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Should Slavery's Statues Be Preserved? On Transitional Justice and Contested Heritage

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ABSTRACT *What should we do with statues and place-names memorializing people who committed human-rights abuses linked to slavery and postslavery racism? In this article, I draw on UN principles of transitional justice to address this question. I propose that a successful approach should meet principles of transitional justice recognized by the United Nations, including affirming rights to justice, truth, reparations, and guarantees of nonrecurrence of human rights violations. I discuss four strategies for handling contested heritage, examining strengths and weaknesses of each strategy. Examples from Bristol, England, highlight common challenges and positive lessons.*

Introduction

Do principles of transitional justice imply that we should take down statues and rename places called after people who participated in serious rights abuses associated with white supremacy? Or do they imply that we should keep such elements of contested heritage in place, as part of truth telling and acknowledgement, and as pedagogical tools for vividly teaching the history in question, to support the aims of nonrecurrence?

I analyse the options of preserving, removing, recontextualizing, and reclaiming objects like Confederate statues or place-names. I draw out strengths and weaknesses of each strategy, looking at ways in which these strategies may succeed or fail to uphold four key rights as recognized in UN guidance on transitional justice – namely rights of justice, truth, reparation and guarantees of nonrecurrence. I argue that preservation, removal, and recontextualizing can each be consistent with transitional justice, if carried out well in the right circumstances. However, a great deal depends on how the strategies are enacted. I close by suggesting that many successful responses involve some form of symbolic reconfigurations or reclaiming, very broadly conceived, so that locations of current or former celebratory iconography become reparative sites of memory. The best forms of reclaiming can build pride, identity, agency, and commitment to repairing injustices.

This article makes an original, rigorous, and significant contribution to a debate of wide-reaching public interest. It is one of the first articles in any discipline to systematically link debates over Confederate statues and colonial iconography, to UN guidance on transitional justice.[1] Midway through the UN's International Decade for People of African Descent, and at a time when public conversations about reparations for slavery

are growing stronger in the United States, the Caribbean, and Britain,[2] linking these debates to transitional justice is both timely and important.

This article contributes to applied philosophical study of transitional justice, interpreted broadly as the study of what justice requires of societies coming to terms with a violent past.[3] This interdisciplinary field includes work from political and legal philosophy, but my focus is the social philosophy of transitional justice. Social philosophy refers to the normative study of social behaviour. This article focuses on social philosophy related to collective memory and heritage, contributing to a nascent literature on transitional justice related to colonialism, slavery, and postslavery racism.[4] The analysis should be of interest to social and political philosophers, and to scholars studying slavery, colonialism, and decolonization; 'race' and racism; heritage and public memory; epistemic injustice; conflict and peace building; prejudice and intergroup relations, and related topics.

Methodologically, this article is an example of action-based philosophical research, reflecting my involvement from 2016 to 2020 with contested heritage debates in Bristol, England. Colston Hall's 2017 vote to change its name was the first decision of its kind by a major institution in the United Kingdom, and by my estimates at least two dozen Bristol institutions have since taken steps to acknowledge Bristol's history or rebalance colonial iconography.[5] While lessons cannot be transported uncritically, scholars of memory have often observed common dynamics across diverse contexts of difficult heritage.[6] Both the examples and the wider argument will be informative for scholars and practitioners addressing contested heritage across diverse contexts.

Transitional justice depends on local and regional contexts. Many societies face conflicts over heritage and public symbols following recent mass human-rights abuses, with limited regime change and persistent ethos of conflict.[7] Rwanda, Uganda, the Balkans, Chile, South Africa, Ireland, and Cambodia are examples of countries whose debates over symbols in public space reflect recent intergroup conflicts. The stakes are higher and intergroup dynamics more volatile, in a community with tenuous peace, recent armed conflict, few ties between social groups, weak rule of law, corrupt governance largely continuous with an abusive former regime, and so on.[8] I do not attempt to address such cases, although scholars of peace building will be able to adapt the method of argument and will recognize many dynamics discussed here.

I begin by introducing evidence on public attitudes towards Confederate statues and by arguing that strategies for handling contested heritage should accord with UN guidelines on transitional justice. I then look in turn at the four strategies of preserving, removing, recontextualizing, and reclaiming. In each case, I start by highlighting what the strategy might achieve in its best forms before turning to counterarguments and challenges that may prevent the strategy from achieving its positive purposes. Readers should come away with an expanded sense of positive possibilities and options for communities grappling with contested heritage, as well as a more informed, realistic understanding of likely challenges.

