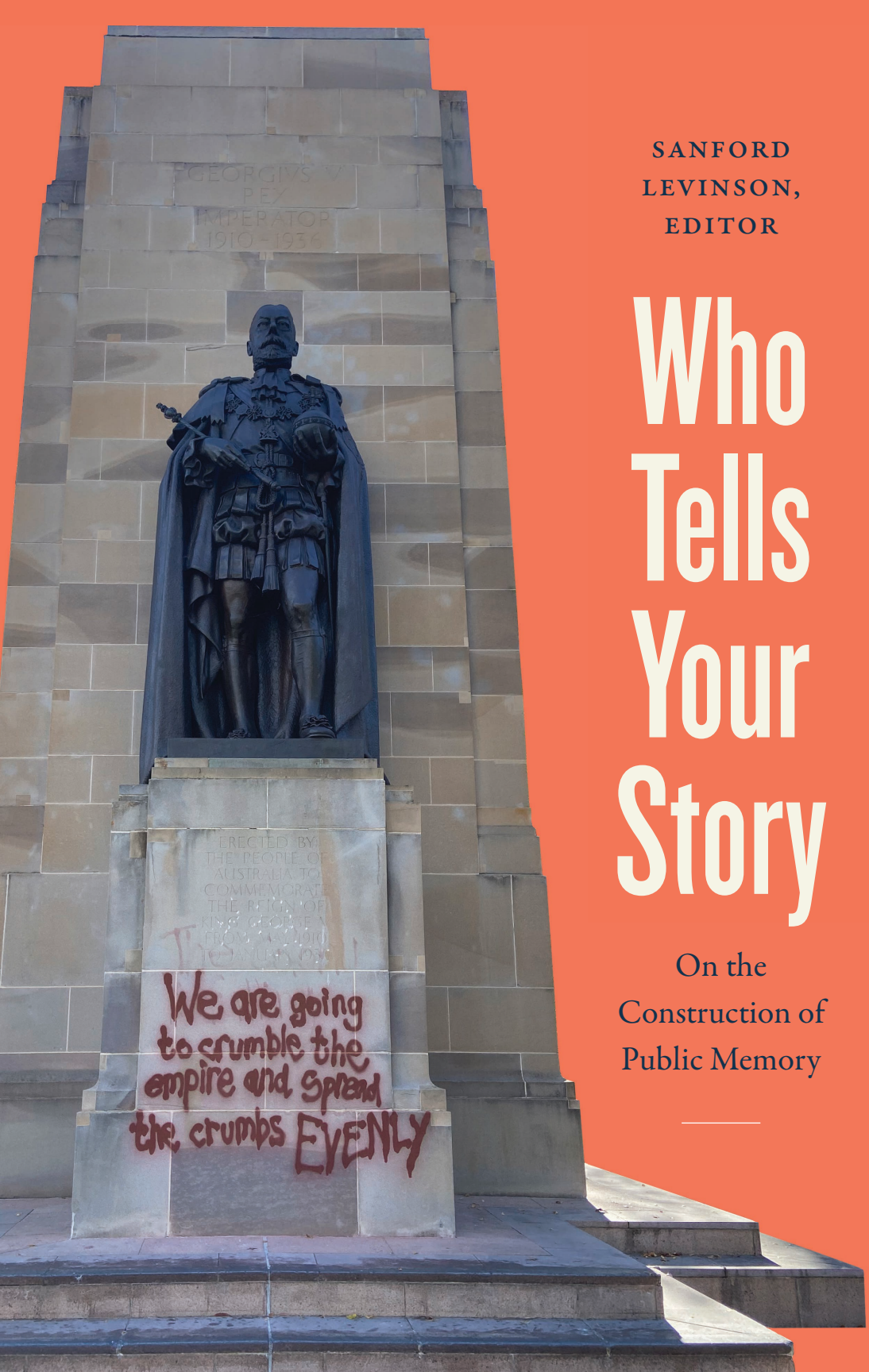

SANFORD LEVINSON, EDITOR

Who Tells Your Story

On the Construction of Public Memory

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Story

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To Miriam Angress,
my longtime editor at Duke University Press,

and to the University of Texas Law School,
whose support in every way has
made this book possible

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PART I

General Reflections on Public Memory

INTRODUCTION

Remembrance, Forgetfulness, and Public Memory

SANFORD LEVINSON

Benedict Anderson gained enduring fame, at least among academics, with the very title of his book *Imagined Communities*. His point was deceptively simple: There is nothing "natural" about communities, least of all those we call nations (or even simply states). They are the result of complex historical and social processes by which individual people begin imagining themselves as part of a larger whole. Or, of course, they might begin imagining themselves in ways that generate a desire to separate—to secede—from a larger whole.

From this perspective, *all* politics are, to use the modern phrase, identity politics. That is, they require the shaping of identity, often by deliberate decisions of political elites determined, in James Joyce's resolve, in the penultimate sentence of *A Portrait of the Artist as a Young Man*, to "forge . . . the uncreated consciousness" of what almost by definition is an insufficiently self-conscious people. Many factors, of course, go into such a process of consciousness formation. Anderson focuses particularly on the creation of a common language and

the development of a print culture that can distribute books and pamphlets not only using what might appear, historically, to be a new language but also making arguments about the national consciousness it should engender. He devotes one part of a chapter to discussing the importance of maps and museums, that is, the creation of tangible artifacts that serve to shape (and reshape) one's understanding of the world one lives in.

