

ROBERT E. LEE MONUMENT

Charlottesville, Virginia, United States of America

38.0318495, -78.4827166



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Executive Summary

The equestrian statue of Robert E. Lee in Charlottesville, Virginia, has been the site of significant contention since 2012. Debates surrounding the monument intensified in 2016 with the establishment of a City Council commission and escalated in 2017 to a violent rally that left dozens injured and one counter-protester dead. While proponents of removing the statue held that maintaining the monument reinforced a legacy of slavery and racism, others contended that removing it would erase history. In July 2021, city workers removed the statue, and in December 2021, lawmakers voted to melt it down, which occurred in October 2023 after the dismissal of several legal appeals. Currently, there are plans to turn the remains of the statue into ingots which would be used in the creation of a new art piece. This case study explores the complexities and violence surrounding and associated with Confederate monuments in the United States.

Introduction

The debate around the equestrian Robert E. Lee statue first emerged in 2012, when a city councillor mentioned that Charlottesville should perhaps remove its Confederate statues. In 2015, white supremacist Dylan Roof murdered 9 Black members of the Emanuel African Methodist Episcopal Church in Charleston, South Carolina. In the wake of this racist tragedy, a collective cultural movement emerged that sought to address or remove Confederate memorabilia and memorials from public spaces.² One of the critical monuments featured in this debate was the equestrian statue of Robert E. Lee, formerly based in Charlottesville, Virginia. Following the City Council's decision to remove the figure in 2017, protests intensified; these demonstrations peaked in a deadly neo-Nazi rally—called 'Unite the Right'—that left 35 injured and one counter-protester dead. Two policemen also died when their helicopter that was monitoring the protest inadvertently crashed.³ In 2021, the City Council removed the statue, and in 2022, it voted to donate the monument to the Jefferson School African American Heritage Center. On the weekend of 21st- 22nd of September 2023 the Center arranged for the statue to be transported to an undisclosed location where it was melted down in front of a small crowd of journalists and local community leaders.⁴ It is intended that the bronze from this state will be turned into ingots with the intention that these can be repurposed into new art,⁵ which the Center hopes to have on public display in Charlottesville by 2026.⁶

Background

The 'Lost Cause'

The American Civil War began in 1861, and ended in 1865 with surrender by the Confederate states. However, much of the sentiment that drove the Southern states to secede continued beyond the war. Many states in the South faced monumental challenges during the Reconstruction Era, the period directly following the war, dated roughly from 1865 to 1877. Most of the fighting in the Civil War had taken place in the South. Consequently, In the aftermath of the War, Southern states struggled to rebuild and recover physically, economically, and spiritually from widespread destruction. Social tensions escalated, often culminating in race riots.

¹ Debbie Elliott. "5 Years After Charleston Church Massacre, What Have We Learned?" NPR, June 17, 2020.

² Jasmine Aguilera, "Confederate Statues Are Being Removed Amid Protests Over George Floyd's Death. Here's What to Know," *TIME*, lune 24, 2020

³ Robert Armengol, David S. Cloud, and Matt Pearce, "Three dead, dozens hurt after Virginia white nationalist rally is dispersed; Trump blames 'many sides," *Los Angeles Times*, August 12, 2017.

⁴ Nora Neus, "Robert E Lee statue that sparked Charlottesville riot is melted down: 'Like his face was crying'" The Guardian, October 26 2023

⁵ Becky Sullivan, "A Black museum asks to melt Charlottesville's Robert E. Lee statue to create new art," NPR, October 22, 2021.

⁶ Erin O'Hare, "Charlottesville's Statue of Confederate General Robert E. Lee will be melted down," *Charlottesville Tomorrow*, December 7, 2021.

⁷ Susan L. Schramm-Pate, "Disrupting the North-South Binary: A Deconstruction of Two Social Studies Textbooks' Portrayal of the Reconstruction Era in America (1861-1877)," *Journal of Curriculum Theorizing* 22, no. 2 (2006): 140.

⁸ Roger C. Hartley, "The Distortion-of-History Approach: The Cult of the Lost Cause," in *Monumental Harm*, (Columbia: University of South Carolina Press, 2021): 25-28.

⁹ Art Carden and Christopher J. Coyne, "The political economy of the Reconstruction Era's race riots," *Public choice* 157, no ½ (2013): 58.