Contested heritage and transitional justice

A 2019 report by the Southern Poverty Law Centre found that 114 Confederate symbols that have been removed since the Charleston massacre of 2015. The report

mapped more than 1,747 Confederate symbols remaining across the United States, including monuments, place-names, and state holidays.[9] Most were raised in early 1900's, with a spike in the Civil Rights Era, suggesting that an aim of these memorials was to bolster Jim Crow and protect white supremacy.[10] Attitudes towards Confederate memorials are divided along racial lines, and poll results are sensitive to wording. As of 2017, 54% of Americans said that it is wrong to take down Confederate monuments, which many argue should remain part of the country's heritage.[11] A more recent Winthrop Poll found that a majority of Southern Blacks (62%) preferred an action stronger than just adding a historical marker for segregationist leaders, with the most popular option being to move statues of segregationist leaders to museums. Only one third of whites shared this view, with two-thirds preferring to instead either add a plaque or leave the statues unaltered.[12]

The debates over statues and place-names can be seen as part of movements for transitional justice.[13] The central question of transitional justice is 'How should a society come to terms with a violent past?'[14] The United Nations defines transitional justice as 'the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation'.[15] In its guidance on transitional justice, the United Nations enjoins communities to seek peace, reconciliation, and justice as mutually supporting aims, and it enshrines four key rights to (1) justice, (2) truth, (3) symbolic and material reparations, and (4) guarantees of nonrecurrence.[16] The meaning of these terms is worked out through a mixture of theory and practice.

Common components of transitional justice in practice include the following: prosecution initiatives; truth seeking to map and document serious violations; material reparations via compensation, development aid or social investment; symbolic reparations such as museums, memorials and commemorations; institutional reform to prevent future abuses; and measures to encourage public engagement in the process of transition towards justice and reconciliation.

Starting from the UN guidelines anchors the discussion in expressed commitments of the international community. The United Nations 2004 guidelines have been a touchstone for much subsequent work on transitional justice.[17] Moreover, the rights identified have parallels in every major account of transitional justice. The UN guidelines therefore provide a valuable starting point for analysis.

It could be objected that the UN guidelines are philosophically thin, and the concepts of justice, truth, repair, and guarantees of nonrecurrence are each ambiguous.[18] For instance, in the context of transitional justice, the right to 'justice' is often interpreted in retributive terms, as a right to see perpetrators of wrongdoing held accountable.[19] However, accountability for mass and normalized wrongdoing raises distinctive problems.[20] Where wrongdoing is normalized, it is often unclear how culpability should be apportioned to individuals. Moreover, calls for accountability often presume that seeing wrongdoers held accountable has therapeutic benefits for victims; that it is an important precondition for reconciliation; and that it is a morally justified response to wrongdoing in general. These assumptions can all be questioned.[21] Furthermore, it is unclear what forms of accountability can be achieved, or are desirable, for injustices that occurred multiple generations in the past.[22] The putative right to justice evidently raises important philosophical questions.

The right to truth is likewise ambiguous. Memory is selective, and it is neither possible nor desirable to create a complete historical record.[23] What does it mean for the criterion of 'truth' to be met in just transition? While some see remembering as essential for healing, others argue that healing depends on forgetting. Still others hold that what healing requires is not just the truths of history but truths of poetry, or truth-telling at a deeper level than surface facts.

As these comments suggest, each putative right is open to interpretation. An alternative would be to start from a thicker philosophical account of transitional justice. Excellent philosophical work has been done,[24] but every philosophical account of transitional justice is controversial,[25] and none has the influence and reach of the UN guidelines. Moreover, despite philosophical and evidential questions, communities can and do use these guidelines alongside exemplars and practical judgement to arrive at good expressions of each of the rights. I take it as a reasonable presumption that just transitions include some appropriate forms of accountability, acknowledgement, repair of ongoing harmful legacies, and reform to protect against future human-rights violations.

The specific features of Atlantic world slavery and postslavery racism make some aspects of transitional justice irrelevant or unattainable. For instance, it is impossible to now hold to account the individuals and informal networks who wrote slavery into law or who committed human-rights abuses under slavery-supporting laws. However, these and other complicating factors do not show that there are no contemporary responsibilities of repair associated with historic injustices of slavery and postslavery racism. Instead, they have implications for the kinds of repair that can be taken. In the 2001 Durban Declaration, the United Nations recognized the slave trade and transatlantic slavery as a crime against humanity. It also acknowledged a right for people of African descent to seek reparations for the history of human-rights abuses associated with transatlantic slavery, colonialism, and postslavery racism. The decade beginning 2015 was declared the UN Decade for People of African Descent, and amongst its central aims is to move towards greater justice in how communities handle the legacies of these histories.

