen Buchanan, and Miranda Fricker readings will cover this topic.

**Topic 5 – The Ordinary Soldier Defense**

Class 6:

* Brandon Crocker, ‘A Unionist’s Case for Preserving (Most) Confederate Monuments’, *The American Spectator,* August 22nd, 2017, <https://spectator.org/a-unionists-case-for-preserving-most-confederate-monuments/>
* Michael Walzer, *Just and Unjust Wars Fourth Edition,* Basic Books: New York, 2006, pp. 34-40
* Eric Foner, ‘Selective Memory’, *New York Times Book* *Reviews,* March 4th, 2001, *https://archive.nytimes.com/www.nytimes.com/books/01/03/04/reviews/010304.04fonert.html?mcubz=3*

Summary:

In the previous topic we encountered the argument that confederate figures have been morally tainted by the unjust cause in which they were engaged and thus disqualified as figures of public veneration. We considered the way in which their historical context might be thought to mitigate their blameworthiness and thus render them appropriate targets of public honors. Even if grant that confederate are not guilty of moral failings that disqualify them for public honor we still need to account for just what it is in virtue of which confederates merit public honors. In this topic we explore a commonly pursued answer to this question. Confederate figures are to be venerated for in their capacity as soldiers, that is, for their martial virtues.

* The Croker reading will introduce these claims.

The claim is worth exploring at this point in the course for two reasons. Firstly, it is a very prominent line of defense for confederate monuments and thus merits independent investigation. Secondly, in certain respects it follows on from the theme of the previous topic. Just as historical context is thought to mitigate judgments of blame so too one’s status as a soldier is frequently thought to ‘immunize’ individuals against ordinary sorts of moral judgment and appraisal. In particular many think that a soldier’s moral status is determined independently (at least in part) of the moral status of the cause in which they are engaged. I want to start the topic by exploring these question in the just war literature.

* The Walzer reading will cover these issues.

Next, we discuss the applicability of these claims about the special moral status of soldiers in relation to the confederate monument issue. Many people will think it appropriate to honor or memorialize soldiers who are engaged in wars with unjust causes. For instance, one may think the Vietnam or Iraq war to have been unjust, and yet that maintain that the American soldiers who engaged in these wars are deserving or public honors and recognition. What, we will ask students, is different about the Confederate case? Why does the injustice of their cause impugn their moral status, or otherwise render them inappropriate targets of public honors?

One obvious difference of course is that Confederate soldiers fought a war of succession. Many of us seem to think that we have special relational ties to soldiers who ‘fought on behalf of our nation’ whether or not they fought in an unjust war. This special relationship that holds between countrymen, makes it appropriate to honor and recognize the efforts of persons who ‘fought on our behalf’ regardless of whether or not the particular war they fought was justified. Note, however, that the case of the civil war introduces special complications. We might say that Vietnam War veterans fought on our (Americans) behalf, even though the war was unjustified, and thus that we as American owe these soldiers recognition for their efforts. But the case of the civil war is different. The confederates didn’t fight on behalf of all Americans, they fought both to secede from America, and to ensure that one class of Americans be held in perpetual bondage. Is it appropriate to expect all American (including the descendents of slaves) to recognize the efforts and sacrifices by Confederate soldiers in the same way that it might be appropriate to expect all Americans to recognize American soldiers who fight on behalf of the nation?

At this point it may be useful to talk about questions of post-conflict transitional justice, and the practical requirements of reconciliation. As a point of historical fact, it does seem like the mutual recognition of martial valor was a critical component of a post conflict political pageantry that helped reconcile North and South. So perhaps we can view monuments honoring soldiers who fought for a secessionist cause as justified on these grounds.

* The Foner reading discusses the way in which ‘reconciliationist objectives’ took political precedence in the wake of the war.

Students should, at this point, explore two questions. Even if, post war, these mutual honors and recognition was a component of political reconciliation, do these same political exigencies apply and thus justify confederate monuments in the present? Secondly whose reconciliation is at stake? The history of reconstruction is the history of Blacks being thrown under the bus in deference to goals of national reconciliation (or at least political expedience). With respect to race relations, bestowing honors on confederate figures could hardly be thought to function as a force for reconciliation. The same thing can be said with respect to the present function of Confederate monuments.

*Optional Additional Reading:* Robert Mariani, When Confederate Monuments Represent Reconciliation <https://www.theamericanconservative.com/articles/when-confederate-monuments-represent-reconciliation/>

* This piece offers up an argument that forgiving the Confederacy is part of “our” reconciliatory project.