Museums are quintessentially about memory. But memories are created in all sorts of ways. This book concerns itself with one tangible form of memory creation—or consciousness creation. That is the public monuments that dot almost all local or national landscapes as modes of celebrating some version of the past. They are obviously not created by nature, as is true of natural monuments like the Grand Canyon; instead, they are deliberately created artifacts designed to send politically laden messages to those who take the time to look at them. Ruling elites, not surprisingly, will almost always use monuments as a method to send messages that reinforce their own legitimacy. Concomitantly, as will be seen, the displacement of ruling elites is often accompanied by the destruction of monuments and their replacement with new ones conveying different messages, including, of course, the legitimacy of the *new* elites.

As Anderson well recognizes, popular cultures can become an important part in imagining these communities. Many readers will certainly be familiar with Lin-Manuel Miranda's *Hamilton* and its role as a cultural watershed, at least in the United States, for reasons going beyond the introduction of hip-hop to the Broadway stage. For millions of Americans (including, I must add, academics like myself), it served to rehabilitate the reputation of Alexander Hamilton. Indeed, during the administration of Barack Obama, there had been calls to remove Hamilton from his place of honor on the ten-dollar bill—unlike those whose faces are on the one-, two-, five-, twenty-, and fifty-dollar bills, he had not even been president. And at least among "progressive" Americans, Hamilton had always had, at best, a mixed reputation; whether or not he actually said, "The people are a beast," he was accurately described as someone who did not share Thomas Jefferson's faith in "the people." Some of the opposition was based on antagonism to what Hamilton was thought to stand for; others, though, simply emphasized his relative obscurity, at least to most Americans. Our most common fate, after all, is simply to be forgotten, rather than "opposed" by those we might consider adversaries. In any event, Hamilton continues to inhabit pride of place on the ten-dollar bill, and it is altogether unlikely that that will change absent a monumental upheaval (pun intended) in American political culture and consciousness.

Although most of the play necessarily focuses on Hamilton as a political actor—as George Washington's "right-hand man" and then the first secretary of the treasury—the emotional climax of the play is surely the song at the very end, sung by his wife, Eliza, who pleads for history to recognize her husband as the great man she believes he was. But such recognition, whether for Alexander Hamilton or anyone else, ultimately depends, as Eliza sings, on "who tells your story." Her husband could not control historical memory and the imagination of future generations. He necessarily depended on many others, some who knew him well, like his wife, and others who would be born many generations into the future and would make their own decisions about how *that* American community, assuming it existed at all, would narrate its story.

The chapters in this book, like much of my own previous work, focus on deliberate efforts to create a particular ledger of shared memories, including selecting particular individuals as "heroes" who should be acknowledged and, presumably, emulated in significant ways—thus the importance of Hamilton's being (and remaining) on the ten-dollar bill. As already suggested, usually this ledger is created by governing elites, who view the capture of public memory and the creation of a particular form of civic consciousness as a valuable instrument in generating overall acceptance of the regime over which they preside. This was true in ancient times, when pharaohs were ostentatiously memorialized; it remains true today, even if rulers no longer designate themselves by that title. But, of course, even if some of the ancient monuments remain, they are now *only* historical artifacts. One might even say they ultimately failed in their attempt to achieve immortality for the regimes that relied on them. One is rightly reminded of Ozymandias, who is described in Percy Bysshe Shelley's poem about him as follows:

> And on the pedestal these words appear:
> "My name is Ozymandias, King of Kings;
> Look on my Works, ye Mighty, and despair!"
> Nothing beside remains.

There are many reasons that existing regimes—or even the countries that they purported to govern—fall and fade from history and that their signature monuments usually disappear. A key moment of the American Revolution, for example, was the destruction of the statue of King George III in Lower Manhattan and the use of its lead to make bullets to fire on the British Redcoats.[1] Even if the disappearance of most regimes, and their monuments, is probably simply the result of being conquered by those with superior force, one should

also acknowledge the importance of uprisings by populations no longer willing to accept the official stories that regimes might wish to tell.

There is a perhaps inevitable conflict between civic education and what might be literally brutal realities that are ignored by official stories. One of the great theorists of public memory—and, therefore, of civic education—was the French historian Ernest Renan. "The essence of a nation," he says, "is that all of its individual members have a great deal in common and also that they have forgotten many things" that underscore what they most definitely do not have in common. All presumed nations are the product of complex historical realities that play uncertain roles in the actualities of public memory. He reminds us, for example, that any purported "unity is always brutally established. The reunion of northern and southern France was the result of a campaign of terror and extermination that continued for nearly a century."[2]

There is a reason that the distinguished American historian Bernard Bailyn titled one of his last books, on what we today call America during the seventeenth century, *The Barbarous Years: The Peopling of British North America—the Conflict of Civilizations, 1600–1675*. Bailyn portrayed nearly a century of unrelenting, often brutal and genocidal, warfare, especially directed against Indigenous nations whose lands were being "settled" by Europeans (though it would be a mistake to overlook warfare between and among the Indigenous nations themselves). Renan would certainly approve of Bailyn's efforts as a historian. "Historical inquiry," Renan writes, "in effect, throws light on the violent acts that have taken place at the origin of every political formation, even those that have been the most benevolent in their consequences."[3] An obvious question is how national "unity"—or a singular national identity—can emerge out of this formative violence.