Should We Preserve, Remove, Recontextualize, or Reclaim Contested Objects?

Preserving without alteration

According to widely accepted values, historic features of the built environment are shared heritage and should be preserved for future generations. The cultural heritage sector itself tends towards preserving heritage in its original form.[26] This long-standing orientation has been reasserted in many settings in response to recent calls to remove dissonant heritage. In the United States, numerous states have introduced laws against altering or removing monuments, including Alabama (2017), Mississippi (2004), North Carolina (2015), South Carolina (2000), and Tennessee (2016).[27] The US National Trust for Historic Preservation offers a point of contrast, having stated: 'We should always remember the past, but do not necessarily need to revere it'.[28] However, preservationism remains the dominant outlook of the sector.

Preserving historic statues and place-names can serve a number of positive aims. Different historical eras produce layers of artefacts, and these accretions create a sense of historical developments, of distance travelled and changes over time.[29] Keeping historical artefacts in place can provide new generations with a window into the past. It is possible to reject the idea that heritage necessarily has a positive valence, instead conceptualizing heritage as the part of the past we regard as our own, in all its complexity.[30] Preserving statues might in some cases keep this historical complexity in view. Moreover, the meanings of artefacts are not fixed by their makers' original intent but instead are interpreted in their evolving cultural contexts. James Osborne argues that although statues are often raised with the aim of solidifying and legitimizing a particular worldview, these aims are fragile because the statues paradoxically provide a focal point for critique.[31] If that is true, then preserving statues may potentially serve aims of accountability by keeping their figures in view of a public that has since come to view their actions critically. It may serve aims of truth, if the dissonance between contemporary values and historical ones leads people to enquire critically into the many sides of the history. It may serve aims of repair if these processes help to motivate symbolic and material reparative actions. For instance, people may feel that the prominence of slavery's problematic past in their landscape gives them a personal stake and a standing from which to take responsibility for repair. A public who is well educated about the history should experience a sense of tension between the community's historic expressions of honour towards major human-rights abusers and its expressed core values like equality, justice, and freedom. Such dissonance can be educative and motivating. It may vivify an important lesson about how mistaken a society's norms can be, motivating critical thinking and inspiring people to be 'upstanders' instead of bystanders.

However, preserving monuments without plaques or critical interpretation can easily feed into patterns of obscuring and downplaying injustices. The normative problems for preservation are greatest when parts of a society are attached to a glorified view of its history and maintain racist or socially hierarchical attitudes that derogate descendants of the group who were victimized by the historic wrongdoing in question. Preserving the commemorations of a racist era can be seen as legitimizing these problematic views, in the same way that failing to speak up against racist or hateful speech can have the effect of authorizing it.[32]

Thus, simple preservation will often be in tension with transitional justice. Preserving problematic monuments without critical interpretation sends an ambiguous message about a community's commitments to justice and accountability. Removing honours from human rights violators is one of the few forms of corrective justice available when a rights violator is dead.[33] Demonstrating commitment to accountability can be important for restoring the status of those harmed by human-rights abuses historic and present.

Second, uncritical preservation stands in tension with rights to truth. Commemorations usually honour a community's 'great and good'. These conventions are widespread and expressively fitting.[34] Maintaining historically honorific statues may be in tension with truth-telling requirements if it has the effect of minimizing or downplaying the seriousness of an injustice.[35]

Third, preservation can stand in tension with duties of symbolic repair. Objects like Confederate statues can reasonably be read as expressing disregard for those harmed

by the community's historic injustice. Mere preservation sends an ambiguous message. A better strategy will be one that decisively reaffirms the dignity of a derogated group.

Fourth, uncritical preservation can symbolize disregard for the lives of a derogated group, thus providing little reassurance to victims of ongoing racism that their rights will be protected.[36] Lyricist André Dallas writes, 'When you give him a statue, you give him a clap. Don't black lives matter more than a criminal's cash?'[37] The more frequently people experience attitudinal and behavioural racism in everyday life, the more likely it is that colonial iconography will be seen as reinforcing wider social messages of disregard. Chelsey Carter argues that Confederate statues add to the stress experienced by people already enduring racial insults and that this has physical as well as emotional consequences.[38] Likewise, Travis Timmerman argues that Confederate statues cause unavoidable and undeserved harm. Specifically, they cause harm to people who suffer from being regularly primed to think of the racist motivations behind the monuments. Timmerman argues that this provides a strong moral reason to remove Confederate statues.[39]

There are important counterarguments to the above. One might argue that the injustices in question are in the distant past and thus no longer require redress. One might also argue that justice and accountability are complicated in the case of widespread moral ignorance or that it is an injustice to individuals to hold them personally to account for injustices that they understood to be legal. The idea that cultural ignorance excuses wrongdoing is widely though not universally shared.[40] Transitional justice supports rights to accountability, but justice is only served by fair and appropriate accountability, not by scapegoating.