**Topic 6 – The Slippery Slope Debate**

Class 7:

* Berny Belvedere, ‘Leave the Washington and Jefferson Monuments Alone’, *Arc, August 15th, 2017,* (<https://arcdigital.media/leave-the-washington-and-jefferson-monuments-alone-197d7cc9c418>)
* Neil Van Leeuwen, ‘Which Statues Should Go?’ https://www.philosophytalk.org/blog/which-statues-should-go

Class 8:

* C’Zar Berstein, ‘Why Is The Left Obsessed With Tearing Down Statues?’, *Arc,* August 16th, <https://arcdigital.media/why-is-the-left-obsessed-with-tearing-down-statues-4ea208027274>
* Nicholas Grossman, ‘Your Arguments Against Removing The Statues Are Bad’, *Arc, August 19th, 2017,* [*https://arcdigital.media/your-arguments-against-removing-the-statues-are-bad-f328b7b57809*](https://arcdigital.media/your-arguments-against-removing-the-statues-are-bad-f328b7b57809)

Summary:

This topic elaborates on the issue expounded in the previous two topics and provides a bridge into the following topic regarding symbolic meaning.

Critics of the Disqualification Argument contend that the argument proves too much. If being implicated in, or responsible for, serious moral wrongs disqualifies a person for public veneration, then many if not all of our national heroes will be disqualified. This is thought absurd and thus a *reductio* of the Disqualification Argument.

* Bernie Belvedere’s article gives a nice exposition of the *reductio* argument.

The critical response to the *reductio* argument usually comes in two flavors. Firstly, critics argue that confederate figures were implicated to a greater degree in the immorality of slavery than were national heroes like Jefferson and Washington (though they owned slaves, they lamented the existence of the institution and did not support it). This, supposedly, favorably contrasts their characters with those of confederate figures who either endorsed slavery or choose to fight in its defense). On this line, national heroes like Jefferson did not impugn themselves to the same degree as confederate figures and thus they remain eligible for public honors. The other line of response is to shift the terms of the argument from questions of moral eligibility (for public honor) to questions of meaning. As the argument goes, monuments to national heroes like Jefferson and Washington venerate them for their morally praiseworthy conduct and contribution to the life of the nation. Confederate monuments by contrast are inextricably linked with the confederate cause and the evils of slavery. So, in the first instance, the issue is not about eligibility for public honor, but the meaning of the honors that are bestowed in the case of figures like Washington as opposed to the case of Confederates.

* Bernie Belvedere and Van Leeuwen proffer these sorts of arguments.

Why, however, should we accept the view that statures venerating confederate figures necessarily venerate the confederate cause? Belvedere, for instance, asserts but does not provide an argument for this claim. We might wonder why confederate statutes cannot be taken to celebrate the morally laudable aspects and conduct of the confederate figures they represent. Indeed, even where these statues explicitly laud the wartime conduct of these figures it’s not clear why we have to construe this as a celebration of their conduct qua defense of slavery rather than as a display of martial virtue or state solidarity. We might also offer a political rather than a philosophical version of the slippery slope argument. On this argument we don’t claim that, with respect to the question of memorialization, we cannot draw principled distinctions between Washington and Stonewall Jackson. Instead, we argue that our culture won’t recognize these principled distinctions, and that if we accept the removal of confederate statures leftists will wrongfully push for the removal of monuments to all national (but morally compromised) heroes.

* C’Zar Bernstein’s article give us arguments of both sorts.

We can of course push back on the previous arguments. Firstly, we can dispute that our political culture is incapable of recognizing principled distinctions, and that confederate removal will invariably lead to inappropriate removals (essentially we accuse the proponent of this argument of the slippery slope fallacy). Secondly, we can offer arguments to distinguish the conduct (and thus eligibility for public honor) of figures like Washington and Lee to rebut the *reductio*. One prominent line of argument contends that public honors of Lee are inappropriate because he fought against the nation. Essentially he was a traitor and thus disqualified for public honors (however morally laudable he might otherwise have been).

* Grossman’s article proffers these arguments.

The central lemma in Belverdere’s argument, however, was that the meaning of confederate statures was inexplicitly bound up with the confederate cause. Bernstein pointed out that this claim was unsupported by Belvedere, and Bernstein gave some tentative arguments against this claim about the meaning of confederate monuments. Neither author, however, directly addresses this question about public meaning. If we think that the central question of the confederate monuments debate is about what they ‘mean’ (as opposed to the moral eligibility of the persons they celebrate), then we have to confront this philosophical question directly. What determines the meaning of confederate monuments? This is the subject of the following topic.