The answer is deceptively simple, according to Renan: "Forgetting, I would even say historical error, is an essential factor in the creation of a nation." There are, perhaps, more important things than devotion to "truth" if we wish to forge a nation. Friedrich Nietzsche, writing at roughly the same cultural moment as Renan, offered his own summary of this reality: "'I have done that,' says my memory. 'I cannot have done that,' says my pride, and remains adamant. At last—memory yields."[4] Historians—perhaps academics in general—are supposed to subject pride to the ruthless tests of recovered memory. And, of course, one role of popular movements, often led by what Yale law professor Jack Balkin calls "memory entrepreneurs," is to challenge official stories, to displace old heroes (who may now be treated as villains) and replace them with new ones.[5]

Consider in this context a dispatch from the Department of Defense announcing the results of deliberations by the Commission on the Naming of Items

established by legislation in the final days of the first administration of Donald Trump: "So long, Fort Bragg. Hello, Fort Liberty."[6] The commission was specifically charged with the duty of effacing any bases "that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America." As explained by the Department of Defense, many of these bases were "established in the build-up [to] and during World War I" in order "to court support from local populations in the South." Naming the bases after persons who "had taken up arms against the government they had sworn to defend was seen by some as a sign of reconciliation between the North and South." Needless to say, this "was also the height of the Jim Crow Laws in the South, so there was no consideration for the feelings of African Americans who had to serve at bases named after men who fought to defend slavery." The story refrained from noting that the president at the time was Woodrow Wilson, born in Virginia and raised in Georgia and by all accounts the most racist president elected to that office in the years after the Civil War (or, as Wilson may well have called it, the War Between the States). Thus, Fort Bragg will be renamed Fort Liberty. Nothing could be more abstract than the word *liberty*. One need not identify it with any given individual at all. Rather, one might think, it is the most basic idea that underlies the very idea of America if one looks at the Pledge of Allegiance, along with "justice."

Lest one believe that this is the end of the story, however, one should be aware of the hostility of the Trump administration to these changes and its avid efforts to erase them. The changes took place only because Congress, on December 20, 2020, in the waning days of the first Trump administration, overturned Trump's veto and established the commission that in fact recommended the changes of names. Upon Trump's return to the White House, the work of the commission was systematically undone. The new secretary of defense, Pete Hegseth, ordered that Fort Liberty return to its previous name of Fort Bragg, though insisting that the Bragg being honored is not the ruthless Confederate General Braxton Bragg but, instead, Army Pfc. Roland L. Bragg, described by the Department of Defense as a "World War II hero who earned the Silver Star and Purple Heart for his exceptional courage during the Battle of the Bulge."[7] Lawyers often refer to "pretextual" arguments. This, of course, appears to be a model example, for no reasonable person could believe that an independent search for a suitable honoree just happened, by coincidence, to turn up someone with the same last name as the discredited former honoree.

No such charades were apparently necessary at West Point, where the new administration in August 2025, close to when this book was going to print, ordered that a portrait of Robert E. Lee, depicting him wearing his Confederate

uniform and including a Black man in the background leading Lee's horse, be returned to the walls of the West Point library, from which it had been removed in 2022. Below it, apparently, will be a quotation from Lee about the importance of honor. In addition, a bust of Lee will be restored to the plaza a West Point.[8] Rebecca Hudson, the army's communications director, issued a statement proclaiming that "at West Point, the United States Military Academy is prepared to restore historical names, artifacts, and assets to their original form and place. Under this administration, we honor our history and learn from it—we don't erase it."[9] Obviously, she did not indicate exactly what contemporary cadets at West Point are supposed to learn from seeing a Confederate general and, one presumes, his enslaved person occupying a place of honor at their library, and exactly what notion of honor is conveyed by a graduate of West Point who had sworn an oath of allegiance to the United States Constitution, who resigned his commission in order to take up arms against the Union forces. I have only half-kiddingly suggested that this book come out in a loose-leaf binder, so that it can be updated as new decisions are made and controversies are generated!

Nor is controversy about public honor just one more example of American exceptionalism. June 2020 also saw the "displacement" of a statue of the civic benefactor and slave trader Edward Colston in Bristol, England, from his place of honor on a plinth to the river that goes through the city. Four individuals charged with vandalism for their role in the episode were acquitted by a local jury, to the consternation of many, and even if a local commission suggested that the statue be displayed in a museum, no one suggested that it should be returned to its previous place of honor.[10]

Public honor is a function of the actual distribution of power among members of the public. Many stories could be told, and people honored, but as Eliza Hamilton knew all too well, there are no guarantees as to whose stories actually will be told and enter into public consciousness. We are quite aware that the ravages of time and the weather assure that most monuments will quite literally become ruins; we are, perhaps, less accepting that changes in the political weather will as well affect the future of existing monuments. New would-be hegemons often make one of the first tasks the revision (in every sense) of existing public space. Statues of former heroes come down, often to be replaced by new statutes of those who are presented as heroic conquerors. Even those relatively few ancient statues that remain, such as the pharaonic monuments in ancient Luxor, are clearly emblematic of lost times, not evocations of a present culture that continues to shape contemporary society and politics.