Another argument is that long-term movement towards peace and justice requires compromise on all sides and that statues generate social tension with little benefit.[41] Writing on transitional justice in general, Makau W. Mutua says:

> [I]n order to move forward to an inclusive and fair society, no major party can be left behind. Those who have been aggrieved must find justice in order to let go of the hatreds of the past. But equally important is the place of the perpetrators of the abusive past in the future of the society. While justice needs to be done, deep concessions must be made by each in order to move forward to a shared and common future.[42]

However, these arguments do not show that historic commemorations should be preserved without alteration. Preserving conventional honours may do too little to reaffirm the dignity of victims and their symbolic descendants and can generate tension instead of resolving it. Even when moral responsibility is limited, grave injustices can require repair.[43] The fact that the injustices of Atlantic world slavery occurred in the distant past does not remove requirements of redress. Verene Shepherd demonstrates vividly the contemporary salience of racialized slavery and apartheid, arguing that these traumas have been passed on intergenerationally.[44] Daniel Butt argues that failure to carry out reparations early may allow harms to cascade and amplify over time; thus the passage of time may *increase* the scale of repair required.[45]

Shawn Sobers argues that when institutions are perceived as obscuring difficult history, this leads to distrust and tension between communities.[46] He recounts bringing a group of African heritage students to the English National Trust's Clevedon Court. The tour guide mentioned nothing about the property's substantial links to slavery,

and afterwards students generated their own explanations for this silence. One student guessed, inaccurately, that enslaved people were kept in a cellar.

> Very quickly other young voices agreed with her, and assumption, conjecture and myths filled the vacuum in the absence of acknowledgement and facts... The young people demonstrated how naturally inquisitive, but already distrustful minds, can collectively build a social vocabulary to try and make sense of gaps in historical contexts. They knew they were not entirely comfortable or supported in that process, mindful they were not being told the whole truth.

Lack of forthright acknowledgment generates distrust and undermines values that preservationists often cite as high priorities, such as value of unity and social cohesion. This suggests that preserving problematic heritage without critical interpretation will often be inconsistent with transitional justice.

Removing

If preserving monuments and place-names unaltered is problematic, one alternative is to remove them. Removing a monument or renaming a building is a historical moment in itself, which can make a lasting impression in public memory and become part of both written and oral records of events. In their best enactments, removals can mark a moment when a community made a decisive stance to acknowledge past wrongdoing, distance itself from the rationales that justified that wrongdoing, and reaffirm shared commitment to universal human rights and equality. These moments and the debates building up to them are potentially powerful pedagogical opportunities. They attract intense public attention and thus open a window in which it is possible to reeducate a public about the historical record and also set a direction for future values.

Ideally, as exemplified in Mitch Landrieu's speech marking the removal of Confederate statues from New Orleans in April 2017, these events involve (1) forthright acknowledgment, apology, repudiation, or condemnation of the wrongdoing; (2) nonvindictive, accessible explanations of the history and its significance; and (3) reaffirmation of core public values of equality, universal respect, joy, and togetherness.[47] In their best forms, the overall effect can support healing, providing a sense of psychological resolution through acknowledgment, and reaffirming dignity and moral protection of the whole community.

Removals can take place in very different ways. They can take place through well-structured, consultative processes, as in the example of Colston Primary School in Bristol, whose three-month school-wide consultation brought in experts to present diverse views and resulted in renaming as Cotham Gardens Primary School. Removals can also result from institutional leadership without wider consultation, as in the case of Bristol Music Trust's controversial, unanimous vote in 2017 to rename concert venue Colston Hall, which ultimately became the Bristol Beacon. Their decision prompted hundreds of letters in opposition in the *Bristol Post*,[48] but it galvanized the city into action, with at least 20 other institutions taking new steps between April 2017 and June 2020 to address memorialization or contemporary race equality issues.[49] Removals can also take place through direct action or civil disobedience,

understood as breach of law in order to communicate a message and bring about legal and social change. When Black Lives Matter demonstrators toppled Colston's statue and dropped it in Bristol Harbour in June 2020, national and global response was immediate. Labour announced that all Labour councils would review their public symbols, as did London and Manchester. Colston's fall animated conversations not just about public symbols but also about structural injustices and captured global attention. At George Floyd's memorial service, Reverend Al Sharpton cited Bristol as reflecting the multiethnic nature of current campaigns for racial justice, saying 'All over the globe I have seen grandchildren of slavemasters tear down the slavemaster's statue, over in England, and put it in the river'. Sharpton's implication that all white people are grandchildren of slavemasters is problematic, but the example highlights how removals can become globally significant moments of symbolic power.