**Topic 7: The Meaning of Confederate Monuments**

Class 9:

* Torin Alter ‘Symbolic Meaning And the Confederate Battle Flag’, Philosophy in the Contemporary World, Vol. 7, no. 2-3, 2000

Class 10

* George Schedler “Minorities and Racist Symbols: A Response to Torin Alter” *Philosophy in the Contemporary World* Volume 7, Nos. 2-3, 2000

Summary:

In the previous topics we have been examining the confederate monuments primarily as a question of whether or not Confederate figure were eligible figures for national veneration. We examined whether ‘historical context’ or ‘soldier status’ mitigated the blameworthiness of confederate figures and thus rendered them appropriate subjects of national veneration. We might worry at this point that these questions concerning whether confederate soldiers are deserving of honors are largely orthogonal. The real questions concern how we should understand the symbolic meaning of confederate statues, and how this meaning impacts their moral status. We might add that the ordinary solider defense makes a substantive claim about the meaning of confederate statues and we need to examine this assumption.

What is the meaning of confederate monuments, and what are the factors that determine their meaning? In popular discourse there is a divide between (i) people who think that the intentions of the historical figures who erected and supported the construction of confederate monuments should determine their symbolic meaning and (ii) people who believe that the understandings of contemporary persons (or rather the ‘public associations’ of symbols) should be thought to determine the meaning of confederate statues. Students will enter into this philosophical controversy regarding ‘meaning’ by examining a version of the aforementioned debate between the philosophers George Schedler and Torin Alter.

**Topic 8: Monuments, Civic Education and the Preservation of History**

Class 11

* Matthew Boomer, ‘Protestors Are All Wrong About Confederate Statues. They’re Not a Celebration, But A Warning.’ *The Federalist*, August 16th, 2017: <http://thefederalist.com/2017/08/16/protesters-wrong-confederate-statues-theyre-not-celebration-warning/>
* Scotty Hendricks, “Why People Want to Get Rid of Confederate Statues, as Explained by Plato”, *Big Think*, August 24, 2017, <http://bigthink.com/scotty-hendricks/why-people-want-to-get-rid-of-confederate-statues-as-explained-by-plato>.
* Karen L. Cox, ‘The whole point of Confederate monuments is to celebrate white supremacy’, *The Washington Post,* August 16th, 2017. <https://www.washingtonpost.com/news/posteverything/wp/2017/08/16/the-whole-point-of-confederate-monuments-is-to-celebrate-white-supremacy/?utm_term=.2c6c9e065544>.

Class 12

* Ethan J. Kytle and Blain Roberts, ‘Take Down the Confederate Flags, but Not the Monuments’, *The Atlantic,* June 25th, 2015. <https://www.theatlantic.com/politics/archive/2015/06/-confederate-monuments-flags-south-carolina/396836/>
* *Gary Shapiro ‘The Meaning of Our Confederate ‘Monuments’’,* New York Times,May 15th 2017, https://www.nytimes.com/2017/05/15/opinion/the-meaning-of-our-confederate-monuments.html
* *Kevin M. Levin, ‘Why I Changed My Mind About Confederate Monuments’, The Atlantic*, August 19th, 2017, <https://www.theatlantic.com/politics/archive/2017/08/why-i-changed-my-mind-about-confederate-monuments/537396/>

Summary:

In this topic we evaluate a popular argument in defense of confederate monuments that, in a certain sense, seems to actually concede that confederate monuments have a problematic meaning and evince discredited values. On this argument, however, we contend that the continued presence of confederate monuments in a public setting, and the confrontation and exposure of the American public to the problematic history and values of the past, serves the salutary function of civic education.

One version of this argument, contends that confederate monuments are ‘part of the historical record’, and that removing (and perhaps even modifying) these monuments is tantamount to historical revisionism and an attempt to whitewash America’s history. Usually this claim is supplemented by the further argument is that the warts and all confrontation of American History that is engendered through publicly situated confederate monuments will serve as a warning and reminder not to repeat these past mistakes.

* The Boomer article gives us a basic presentation of this view.

One quick rejoinder to this view is that monuments do not mark and record history but are instead a means by which a society—through its decisions regarding who deserves honor—expresses its values. There is thus no historical denial or revision of the historical record that is entailed by decisions to remove or modify existing monuments.

* The Hendrix article presents this view.

Another common response to the historical preservation argument is to point out that many of the confederate monuments were themselves an exercise in historical revisionism and part of an effort to whitewash the true nature of the South’s role and conduct in the civil war. Taking down these monuments is thus to correct (not distort) the historical record and the public’s understanding of that record.

* Cox gives us this rejoinder.