This general discontent contributed to the rise of the Lost Cause mythology. The Lost Cause narrative embraces nostalgia for the antebellum South, framing the Confederate Army and its soldiers as honourable and defining the decision of the Southern states to secede as having little to do with preserving slavery and more to do with states' rights and Southern liberation. The Lost Cause helps to explain the celebration of the Confederacy in many parts of the South, including the decision to retain and display the Confederate flag even into the 21st century. The mythology also contributed to the establishment of various Confederate monuments and memorials in the early 20th century, many of which remain in place today.

The Legacy of Robert E. Lee

The Lost Cause narrative shaped how many Southerners, mainly white Southerners and descendants of Civil War veterans, viewed Robert E. Lee. During the war, Lee served as a general and commander, and after the war ended, he remained political and staunchly defended the legal and moral basis of secession.¹³ Furthermore, he spoke at length about curtailing the rights that Black citizens should be afforded. He believed, for example, that Black citizens should not have the right to vote.¹⁴ He also sought to drive Black citizens out of Virginia, the state he led and in which he resided.¹⁵

The Lost Cause narrative transformed Lee into a figure of unity for the United States rather than division. It praised his attempts to strengthen the Union rather than focusing on his Confederate identity.¹⁶ Moreover, the mysticism surrounding Lee only grew over time; his biographers framed him as an ideal Southern gentleman and consummate military leader.¹⁷

Accordingly, Robert E. Lee is a popular figure in many Confederate memorials. After he died in 1870, memorials began appearing in many locations in the South. The first statue of Lee was created in 1883 and placed in Lexington, Kentucky. Even the initial construction of statues across the South, however, met criticism from Black citizens and Northern critics; many claimed that such monuments praised or reinforced a legacy of slavery. 9

Nevertheless, the construction of monuments and memorials continued into the 20th century, primarily supported by the United Daughters of the Confederacy (UDC). The UDC sought explicitly to teach and promote the Lost Cause and became the most avid proponent of constructing monuments and memorials honouring the Confederacy and Confederate figures.²⁰ As

¹⁰ Roger C. Hartley, "The Distortion-of-History Approach: The Cult of the Lost Cause," in *Monumental Harm* (Columbia: University of South Carolina Press, 2021): 28-29.

¹¹ Ibid., 46.

¹² Ibid., 28.

¹³ Michael Fellman, "Robert E. Lee: Postwar Southern Nationalist," Civil War History 46, no. 3 (September 2000): 186.

¹⁴ Ibid., 187.

¹⁵ lbid., 189.

¹⁶ National Park Service, "Memorialization of Robert E. Lee and the Lost Cause," National Park Service, September 14, 2021.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Karen L. Cox, "The Monument Builders," in *Dixie's Daughters* (Gainesville: University of Florida Press, 2018), 1-24.

of 2022, the Southern Poverty Law Center (SPLC) identified 2,089 Confederate monuments and symbols still in public places.²¹

The Robert E. Lee statue in Charlottesville was erected in 1924, commissioned and paid for by Paul Goodloe McIntire, a wealthy white stockbroker.²² McIntire first hired Henry Shrady to design the statue but Shrady passed away in 1922 before it could be completed. His successor, Leo Lentilli, an Italian immigrant and U.S. citizen, completed the statue based on a model Shrady had created. After its completion, Dr. Henry L. Smith, then the President of Washington and Lee University, presented it to the public, pulling back the Confederate flag that had been draped over the bust. Edwin A. Alderman, then president of the University of Virginia, accepted the statue on behalf of the city, initially to widespread acclaim.²³ Made of bronze, it originally weighed 1,100 pounds and featured the former general seated on his horse.²⁴

Black Lives Matter (BLM)

The Black Lives Matter (BLM) movement originated as a social media hashtag (#BlackLivesMatter) in 2013 following the acquittal of George Zimmerman, a white man from Florida, who had fatally shot Trayvon Martin, a 17-year-old Black boy. Zimmerman, a neighbourhood watch volunteer, claimed self-defence as reasoning for his actions, although Martin was unarmed. The following year, in Ferguson, Missouri, BLM gained momentum when Michael Brown, a Black teenager was fatally shot by a white police officer. The movement gained wider international attention after the death of George Floyd in 2020 at the hands of an armed police officer.

The mass shooting in 2015 in Charleston, South Carolina, also shaped the trajectory of the Charlottesville Lee statue. Dylann Roof, the Charleston shooter, fired 70 rounds and killed nine Black members of the Emanuel AME congregation. Roof, a neo-Nazi, posted a racist message online prior to the shooting, claiming to have been propelled to action by Martin's death.²⁸

The Charleston shooting and the rise of the BLM movement provided the impetus for a collective societal reckoning with Confederate memorabilia and symbols, leading directly to the Charlottesville debate.