Opponents sometimes see removal as motivated by contempt or other vicious attitudes. Macalester Bell has given a distinctive version of this argument.[50] Bell says that we *should* express contempt for racist figures, and that removal *fails* to express contempt effectively, because it lets figures off the hook by removing them from public critique. She advocates actions like art interventions that dishonour or show contempt for the figures depicted in the statues. I disagree both with the idea that removal should express contempt, and with the idea that contempt is the right attitude to foster. As Landrieu's speech exemplifies, it is possible to remove statues and rename places in a way that rebalances public symbolism, condemns and acknowledges wrongdoing, and at the same time foregrounds values of universal love, peace, dignity, and respect.

In practice, of course, a wide range of attitudes and values can be found in campaigns for removal, and not all removals culminate in moments like those described above. Advocates of removal may adopt fundamentalist and simplistic attitudes and may be severe or aggressive in attacking opponents. There is likely to be a diverse ecology of views and approaches. However, the fact that some speech in these debates may be barbed does not imply it should be dismissed, a point that applies on all sides of the debate.[51]

On the other hand, there are important arguments against removal as a strategy for transitional justice. One problem is that calls for removal sometimes do reflect a move towards fundamentalist, purist attitudes and can be harsh and punitive, potentially raising concerns about the ethics of what Linda Radzik calls 'social punishment'.[52] It is important to note that removal need not reflect these attitudes; it is possible to hold that we owe all people fundamental respect and basic good will and still believe that our public symbols should be radically changed. Nevertheless, the symbolism of removal can be easily interpreted as contemptuous. Removal can also be read as evidence that institutions are attempting to 'erase history' and hide evidence of past wrongdoing, instead of addressing it forthrightly. It may also appear to scapegoat individuals for collective wrongdoing or hold figures to unreasonable standards given the social milieu in which they lived. Publicly expressive actions must be carried out in a way attuned to possible misinterpretation, since the social meaning of an action depends not just on intended meaning but on reception. People have temperamental differences in tolerance for complexity and ambiguity and different abilities to integrate complex messages. When institutions do not communicate fully, clearly, and attractively about these actions, a public can easily get the impression that they acting

on extreme principles, are whitewashing history, or are attempting to evade attention.[53] This means that removals may hinder goals of reconciliation if not supported by outstanding public communication.

Relatedly, removal may be interpreted as evidence that multiculturalism is a zero-sum game, and even as confirming right-wing fears that there is a movement to displace white people and white cultural heritage.[54] If statues are perceived as representing larger groups, then removing statues may be read as attacks on the positive identity of those larger groups and a declaration of hostility. Thus the strategy of removal may play into racist rhetoric. This may be true even if individual campaigners attempt to transcend race-based ways of framing the issues.[55] Following Stephen Lawrence's murder in London (1993), research showed that 'removal' narratives were common and were frequently rehearsed to galvanize racism.[56] White youths in these neighbourhoods widely complained that 'everybody else is allowed to have a heritage except for White people' and that there was a lack of parity in how grievances of Whites and Blacks were being handled. These complaints existed alongside racist tropes premised on explicit ideas of social hierarchy and order, like the idea that 'we brought them to England to work, but now they are getting ahead'.[57] Removing statues risks playing into racist narratives. A key aim of transitional justice is to prevent continued violations, and this depends on overturning racist ways of thinking. There can be a delicate line between acquiescing to racism and acting intelligently to avoid increasing it, but if removing statues fuels a racist turn in politics, then the strategy may be in tension with aims of transitional justice. On the other hand, if racist statues constitute a form of hate speech, then removing them may communicate a society's commitment to antiracist values, and counter racist attitudes present in the community.[58] In the right moment, removing statues and place-names can be significant moments in a community's movement towards justice.

Recontextualization

The most commonly discussed alternative to removing statues and problematic place-names is to recontextualize them.[59] Recontextualizing refers to any strategy that retains the statue or place-name but adds to it or alters its context and thus changes its meaning. The category of recontextualization is often discussed generically, but it encompasses an extremely wide range of actions. Recontextualizing is too heterogeneous to be evaluated as a unified strategy. Instead, the question is what forms of recontextualization are best and whether the best politically achievable forms are consistent with transitional justice.