Of course, the historical preservation argument can be turned against this rejoinder. On this argument, it is conceded that confederate monuments were themselves an exercise of historical revisionism and an attempt to enshrine the values of white supremacy in the Jim Crow era. However, it is claimed that it is this Jim Crow era of history that we must preserve by letting stand the confederate monuments that were built in this era. Usually those making this argument claim that contextualization of some sort will be necessary if the monuments are to function as intended.

* Lytle and Roberts give us an example of this sort of argument.

One interesting facet of Boomer’s article is that he concedes that some American’s do not draw this salutatory lesson from confederate monuments and instead rally around these monuments as totems to white supremacy and/or a romanticized view of the past. This raises an interesting question regarding whether or not Confederate monuments do, or can, function as testaments to a problematic history. Gary Shapiro introduces us to the useful distinction between the ‘monumental’ and the ‘memorializing’ mode: “We erect monuments so that we shall always remember, and build memorials so that we shall never forget.” Monuments, Danto wrote, “commemorate the memorable and embody the myths of beginnings. Memorials ritualize remembrance and mark the reality of ends.” As Shapiro points out many proponents of the ‘preservation of history defense’ are disingenuous. They want to preserve the heroic aura and meaning of confederate monuments, but they then defend these statues with the memorials’ principles (to never forget a problematic history). It doesn’t help, of course, that the statures were themselves built in the monumentalizing spirit and thus have aesthetic qualities and public placement that would seem to valorize and celebrate their subjects. We can thus push students to question the extent to which confederate monuments actually can and do serve the function of solemn historical remembrance. Can efforts of contextualization successfully frame these monuments in the correct way? Or do these monuments have aesthetic qualities, historical associations, and exist in a social context that resist these efforts of contextualization?

* Gary Shapiro reading is obviously relevant here. The Levin article also argues against the view that confederate statues are needed to preserve memory of America’s problematic past. Moreover, he argues that this function would not justify the expressive harm and offence that these monuments continue to cause.

**Topic 9: Monuments and Meaning: Offense and Dishonor**

Class 13

* Blain Roberts and Ethan J. Kytle, ‘Unsure about Confederate statues? Ask yourself if you support white supremacy, *The Fresno Bee,* August 16, 2017, <http://www.fresnobee.com/opinion/readers-opinion/article167609442.html>
* Mitch Landrieu’s Speech on the Removal of Confederate Monuments in New Orleans [**https://www.nytimes.com/2017/05/23/opinion/mitch-landrieus-speech-transcript.html?mcubz=1&\_r=0**](https://www.nytimes.com/2017/05/23/opinion/mitch-landrieus-speech-transcript.html?mcubz=1&_r=0)

Many argue that confederate monument demean, dishonor, or offend Black Americans. I want students to examine these claims in this topic. Students will be pushed to connect their claims here (affirmative or negative) with their views on how the meaning on confederate monuments is determined. This will comprise the first half on the topic’s discussion. In the second half of the class, student will think through the following question: If we grant that Confederate monuments have a demeaning or offensive symbolic meaning for Black Americans what are the moral and political implications of this fact? If the monuments are offensive why is this problem of justice?

**Topic 10: Monuments, Meaning and the Law**

Class 14

* Jacob T. Levy, ‘State Symbols and Multiculturalism’, *Philosophy and Public Policy Quarterly,* Vol.20, No. 4, 2000.

Class 15

* James Foreman, Jr., ’Driving Dixie Down: Removing the Confederate Flag from the Southern State Capitols’, *Yale Law Review* 101, 1991, pp. 505-516.

Class 16

* Stanford Levinson, *Written in Stone*, Duke University Press, 1998, pp. 90-110.

Summary:

This topic continues the subject of the previous topic in thinking through the legal implications of the claim that Confederate monuments have a demeaning or offensive symbolic meaning. Students will be asked to consider the political and jurisprudential questions that arise given the state’s roles and implication in these displays.

We start the class with a general examination of questions of state symbolism in political morality. Can we treat this issue as a straightforward question of distributive justice? Do ‘recognitional issues’ raise distinctive questions of justice? What difference does the imprimatur of the state make with respect to exclusionary or offensive symbols?

* The Levy article will introduce these general issues.

We then move on to the argument that confederate displays constitute discriminatory state action in violation of the equal protection clause of the 14th Amendment. This issue turns on whether (i) confederate displays can be construed as a state action, (ii) whether we can understand these displays as having being erected with ‘discriminatory intent’ (and failing to serve a compelling state interest.) and (iii) whether the displays have an politically exclusionary, stigmatizing, or pejorative meaning that has disparate impact along racial lines.