History of the Contestation

The public debate around the Robert E. Lee statue in Charlottesville, Virginia began in 2012 when

²¹ Southern Poverty Law Center, "Whose Heritage? Public Symbols of the Confederacy," Southern Poverty Law Center, February 1, 2022.

²² Becky Sullivan, "A Black museum asks to melt Charlottesville's Robert E. Lee statue to create new art," NPR, October 22, 2021.

²³ Dearstyne, Bruce W, "How Charlottesville Got that Robert E. Lee Statue," *History News Network*, September 3, 2017.

²⁴ Ibid.

²⁵ Timothy Bella, "How George Zimmerman stretched 15 minutes of infamy into a decade of disgust," *The Washington Post*, February 26, 2022.

²⁶ See also the study on BLM Hashtag for PEW Research: Monica Anderson, The hashtag #BlackLivesMatter emerges: Social activism on Twitter, August 15, 2016.

²⁷ Law Library: Howard University School of Law, "Black Lives Matter Movement," Howard University School of Law. Floyd was suspected of using a counterfeit \$20 bill.

²⁸ Debbie Elliott. "5 Years After Charleston Church Massacre, What Have We Learned?" *NPR*, June 17, 2020.

city councillor Kristin Szakos questioned at the Virginia Festival of the Book whether or not the city should remove its Confederate monuments. Szakos's comments followed Zimmerman's shooting of Martin.²⁹ In 2015, as debates around Confederate monuments increased due to the Charleston shooting and the BLM movement, someone spray-painted 'Black Lives Matter' on the base of the statue. The slogan was removed by city workers.³⁰

In March 2016, city councillor Wes Bellamy announced that the Charlottesville City Council would appoint a commission to examine the issue.³¹ Those in favour of removing the monument, like high school student Zyahna Bryant, who petitioned that same month for the removal of the statue, claimed that it enforced a racist history and preserved the legacy of slavery.³²

In February 2017, the Council voted to remove the statue from its original location.³³ In response, a group of opponents, including Virginia's Sons of Confederate Veterans,³⁴ the Monument Fund,³⁵ and several citizens responded with a lawsuit, claiming that the vote to remove the statue demonstrated 'total disregard' for Virginia law.³⁶ They referenced section 15.2-1812 of Virginia's state code, which states that 'it shall be unlawful for the authorities of a locality, or any other person or persons, to disturb or interfere with any monuments or memorials so erected'.³⁷

Opponents also argued that removing the statue would erase and ignore history. A post on the website of the Monument Fund, one of the plaintiffs in the lawsuit, reads, 'But if we remove the monuments we are trying to hide our own history, destroying irreplaceable historical evidence, works of art, and for what? What do we gain? An empty law teaches nothing'. 38

Debates surrounding the statue increased and intensified over the summer, culminating in the violent white nationalist 'Unite the Right Rally' on August 12, 2017, which left three people dead and 35 injured.³⁹ One woman was killed after being hit by a car driven into a crowd of protesters, and two police troopers died after a Virginia State Police helicopter crashed while investigating the demonstration.⁴⁰ Though many national leaders and politicians quickly criticised the racism and violence at the rally, former President Trump denounced the violence 'on many sides, on all sides.'⁴¹ His statement received censure from multiple parties, though other groups, particularly neo-Nazi organisations, supported it.⁴²

²⁹ Jacey Fortin, "The Statue at the Center of Charlottesville's Storm," New York Times, August 13, 2017.

³⁰ Ibid.

³¹ lbid.

 $^{^{\}rm 32}$ Zyahna Bryant, "Change the name of Lee Park and Remove the Statue," Change.org, March 2016.

³³ Jacey Fortin, "The Statue at the Center of Charlottesville's Storm," New York Times, August 13, 2017.

³⁴ For more information on Virginia's Sons of Confederate Veterans, see https://scv.org/.

³⁵ For more information on the Monument Fund, see https://www.themonumentfund.org/,

³⁶ Justin Wm. Moyer, "Lawsuit seeks to stop removal of Confederate statue in Virginia," Washington Post, March 24, 2017.

³⁷ Code of Virginia, §15.2-1812.

³⁸ Monument Fund, "Frequently Asked Questions," Monument Fund.