Valuable instances of recontextualizing have been demonstrated in many locales.[60] In Bristol, Colston's empty plinth has become a site of ongoing interventions, making it a collective, dynamic work of memorial art in itself.[61] In previous years, artists 'white-faced' Colston's statue, added unauthorized heritage plaques, and attached a red-yarn ball and chain to Colston's ankles.[62] Bristolian Tim Goldsworthy proposed adding a 'LOVE' sculpture between the statue and the war memorial, and poet Ros Martin proposed adding an engraved poem by one of Bristol's Black poet laureates.[63] An indirect counter to the Colston controversies in 2018 was the erection, some streets away, of a guerrilla sculpture of 'Rebel Ruth', a feisty older woman holding a handbag and a hammer. And some have suggested steps halfway between removing

and recontextualizing, such as melting Colston's statue and weaving the molten statue into a slavery memorial.[64]

There are a number of ways in which successful recontextualizing can support transitional justice. First, recontextualizing may express a readiness to hold human rights violators accountable, in part by keeping them in the public eye while acknowledging their role in serious injustices. For instance, Nathaniel Adam Tobias Coleman has suggested that accountability would be served by keeping Colston's statue in public space but off his pedestal to be met eye to eye, as equal citizens.[65]

Second, defenders of recontextualizing hold that it supports rights to truth. Removing statues, they argue, will lessen street-level familiarity with historical figures. In Bristol, far more people are familiar with Colston than with other Bristolians who played equally significant roles in slavery, suggesting that there are pedagogical functions served by keeping these figures in the landscape and 'enlivening' them in one way or another.

Third, defenders hold that recontextualizing meets responsibilities of symbolic repair by changing a statue's meaning, from honouring to reflection. Fourth, the best forms of recontextualizing can help meet rights to guarantees against future rights violations, if they help people learn about history and become motivated to fight ongoing injustices.

However, there are also important counterarguments. Recontextualizing will only support transitional justice if it is dramatic and prominent, sending clear messages of justice, acknowledgement, repair, and guarantees of protection. Critics often argue for removing statues instead because they believe that no politically realistic recontextualizing will adequately change the meaning of contested objects. The scale and form of statues can make them difficult to resignify. A plaque is inevitably much smaller than a statue. A viewer will see the statue first, and amongst its abiding impressions will be its scale and posture, often a stance of pride and authority. Only a small number of viewers will read a plaque, and a plaque will not communicate as directly, deeply, or subliminally as a strong human form. Moreover, historical plaques have markedly different implications depending on wording and content. In practice, it can be difficult to gain public approval for forthrightly critical wording, and judgements about what counts as a 'balanced' historical statement vary depending on political outlook. There is a risk that minimal plaques are not truly aimed at symbolic repair but are instead designed to protect statues from removal and diffuse critique.[66] Thus there is a risk that a recontextualized statue will still assert the power of the figure presented.

Advocates of removal argue that civic landscapes have been shaped by elites with vested interests, often without popular approval or input. Why should a handful of historic elites set a status quo in perpetuity? Removal allows major reconfiguration of public space. By contrast, recontextualizing means that public space must always answer a racist argument that should never have been made in the first place.

A common alternative is to move statues to museums, to be presented as artefacts rather than current state speech. However, museums are controlled spaces with a more limited audience than street art, and they are a barrier to more guerrilla forms of intervention. As Mark Auslander writes, 'I am troubled by the implied assumption that museums are technologies of deconsecration and will somehow neutralize the aura of Confederate iconography, rending them benign objects of a detached historical gaze'.[67]

A pivotal concern for recontextualizing has to do with who controls the process. Principle 6 of the UN guidance on transitional justice states: 'Ensure the centrality of victims in the design and implementation of transitional justice processes and mechanisms' (p. 2). Although the direct victims of Atlantic world slavery are dead, slavery and postslavery racism have profound legacies of harm today.[68] If measures are taken without leadership from Black communities, there is likely to be a sense that measures have been co-opted, giving little sense of ownership and symbolic repair. Moreover, measures need leadership from a wide range of Black voices, and not only from a few prominent figures.

Furthermore, recontextualizing depends upon the success of its symbolism. Often, symbolic choices will read in different ways to different viewers, and managing these meanings can be particularly difficult when a problematic figure is left in place. A competition held by Historic England in 2018 exemplifies the challenge. The competition invited contestants to find new ways of publicly remembering events, people, and identities.[69] A winning entry by MSMR architects focused on the Colston statue in Bristol. The entry left Colston on his pedestal but created a scooped space around him in the shape of an enslaving ship, with bodies outlined in the style of the Brooks Ship. An artist's rendition depicts visitors walking across the ship, looking towards Colston at its helm.[70]

Many visitors would certainly find this intervention expressively powerful.[71] However, for others the symbolism would be problematic. Colston's figure is lifelike, whereas the unnamed African figures are depicted in outline, with individuality marked only through nonhuman materials like stone or metal. They are passive, without agency. Allowing passers-by to walk across the enslaved figures, as depicted in the artist's rendition, could be seen as insulting rather than generating respect. Colston's prominence gives an impression of individual rather than collective responsibility for the injustices of slavery. By placing Colston in an elevated position over captive bodies, the design risks reinforcing negative imagery, without priming visitors to imagine a future of justice and equality. Even if the intervention was powerful and positive for many visitors, these complexities make it unclear to what extent it would support transitional aims of reconciliation and repair.