As illustrated by the above examples, the issues raised by monuments and memorialization—and the necessarily linked attempts to control public memory

and, therefore, to create and reinforce regime-supporting ideologies—continue to be items of pressing (and divisive) concern. As the United States—like many other countries around the world—becomes less unified around common narratives, there is not only more recognition, promoted by historians and/or mass movements, of the reality of pluralism and competing narratives. Such competition contributes to what we now call *polarization*; contending narratives, and concomitant struggles over civic education, become the occasion for pitched political battles and even, on occasion, violence.[11] The topic is not only of academic interest.

One might hope, of course, that there might be general agreed-on solutions to the problems presented by these competing narratives and the struggle especially to control the extent to which they inhabit public space and consciousness. But one of the themes of my own previous contribution to this discussion—the book *Written in Stone: Public Monuments in Changing Societies*—was that the search for abstract algorithms that could be used to assess claims over public memory was futile. Not only does granular context, as historians like to emphasize, matter; it is also the case that decision-making in pluralistic societies almost inevitably requires a willingness to compromise, which by definition means sacrificing at least some of what may be one's justifiable claims in return for partial success. Few are likely to be completely satisfied by what counts as public memory.

If I am suspicious of general algorithms, I am also suspicious of the view that we can look to a particular institution to provide necessarily satisfactory solutions. As will be seen throughout the chapters in this book, many struggles involve not only *substantive* debate (Who is worth honoring?) but also *procedural* conflict (Who should decide who is worth honoring?). Should, for example, the cities of Charlottesville or Richmond, Virginia, have final authority in deciding such questions, or should that decision be reserved for the Virginia state legislature? Should judges speaking in the name of the law have any particular role in this process? And so on. The point of this book is most definitely not to offer a suggested general solution that can be applied to the future disputes that will undoubtedly take place. Lawyers may on occasion be too prone to think of general solutions, top-down answers to the vicissitudes of politics. But lawyers may also come to appreciate the attractions of looking at concrete cases, with their particular facts, and the duty to become aware of the importance of these varying contexts. As former Justice Stephen Breyer once suggested, the ultimate job of a judge is to exercise good judgment, and this is quite different from what might be the insouciant application of a given general "method of interpretation" that denies the reality (and messiness) of contexts. So what follows should

be viewed as case studies that are worth careful study for what they might tell us about what constitutes good judgment when contemplating the complexities of creating (or displacing) public memories and the regimes they are designed to reinforce.

It is fitting, then, that this introduction is followed by a chapter by University of Pennsylvania professor Kermit Roosevelt that offers his own qualms about the most basic ways Americans tend to organize their collective memories. He notes that monuments and memorials are designed to *celebrate* lives or great events; they are not mechanisms of detached education featuring nuance and "warts and all." He distinguishes sharply between civic education as "celebration" and a far more nuanced and necessarily contentious notion of education.

We then move, however, to considerations of two American icons, Thomas Jefferson and Martin Luther King, and read of some of the particular controversies surrounding the way they are now presented to the American public. After all, the rise of Hamilton has been accompanied by the diminution in Jefferson's reputation, the subject of Emily Greenfield's chapter on the way that Jefferson's home, Monticello, is now presented to the many tourists who may, in their own way, imagine themselves making a pilgrimage. It is worth noting that the *New York Times* on July 6, 2020 (note the date!), published a remarkable op-ed by Lucian Truscott IV: "I'm a Direct Descendant of Thomas Jefferson. Take Down His Memorial."[12] The thrust of his indictment is captured in the following passages:

> Described by the National Park Service as "a shrine to freedom," [the Jefferson Memorial] is anything but.
>
> The memorial is a shrine to a man who during his lifetime owned more than 600 slaves and had at least six children with one of them, Sally Hemings. It's a shrine to a man who famously wrote that "all men are created equal" in the Declaration of Independence that founded this nation—and yet never did much to make those words come true. Upon his death, he did not free the people he enslaved, other than those in the Hemings family, some of whom were his own children. He sold everyone else to pay off his debts.

This reality is now an indelible part of Jefferson's story, with consequences for any American who is deeply invested in truly understanding our past and the role that "great leaders" (and many others) played in it.

One always takes risk in honoring particular figures. To err is human, after all, and one quite literally never knows what parts of the biographies of individuals will survive what lawyers sometimes call "strict scrutiny." Not only might one discover aspects of a person's life that efface previous memories of them—think

of how Bill Cosby's exposure as a sexual predator erased the perception of him as a philanthropist genuinely devoted to educating minority students. It's also the case that the causes to which previously honored persons devoted their energies might become discredited. Consider, for example, the critique of Margaret Sanger, who, along with the reproductive rights of women, apparently approved, as was true of many Progressives of her time, of eugenics, a cause that took on a much more baleful meaning after the rise of the National Socialists in Germany.