³⁹ Robert Armengol, David S. Cloud, and Matt Pearce, "Three dead, dozens hurt after Virginia white nationalist rally is dispersed; Trump blames 'many sides,'" Los Angeles Times, August 12, 2017.

⁴⁰ lbid. ⁴¹ lbid.

⁴² lbid.

Following the end of the protests in 2017, a black tarp was draped over the statue of Lee. In February 2018, the tarp was removed at the order of Judge Richard E. Moore.⁴³ Smaller rallies occurred across Virginia.⁴⁴

Until July 9, 2021, when city workers removed the statue, there had been no further progress. They dismantled the monument of Lee along with a monument honouring General Stonewall Jackson, another famous figure of the Confederacy. Members of the Charlottesville community who were injured in the 'Unite the Right Rally' sued two dozen white nationalists and neo-Nazis, including James Alex Fields, Jr., the driver of the car. On November 23, 2021, the plaintiffs won the case, with the jury holding every defendant liable and awarding multi-million dollar damages.

In December 2021 the city council passed a resolution to donate the statue to the non-profit Jefferson School African American Heritage Center, which intended to melt the statue down to create a public art piece, termed the 'swords into plowshares' project.⁴⁸

Decision-Making Processes

The Charlottesville City Council, made up of five members, was responsible for most decisions regarding the Robert E. Lee statue. In Charlottesville, each councillor serves four terms; the Mayor and Vice-Mayor preside over meetings.⁴⁹

In May 2016, the City Council created a special commission to examine the contention over the Robert E. Lee statue. The report, released later in 2016, noted that the city could either remove and relocate the statue or alter its appearance and impact through 'the inclusion of new historical information.'50

In February 2017, the City Council voted to remove the statue. Former Charlottesville mayor Mike Signer voted against the removal with one other councillor, forming the minority in the 3-2 decision. Signer preferred to reimagine and recontextualise the statue rather than erasing or eradicating it.⁵¹

In June 2017, the City Council voted to rename the park where the statue was located – then called Lee Park – to Emancipation Park. It also voted to change the name of the park in which the statue of Stonewall Jackson was located, then called Jackson Park, to Justice Park. 52

After the violent protests near the statue, Virginia Jude Richard Moore issued a temporary injunction,

⁴³ Mathew Haag, "Judge Orders Tarps Removed From Confederate Statues in Charlottesville." New York Times, February 27, 2018.

⁴⁴ Caroline Burke, "The Fate of Charlottesville's Robert E. Lee Statue Is Still Up In The Air," *Bustle*, August 10, 2018.

⁴⁵ Michael Levenson and Hawes Spencer, "Charlottesville Removes Robert E. Lee Statue at Center of White Nationalist Rally," *New York Times*. July 9, 2021.

⁴⁶ Integrity First for America, "IFA's Charlottesville Case: Sines v. Kessler," Integrity First for America.

⁴⁷ Ibid.

⁴⁸ Debbie elliot, "Confederate monument melted down to create new, more inclusive public art", NPR, October 26 2023

⁴⁹ Charlottesville Government, "City Council," Charlottesville Government.

⁵⁰ Jacey Fortin. "The Statue at the Center of Charlottesville's Storm," New York Times, August 13, 2017.

⁵¹ Mike Signer, "I'm a progressive mayor: Here's why I voted no on removing my city's Confederate statue," *Washington Post*, May 24, 2017.

⁵² Associated Press, "Charlottesville parks, once named for Confederate generals, to change names again," PBS, July 17, 2018.

ruling that the statue could not be moved for six months. 53 Following the deaths of Heather Heyner and the two officers in the 'Unite the Right' rally, Signer announced his support of the removal of the statue. 54

In 2018, the City Council voted again to change the names of the parks in which the statues were located. It changed the name Emancipation Park, formerly Lee Park, to Market Street Park. The name of Justice Park, formerly Jackson Park, became Court Square Park.⁵⁵

After city workers removed the statue, the City Council received numerous proposals detailing plans for the landmark, some offering to pay up to \$5,000 for the acquisition of the statue. Ultimately, the council voted unanimously 4 to 0 - Vice Mayor Sena Magill was not present due to a family emergency⁵⁶ - and donated the monument to the sole local bidder, the Jefferson School African American Heritage Center.⁵⁷ The Black-led centre suggested melting the statue down and repurposing it into future art as part of a project called 'Swords Into Plowshares.'⁵⁸ The statue was dismantled by a foundry in Tennessee and, in October 2023, the Center arranged for the statue to be transported to a local furnace (undisclosed for security reasons) and melted down in front of a small crowd of local community leaders and a few journalists.⁵⁹