The purpose of highlighting this example is certainly not to criticize the artists but to illustrate how difficult it can be to recontextualize effectively – a point also illustrated by controversies over the guerrilla statue of BLM protester Jen Reid, in the weeks following Colston's fall. It is difficult to anticipate how recontextualized symbols will 'read' to different viewers. In many contexts, city planners and heritage bodies are predominantly white, and gaps in racialized experience may add to difficulty assessing appropriate symbolism for designs they are considering. This highlights the risk that efforts to recontextualize may in practice be shaped by voices with sincere good intention, but who may struggle to manage the symbolism in question, in part through lack of access to situated perspectives, and in part because of physical properties of the original object.

Above, I have outlined some ways in which recontextualizing may or may not be effective in changing the meaning of a statue. These suggest that recontextualizing can indeed support transitional justice, but also highlight the need for realism. Many forms of recontextualization that are politically viable will gain easy public agreement precisely because they do not really change the significance of the objects in question.

Measures that are more dramatic may be just as polarizing and in some cases just as offensive to opponents as removal. This highlights that whether recontextualizing supports transitional justice will depend on particulars. Good, long-term recontextualizations will require outstanding judgement.

A modest and accessible starting point is for communities to gain experience by allowing guerrilla art interventions to remain for extended periods, as Bristol has historically done.[72] A more active approach might involve a city-sponsored, rotating programme of interventions, such as commissioned art installations, linked with educational programming. Finally, it is sometimes more politically viable to achieve recontextualization at a distance, by adding other layers to the wider landscape. For instance, the Equal Justice Initiative has added historical plaques to lynching and slavery-related sites across the South.[73] Together with the Peace and Justice Memorial, this programme has had a profound effect on historical awareness and public attitudes. The EJI exemplifies how major plaques and memorials can significantly transform a public landscape, in the process acting as counter-monuments to Confederate statues.

Reclaiming

In this final section, I highlight the value of 'reclaiming' as part of our responses to contested heritage. Reclaiming refers to any strategy that adopts a previously pejorative symbol and resignifies it to create a new symbol of pride and affirmation, in a way that empowers a previously disempowered group. Reclaiming involves symbolic reconfigurations. It takes metaphors, meanings, and associations that previously seemed rigid, fixed, and negative and recombines them to generate new meanings.

Reclaiming need not keep original objects in place. Instead, it can be combined with preserving, removing, or recontextualizing. For instance, where a statue of Nelson or Columbus has been removed, a Caribbean community might hold teach-ins about African-Caribbean history. This reclaims the location and marks it as a site of memory. Many recontextualizations are also instances of reclaiming. Recontextualizing Colston with a poem by a Black Bristolian poet reclaims the site as a space by and for persons of African descent. Finally, reclaiming can be an empowering response to preservationism. Bristol University students launched a major conversation on campus, when they called for renaming Wills Memorial Building.[74] When the university refused to rename, philosopher Nathaniel Adam Tobias Coleman inaugurated a practice of hosting decolonial public events in the Old Council Chambers of Wills Memorial Building, demonstrating a simple way to reclaim a preserved site.

Reclaiming has many advantages from the perspective of transitional justice. Reclaiming gives communities options for grassroots-led symbolic repair even in contexts where institutions are resistant. Another advantage of reclaiming is that it puts previously disadvantaged groups into a psychological position of self-determination and self-recognition.[75] Reclaiming supports rights to justice because it can be a way for persons harmed by injustice to assert status and hold institutions accountable. Reclaiming can 'flip the narrative', directing attention towards agency and stories of persons previously marginalized. Reclaiming also supports the right to truth and acknowledgement. Part of the false message conveyed by racist statues is the idea that the community's central story and heritage is that of the figures depicted. Reclaiming shifts attention towards the agency, heritage, and creativity of people who have

overcome these injustices, thus helping to generate a different image of the society. In the same way, reclaiming helps to achieve symbolic repair. It asserts, and then vivifies through art, poetry, or other media, that the meaning of certain objects and locations will no longer be a degrading one. Such resignification can potentially happen at a profound level. Anndeloris Chacon, poet and director of the Bristol Black Carers Network, has said that as a Trinidadian, when she thinks of slavery she thinks of Emancipation Day, and is filled with pride at the ingenuity, determination, and creativity of people who had nothing and created something.[76] This demonstrates a kind of conceptual reclaiming, facilitated through pride-generating social practices, like Trinidad's Emancipation Day celebrations. Finally, reclaiming supports guarantees of nonrecurrence, through self-empowerment, demonstrating the community's resilience and readiness to pursue justice and equality.