Ordinary Americans generally are not memorialized with statues or buildings named after them (unless, of course, they contributed perhaps literally millions of dollars to universities, which, presumably, takes them out of the category of being ordinary Americans). To become the subject of a memorial or the name of an important site is itself recognition of standing out, of being special, of being selected for admiration and, perhaps, to become a figure worthy of being emulated, especially by youngsters looking for what are often described as role models. But no visitor to Monticello today is spared acquaintance with some of Jefferson's warts.

It is hard to imagine any societies that do not evoke heroes. The German playwright Bertolt Brecht might have written, "Unhappy the land where heroes are needed," but it nonetheless seems true, as an empirical matter, that no "land" has in fact liberated itself from that need.[13] One might suggest that one of the most officially recognized national heroes is Martin Luther King, whose birthday has now become a national holiday. He joins only Abraham Lincoln and George Washington (now joined together in a single Presidents' Day) in having their birthdays so commemorated. And, of course, it is not only the case that almost every city now has a Martin Luther King Boulevard or Drive; it is also the case that statues, including the one of King in Washington, DC, have become a frequent part of the landscape. Randall Kennedy, one of America's leading scholars of the civil rights movements following World War II, writes of the controversies and (inevitable) compromises involved in depicting him to those who visit our nation's capital. *Which* of the multiple possible versions of King has been selected for commemoration in what might be called "official Washington"?

In a conversation about monuments and memorialization, Stanford historian Jonathan Gienapp noted the special importance assigned heroic individuals with regard to the "founding period," which of course includes both Jefferson and Hamilton. James Madison might not have a similar memorial in Washington, but, after all, he did get the state capital of Wisconsin (not to mention one of the principal avenues in both New York and Chicago). So Gienapp, a leading historian of the period often referred to as the "American founding," asks a deceptively simple question: Why do we tend to focus on people rather than on

abstract ideas when we memorialize the past? If we wish, for example, to honor Jefferson because he is the chief author of the Declaration of Independence, then why not simply memorialize the Declaration and skip the reference to Jefferson, who, however important, was not the sole author and was, it might be argued, simply capturing part of the zeitgeist of the time? Perhaps this was true as well of King. Might one memorialize the "dream" of an inclusive society without necessarily evoking the person who gave the iconic "I Have a Dream" speech in 1963?

After all, King was surely not the only person articulating such visions. Had that been the case, we would not be celebrating his birthday; as Kennedy notes, the holiday was the result of a mass movement, as was true of the successes attached to the civil rights movement itself. Is history the result of "great men (and women)," or, instead, do significant historical episodes simply instantiate deep cultural or political realities? To *symbolize* a movement or moment in history by reference to a given individual is very different from suggesting that that person in fact genuinely caused it. The 1970s and 1980s featured intense debates about the so-called death of the author, by which was meant the turning away from notions of the heroic author truly inventing new forms of consciousness. Instead, authors were reconceived as the vessels through whom the inchoate structures of society, or of language itself, took form. In focusing on individuals, we both always run the risk of unhappily discovering that they have feet of clay and encourage a likely mistaken view of historical causation. So why not focus instead on abstract ideas that in effect colonize the consciousness of enough people to mobilize them to act in new and significant ways?

Perhaps one wishes to celebrate the Declaration of Independence. Most Americans probably do. The *New York Times* makes a point of reprinting it on its back page every July 4, and it is not uncommon at Fourth of July parties to read the document. Yet Kermit Roosevelt in his own chapter challenges even that proclivity. The Declaration is more than a set of words to be read out of context. Once one places it in its historical context, whether or not one pays special attention to its putative author, one must realize its deficiencies. Better, argues Roosevelt, that we stop even thinking of 1776 as the founding of the America in which we actually *want* to live in the twenty-first century. Like many others, he looks to Reconstruction, the aftermath of the Civil War, as the beginning of the United States that *he* bears full allegiance to and takes pride in. In any event, it is clear that no one can understand contemporary America without paying attention to the stories that are told (or not told) and the way they are presented in the public square.

It is certainly the case that the primary impetus for the intense public controversy over public memory over at least the past two decades has involved the

events in the United States that occurred in the 1860s. I put it that way because in fact there is no true consensus even on how to name those events. In a more halcyon period, in 1995, the US Postal Service issued a block of twenty stamps that was titled, in large font, "The American Civil War" but also, in a smaller font, "The War Between the States." Quite remarkably (one might think), the United States chose to commemorate (and, most people would say, to honor) such figures as Jefferson Davis and Robert E. Lee, who shared equal space with Abraham Lincoln and Ulysses Grant. Frederick Douglass, the great fugitive from slavery in Maryland, who become perhaps the country's most important single orator, got a stamp, as did Stand Watie, a member of the Cherokee Nation from Oklahoma, to which his family had been sent from Georgia during the Trail of Tears in 1838. Perhaps this explains why Watie chose to support the Confederate States of America over the "Union"; indeed, he was the last Confederate general actually to surrender to the Union. Frankly, one wonders whether the postal service would dare issue such a plate of stamps today.