* The Foreman article will introduce these issues and argue that when we understand the social and historical context in which confederate displays stand, we will be able to judge these displays as violating the 14th amendment in accordance with jurisprudential reasoning correctly introduced by *Brown.*
* The Levinson article raises some complications and reservations with Foreman’s argument. He also makes an independent argument that ‘political’ issues of this sought should as much as possible be resolved outside of the courts.

**Topic 11 – Policy and Politics: What to do about Confederate Monuments**

Class 17

* ‘Dan Demetriou and Ajume Wingo, ‘The Ethics of Racist Monuments’, To appear in *Palgrave Handbook of Philosophy and Public Policy* (David Boonin, ed.).

Lecture:

Organization of American Historians, ‘Confederate Monuments: What to Do?’ <https://www.youtube.com/watch?v=18jhNiQ9Gj4> – From 25:00.

Class 18

* - Kevin Levin, *‘The Challenge of Contextualizing Confederate Monuments’, Civil War Memory,* August 14th, 2015,<http://cwmemory.com/2015/08/14/the-challenge-of-contextualizing-confederate-monuments/>
* Anne E. Marshall, ‘Historian on ‘Confederate Kentucky: Time to remove the statues’, Lexington *Herald Leader,* August 16, 2017, <http://www.kentucky.com/opinion/op-ed/article167643757.html>.
* Civil War Times Magazine, ‘Empty Pedestals: What should be done with civic monuments to the Confederacy and its leaders’, <http://www.historynet.com/empty-pedestals-civic-monuments-confederacy-leaders.htm>
* Megan Kate Nelson, ‘Transforming White Supremacist Memorials, Part 2: Recent Acts of Creative Protest’, http://www.megankatenelson.com/transforming-white-supremacist-memorials-part-2-recent-acts-of-creative-protest/

Summary:

At this point in the course, I want students to start drawing together their views and conclusions regarding the various issues discussed (in the course) into an overall position on Confederate Monuments. Firstly, I want students to connect their views about the meaning and function of confederate monuments with a set of policies of principles for deciding what should be done with these monuments. Do their views entail that all confederate monuments should be removed? Do they support the removal of only a certain class of monuments? Do they instead support efforts of contextualization, if so, which monuments require contextualization and why? Secondly, I want students to think about the mechanisms for implementing their favored policies. Should the question be decided through legal appeals, democratic politics, or simply social pressure? Should the decisions be determined at the local or national level? Finally, I want students to consider broader question of public policy. Given our current social and political realities what policies are possible and/or advisable?

* The Demetriou and Wingo article gives an overview of these issues, and will provide a good starting point for students thinking about these questions.
* The Levin article will help students think through some of the challenges facing the contextualist position as well as its application.
* The Marshall reading will prompt students to think through the specific policy implications of the ‘intent view’ of monument meaning.
* The Civil War Times Magazine gives a gamut of different opinions.

**Topic 12 – Case Studies**

Class 19 – Confederate Monuments

A) Thomas Jefferson on the UVA campus: [**https://www.washingtontimes.com/news/2017/aug/23/thomas-jefferson-emblem-of-white-supremacy-targete/**](https://www.washingtontimes.com/news/2017/aug/23/thomas-jefferson-emblem-of-white-supremacy-targete/)

B) Boston Harbour Monument: **http://www.wbur.org/artery/2017/08/16/boston-confederate-monument**

C) Plaques to Washington and Lee in Church: “Historic Virginia church to relocate Washington, Lee plaques,” *Chicago Tribune*, October 29, 2017, http://www.chicagotribune.com/news/sns-bc-us--historic-church-plaques-20171029-story.html.

Class 20 – Non-Confederate Monuments

A) James Marion Sims: <https://www.history.com/news/the-father-of-modern-gynecology-performed-shocking-experiments-on-slaves>

B) Faneuil Hall: http://www.wbur.org/radioboston/2018/07/19/faneuil-hall-memorial-name

C) Thomas Jefferson and George Washington: https://www.realclearpolitics.com/video/2017/08/18/cnns\_angela\_rye\_washington\_jefferson\_statues\_need\_to\_come\_down.html

Class 21 – Racial Justice Monuments

A) Lynching Memorial: https://www.theatlantic.com/magazine/archive/2017/11/a-national-monument-to-america-s-known-victims-of-lynching/540663/

B) Lynching Memorial: https://www.montgomeryadvertiser.com/story/news/2018/04/19/ejis-lynching-memorial-if-not-montgomery-then-where/522568002/

C) Lynching Memorial: https://www.theguardian.com/world/2018/apr/26/lynchings-sadism-white-men-why-america-must-atone