One might even hypothesize that reclaiming is a necessary condition of successful responses to contested heritage. This thought arises from two principles. First, as the Yale Guidelines on Renaming rightly state, there is a responsibility to ensure that responses to contested heritage do not obscure history. Second, measures that do preserve memory, but without empowering descendant communities, fail to meet the sixth principle from the UN guidelines. And measures that do both empower communities and preserve history inherently include an element of reclaiming. At the very least, they may reclaim a location, creating a site of memory, or they may reconfigure other aspects of an artefact's symbolism. Thus reclaiming might be a necessary element of successful responses to contested heritage.

However, reclaiming is not sufficient for transitional justice. Paradigmatic instances of reclaiming are ones enacted by persons of a previously disempowered group. However, it is not enough for groups to affirm their own standing. It is necessary for a wider society to also affirm this standing and demonstrate a commitment to justice, truth, repair, and equal protection. Institutions and wider culture must express and follow through on commitments to these rights. However, these wider social efforts at repair must not dominate a descendant community's own ability to shape responses.

Conclusion

This article breaks new ground by using principles from transitional justice to systematically analyse four strategies for responding to contested heritage: preserving, removing, recontextualizing, and reclaiming. I have argued that successful measures are ones that help a diverse public integrate messages of justice, truth, repair, and guarantees of nonrecurrence, as well as wider messages of equality, connection, peace, and reconciliation.

I have drawn on numerous examples to illustrate the argument, uniquely collating both positive and negative examples from Bristol, one of the most important British contestations to date. These examples are likely to be of wide interest, giving models that decision-makers in other contexts can follow and highlighting pitfalls to avoid.

A core argument of this article is that many different strategies can be consistent with transitional justice. Macro strategies do matter; a bold institutional decision can lead to a cascade of related activity, as in the case of more than 20 Bristol institutions who followed Colston Hall in taking some action to acknowledge their history or

address colonial iconography. As important as the choice of strategy, however, is how it is enacted.

I have addressed what kinds of ideals we might aim for, in relation to any given strategy, in order for that path to be consistent with transitional justice. When we choose to preserve morally complex heritage, we inherit a particular responsibility to ensure that doing so does not have an apologist effect. It is easy for preservation to result in downplaying the seriousness of the injustice. It can also have the effect of reinforcing both overt and subtle racist attitudes. Preserving works best when there are active structures of both formal and informal education that incorporate these objects as points for reflection and pedagogy.

In the case of removals, I emphasized that these can and should be historic moments in a community, marking a turning point in how the community addresses its history. Any discussion of removal attracts intense scrutiny, which can provide an opportunity to improve public understanding of the history and its relevance today and to affirm collective commitments to human rights and equality. However, any institutions considering removal should be aware that it will frequently be seen as an attempt to escape an uncomfortable history, rather than to confront it. This strategy depends on outstanding leadership and public communication.

Recontextualization is often seen as a positive compromise between removal and preservation (Schulz 2018). In practice, it can again take exceptional leadership and judgement to achieve meaningful, permanent, official recontextualizations. Interventions that are politically viable are often not bold enough to really change the meaning of a statue or other object. Those that are bold are often as offensive and distressing to critics as removal. In rapidly changing cultural environments, such interventions may quickly seem out of date, and in diverse environments they may 'read' very differently to different parts of the community. An easily implemented approach is to allow guerrilla art interventions to remain in place for a period of months or to actively coordinate a cycle of interventions, for instance via artists working with schools. Nevertheless, these interventions take ongoing effort and work and often raise controversy. Ultimately, permanent art and memorials directly honouring victims of the injustice on their own terms are important for helping to 'hold' the history and convey collective acknowledgment and repudiation of injustices that have historically been denied.

Finally, many successful responses to contested heritage involve some form of reclaiming. Reclaiming involves resignifying artefacts (or locations of former artefacts) in a way that transforms their symbolic meanings and empowers a formerly marginalized group. Reclaiming is one key element of symbolic repair and transitional justice in communities with historic entanglements with colonialism and white supremacy.

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Acknowledgements

NOTES

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