So the next two chapters in the book, by Deborah Gerhardt and Kimberly Probolus, look specifically at controversies attached to memorializing the conflagration of the 1860s. Gerhardt, who teaches at the University of North Carolina Law School, looks at the controversy that engulfed the university over the "Silent Sam" statue there. Representing the antithesis of the great man, he stood for all of the ordinary men who joined (or were conscripted into) the Confederate Army. That being said, the statue established him as a local hero. He retained his pride of place until being displaced, distinctly without official authority, by a group of students who overturned the monument. Gerhardt also treats controversies at the neighboring Duke University, which agreed to remove a bust of Robert E. Lee from a place of honor in the Duke Chapel. But, in an anticipation of the concluding chapters, she also looks abroad to how Germany has chosen to memorialize the Holocaust.

Kimberly Probolus addresses an intriguing question that is often overlooked: What exactly happens to statues or monuments upon their removal? In some cases, they may have been destroyed by crowds (or "mobs"). More often, they are removed by the decisions of authorities, leaving empty pedestals or open spaces where the memorials once appeared. Sometimes they are removed to other, less public, settings, such as museums, where they might be exhibited, for example, as historical artifacts. But as Probolus notes, there in fact may be individuals or communities who are delighted to accept the monuments. After all, one should not think that consensus ever truly reigns. What may have become unacceptable, after many years, in one community may continue to be perfectly acceptable in another.

Richard Schragger, a law professor at the University of Virginia, treats the march in Charlottesville that famously roiled his city (and cost a life) in August 2017. But, demonstrating that disputes over public memory go far beyond the Civil War, he also analyzes at length a case that got to the Supreme Court involving the placement of a thirty-two-foot cross in a Maryland town to honor veterans of World War I. Did that violate the Establishment Clause inasmuch as the cross is viewed by almost anyone as connected with Christianity? Might we view the cross as an implicit effort to establish the United States, as some would wish, as a "Christian nation" whose central symbol becomes an important public symbol as well? The majority of the court, over very sharp dissent, said no. Among the questions raised by Schragger's chapter is one that runs through many of the chapters: Who exactly does one want to make decisions about the appropriateness (or constitutionality) of public monuments? He notes the very different decisions reached by the city of Charlottesville, the state of Virginia, and, ultimately, the courts. Do these simply present a panoply of possibilities, or should one view one or the other as the *proper* venue for authoritative decision-making?

Everyone knows about the epic struggle between the Confederacy and the Union and the disputes over who, if anyone, should be treated as heroes or villains. Far less is known about what might well be termed America's own "hundred-year war," throughout the entirety of the nineteenth century: the conflict between the Union and Indigenous nations who resisted the inexorable expansion of settlers encroaching on their own homelands. One might well describe this, even more than the enslavement of millions of Americans, as the great national forgetting. Andrew Jackson, the man on the twenty-dollar bill, became president in part because of his prowess as an Indian fighter. And those who would strip him from the twenty-dollar bill do so because of the instrumental role he played in the Trail of Tears, which encapsulates Cherokee exile, including that of the Watie family, from Georgia, as well as the more general conquest of Indigenous nations throughout the country. One of Jackson's successors, William Henry Harrison, was elected in 1840 on the slogan "Tippecanoe and Tyler Too," referring to his success at the Battle of Tippecanoe in conquering an alliance of Indigenous nations, led by Tecumseh, in what we call, perhaps appropriately, Indiana. Zachary Bray's "In the Shadows of the Looming Oaks: Monumental Lessons from Prophetstown and Tippecanoe" shows how that episode is remembered. The "memorial" in this case is nothing so simple as a statue. Instead, the question is how one ought to treat the land itself on which something so significant happened. Should it be treated as an almost sacred space for somber reflection or as a site of recreation and enjoyment?

This section, which like the earlier ones involves monuments located within the United States (save for Gerhardt's excursus to Germany as well), concludes with a chapter by Larysa Kurylas on what is surely the most unexpected of the subjects treated in the book. That is the monument to the Ukrainian Holodomor, which is the famine induced in that country during the 1930s by Joseph Stalin and other leaders of the Soviet Union. What is it doing in Washington, DC? Kurylas is the designer of the monument, and the story she tells amply reveals the importance of not only who tells one's story but also what allows that story to be told in a particular place (like Washington, DC, which one might think has no connection to the undoubted tragedy that befell Ukraine).

Americans, perhaps understandably, are most gripped by controversies involving our own country and the telling of our own stories. But there is nothing truly exceptional about monuments and the engendering of sometimes bitter disputes about them. All countries grapple with telling their own preferred stories. And as Renan (and Nietzsche) suggested, this involves an inevitable conflict between candid memory and the gloss one wants to present as capturing the ostensible reality of the country. Such tensions may be especially dramatic with regard to those deemed as founders of a country. Are they heroes whose courage and intrepidity brough forth new nations or instead, perhaps, ruthless conquerors who displaced those already inhabiting, perhaps for centuries or even longer, the ostensibly "bare lands"? Bruce Scates, an Australian historian, treats the contemporary debates in his country about what he calls the "monumental shifts" with regard to "Indigenous Sovereignty, Commemorative Politics, and Australia's Statue Wars." Australia was treated by the colonizing British as a terra nullius, that is, "nobody's land," because the existence and potential claims of ancient Aboriginal peoples were simply ignored. To what extent will Australia ever acknowledge the complexities of its own settlement by whites from abroad?