The decision to melt down the statue has met with significant criticism. In the immediate wake of the Council's decision, a petition to prevent the statue's destruction was filed.⁶⁰ Two organizations that applied for acquisition filed a lawsuit to prevent the statue from being melted down.⁶¹ Bryce Reeves, a Republican senator, denounced the action to melt down the statue as illegal.⁶²

Others support the move to melt the statue. Andrea Douglas, director of the Jefferson School African American Heritage Center, announced an intention to transform 'something toxic into something beautiful.' Immediately after the Center announced its plan to melt down the statue, it began a campaign to raise the funds to fulfill its vision, and quickly amassed \$590,000 of their \$1.1 million goal. Jalane Schmidt, an activist and tenured religious studies professor at the University of Virginia, noted that the Council's vote seemed 'fitting.'

Summary and Conclusions

⁵³ Associated Press, "Judge Halts Removal of Lee Statue for 6 Months," WDBJ, May 4, 2017.

⁵⁴ Michael Signer, "These Monuments Were Transformed From Equestrian Statues Into Lightning Rods," Atlantic, August 18, 2017.

⁵⁵ Associated Press, "Charlottesville parks, once named for Confederate generals, to change names again," PBS, July 17, 2018.

⁵⁶ Erin O'Hare, "Charlottesville's Statue of Confederate General Robert E. Lee will be melted down," *Charlottesville Tomorrow*, December 7, 2021.

⁵⁷ Teo Armus, "Charlottesville's Robert E. Lee statue will be melted down by city's African American history museum," *Washington Post*, December 7, 2021.

⁵⁸ Erin O'Hare, "City receives just one local proposal for Confederate statue, and the organization wants to melt Lee down," *Charlottesville Tomorrow*. October 21, 2022.

⁵⁹ Teo Armus and Hadley Green, "Charlottesville's Lee statue meets its end, in a 2,250-degree furnace", The Washington Post, October 26 2023

⁶⁰ Ibid.

⁶¹ News Staff, "Lawsuit concerning fate of Lee statue to move forward," CBS 19 News, April 29, 2022.

⁶² Catesby Leigh, "A Monumental Outrage," City Journal, January 21, 2022.

⁶³ Associated Press, "Charlottesville's Lee statue to be melted down for new art," WHSV 3, December 8, 2021.

⁶⁴ Erin O'Hare, "Charlottesville's Statue of Confederate General Robert E. Lee will be melted down," *Charlottesville Tomorrow*, December 7, 2021.

The statue of Robert E. Lee in Charlottesville became and has remained a microcosm of debates surrounding the continued preservation of the Confederacy. The progression of the protests from peaceful petitions to violent and deadly confrontations also reflects the increasing polarisation and division in the United States. There are lessons to learn from the Council's controversial decision to remove the statue and the subsequent negligence by the city to adequately monitor the development of the rally. In the initial wake of the 'Unite the Right' demonstration, many held the City Council and other appointed representatives directly responsible for failing to anticipate and then counter the neo-Nazi protestors. Furthermore, the final decision to melt down the statue has led to further debates regarding the preservation, or lack thereof, of the historical symbolism and artistic value of controversial monuments in public space.

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⁶⁵ Frances Robles, "Chaos Breaks Out at Charlottesville City Council Meeting," New York Times, August 21, 2017.

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About Contested Histories

In recent years, there have been many contestations over memorials, street names, and other physical representations of historical legacies in public spaces. These contestations often reflect deeper societal tensions whether triggered by political transitions, demographic shifts, inter-ethnic strife, or a growing awareness of unaddressed historical injustices.

The Contested Histories project is a multi-year initiative designed to identify principles, processes, and best practices for addressing these contestations at the community or municipal level and in the classroom. Conflicts about history, heritage, and memory are a global phenomenon, and, although each case is different, comparative cases can indicate lessons learned and reflect best practices.

About IHJR at EuroClio

The Institute for Historical Justice and Reconciliation (IHJR) is a research centre at EuroClio - European Association for History Educators in The Hague, The Netherlands. The IHJR works with educational and public policy institutions to organise and sponsor historical discourse in pursuit of acknowledgement and the resolution of historical disputes in divided communities and societies.

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