Finally, two chapters treat some special problems attached to memorializing World War II. Germany scarcely is presented with many heroes of the period. Indeed, the challenge facing that country is how to integrate the history of National Socialism and the Holocaust into its national memory. Anna Saunders offers a sometimes surprising overview of what she calls the "multidirectional memorial activism in Germany," in which, for example, some contemporary activists resist the idea that memorials should be frozen in time and not become mechanisms useful in confronting the contemporary implications of the meanings that presumably underlie them. Saunders directs our attention to the various ways that at least some Germans wish to continue Holocaust remembrance even as its years necessarily recede further into the past. Few living Germans can genuinely summon up first-order memories of those years; 2025, after all,

marked a full eighty years since the surrender of Germany and the demise of the Nazi regime that triggered the war and embraced genocide as public policy. So how are memories, in effect, maintained or even created for successor generations who quite literally look forward while living their own lives?

Germany presents one kind of special challenge with regard to coming to terms with its past history. But the countries of Eastern Europe, especially, are presented with a fascinating set of separate challenges in determining who tells their story and what the content of the stories will be. The Eastern theater of World War II in Europe was, of course, an epic struggle between Germany and the Soviet Union. Eastern Europe was saved from Nazi conquest by the sacrifices of Russian soldiers. In my book *Written in Stone*, I discussed the memorial to Soviet war dead in the heart of Budapest, Hungary (along with many other monuments that reflected Hungary's status as a Soviet satellite after World War II). Such monuments to Soviet liberators are pervasive throughout Eastern Europe, and they persisted even after the collapse of the Soviet Union. Such monuments, of course, are certainly present in Ukraine, which was part of the Soviet Union throughout the war (though, as taught by the Holodomor monument in Washington, not always treated in a comradely manner). Today it is impossible not to be aware of the brutal war between Russia and Ukraine and the necessarily different valence that Soviet-era monuments to brave Russian soldiers might carry.

That is the topic of Polish scholars Aleksandra Kuczyńska-Zonik and Agata Tatarenko, who treat Soviet monuments as a particular kind of "security threat" given the need of contemporary countries to create their own unified civic consciousness that might require antagonism to Russia as the successor state to the Soviet Union. So what happens, or should happen, with regard to statues honoring perhaps genuinely heroic and liberatory figures of World War II that had been part of a deliberate effort to reinforce the legitimacy of a totalitarian and oppressive state? One of the interesting nonevents within the United States was the construction of any formal recognition, via monuments, of the invaluable role played by the Soviet Union in enabling the United States and its allies actually to prevail against the hateful Nazi menace. Without the Soviet participation and sacrifice, it is not hard to believe that Germany would have been able to prevail at least on the European continent and probably in Great Britain as well. But the Cold War between the United States and the Soviet Union began so relatively soon after the conclusion of World War II that there was simply no time to go through the arduous process, say, of building a suitable monument to the brave Soviet people and their leaders (including Joseph Stalin) on the National Mall. One might wonder what the consequences might have been if more Americans had been educated to be genuinely grateful to these essential allies

against Adolf Hitler and Nazism. One possibility, of course, is that it might challenge certain aspects of the "good war" consensus about World War II, which, generally speaking, has not emphasized the inevitable tensions and compromises that may be necessary to prevail in any war or significant political conflict.

In any event, few these days outside of Russia itself appear to feel any inclination to continue to honor anyone associated with the Soviet era. The online journal *Vice* reported back in 2017: "Decapitating Lenin Statues Is the Hottest New Trend in Ukraine."[14] Accompanying photographs supported the subheadline: "Surreal photos of monuments to the Communist leader in overgrown fields, supply closets, and hatchbacks." My own book *Written in Stone* spent several pages on the history of Soviet-era monuments in Budapest, Hungary. Those that were not destroyed were moved outside of Budapest from places of public honor to "Statue Park," the equivalent of a middle-of-nowhere empty field where several statues could be seen in a context where the inculcation of esteem was now absent.

As Kuczyńska-Zonik and Tatarenko write, even three decades "after the fall of communism, there are still hundreds of monuments commemorating the Red Army in Central and Eastern Europe." Designed originally to symbolize "liberation from occupation and the victory of the Soviet army over Nazism," they now for many "embody the painful experiences of the communist regime, enslavement, and the long presence of Soviet troops."

These lines were originally penned in 2020, but how much more true must it be today, following the brutal invasion and devastation of the sovereign country of Ukraine on the flimsiest of pretexts. Still, one is entitled to ask if that must necessarily efface all memory of "liberation." Their chapter differs from the others in addressing the relationship of public memory to explicit notions of maintaining national security, but it may be true that even the United States is faced with somewhat similar dilemmas. After all, the present polarization that leads many to suggest that the country is careening toward another civil war, whether or not it takes the precise form of the first one in 1861 (which it almost surely will not), is at least in part generated by the anger of many white Southerners about the systematic denigration of those they considered their heroes as representatives of the "Lost Cause" instantiated in the Confederacy.[15] Secession is being discussed as a future possibility in the United States in a way that has not been true for over 150 years. And such impulses inevitably involve conflicts over public memory and civic education, with regard to both substantive content and decision-making authority.

So I conclude this introduction with reference to a front-page article in the *New York Times* describing intense and heated controversies not only about

what particular women should be chosen to complement the now overwhelmingly male honorees in New York's public parks but also about who should make those decisions and on what basis.[16] For example, a decision was made to include Sojourner Truth within a group of white women as advocates of women's suffrage, although a group of professional historians objected that the inclusion "could obscure the substantial differences between white and black suffrage activists, and would be misleading." It turns out, of course, that some things are often deemed more important than "mere" historical accuracy. Again, we are reminded of the difference between memory, as defined by historians, and what Nietzsche might have labeled civic pride. But we don't have to rely on French or German historians and philosophers. There is, after all, the denouement of the great American film *The Man Who Shot Liberty Valance*, directed by John Ford: "When the legend becomes fact, print the legend," and, one might add, reinforce its inaccurate version of events among impressionable youth and other consumers of the attempts to maintain the legend.[17]

But the debates in New York were not merely about the inclusion of particular women as public heroes. In addition, the *New York Times* story noted a quite bitter debate in San Francisco as to whether a large bronze portrait honoring the poet Maya Angelou should be abstract in style or "a more traditional, figurative statue."[18] Ultimately, the sculptor who had been chosen by a designated committee to create the former withdrew in favor of a more traditional sculptor. A comment by the de facto winner—that is, the more traditional sculptor—concluded the *Times*'s article: "Public art is an expression of the values of a community. The community always has the last say." There are, obviously, a plethora of issues buried in this short statement: Even if we are confident that we can identify both a given community and then its (monolithic?) values, do we *always* support giving the last say to any given community? After all, is it not the case that we—wherever we might actually be located in today's world—live in what might be viewed as a "community constituted by disparate communities," who must learn to live with one another? How is it possible—or is it possible—to construct unifying public memories that pay sufficient heed to the pluralism of "the public"?

Notes

1. See Thompson, *Smashing Statues*, whose first chapter, "Melted Majesty," details this episode.

2. Renan, "What Is a Nation?," 3.

3. Renan, "What Is a Nation?," 3.

4. Renan, "What Is a Nation?," 3; Nietzsche, *Beyond Good and Evil*, quoted in Strong, *Politics Without Vision*, 226.

5. Balkin, "Constitutional Memories."

6. Jim Garamone, "DOD Begins Implementing Naming Commission Recommendations," US Department of Defense, January 5, 2023, https://www.defense.gov/News/News-Stories/Article/Article/3260434/dod-begins-implementing-naming-commission-recommendations/.

7. Rachel Treisman, "Fort Bragg 2.0: Army Base Reverts to Its Old Name, but with a New Namesake," NPR, February 11, 2025, https://www.npr.org/2025/02/11/nx-s1-5293246/hegseth-fort-bragg-liberty-name.

8. Michael Hill, "West Point Restores Confederate Gen. Robert E. Lee's Portrait," *AP News*, updated September 2, 2025, https://apnews.com/article/west-point-lee-confederacy-trump-c9e24cc1fea2ece3758260f3c7b13088.

9. Quoted in Greg Jaffe, "Pentagon Is Reinstalling Portrait of Confederate General at West Point Library," *New York Times*, August 28, 2025, https://www.nytimes.com/2025/08/28/us/politics/pentagon-trump-confederate-lee-west-point.html.

10. Gareth Harris, "New Report Recommends Bristol's Controversial Slaver Statue—Torn Down by BLM Protestors—Be Permanently Installed in Museum," *Art Newspaper*, February 4, 2022, https://www.theartnewspaper.com/2022/02/04/new-report-recommends-bristols-controversial-slaver-statue-be-permanently-placed-in-museum.

11. See Levinson, "Civic Education in Critical Times."

12. Lucian K. Truscott IV, "I'm a Direct Descendant of Thomas Jefferson. Take Down His Memorial," *New York Times*, July 6, 2020, https://www.nytimes.com/2020/07/06/opinion/thomas-jefferson-memorial-truscott.html.

13. Brecht, *Life of Galileo*, scene 13, 98.

14. Kim Kelly, "Decapitating Lenin Statues Is the Hottest New Trend in Ukraine," *Vice*, May 25, 2017, https://www.vice.com/en/article/nejpwx/decapitating-lenin-statues-is-the-hottest-new-trend-in-ukraine.

15. This is surely behind the Trump administration's desire to reverse the renamings of many military bases even if they have been reduced to offering pretextual arguments that the last names, including Bragg, are references to hitherto completely obscure veterans and not the Confederates initially honored.

16. Robin Pogrebin and Zachary Small, "New York's Monument Wars, Built on Bronze and Outrage," *New York Times*, October 25, 2019, A1.

17. *The Man Who Shot Liberty Valance* (Paramount Pictures, 1962). To hear the delivery of this quote, see Movieclips, "Print the Legend—The Man Who Shot Liberty Valance (6/7) Movie CLIP (1962) HD," YouTube, posted October 7, 2011, https://youtu.be/363ZAmQEA84?t--44 [permalink: https://perma.cc/V4E5-A7VA].

18. Pogrebin and Small, "New York's Monument Wars, Built on Bronze and Outrage."

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