

Syracuse University

Maxwell School of Citizenship and Public Affairs
Program for the Advancement of Research on Conflict and Collaboration

Monument Negotiation Simulation



Photo: Benjamin Rogers
Meriwether Monument
Calhoun Park
North Augusta, South Carolina

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ABSTRACT

The following simulation imagines a public forum style negotiation to determine the future of a contested public monument and/or the creation of a new public monument in a prominent public place in a city in the state of South Carolina. Through roleplay, students will employ principles of negotiation, conflict management, and collaborative processes while navigating complicated historical legacies and amidst political discord. At the conclusion, guided discussion will afford an opportunity for students to grasp a complex issue from multiple perspectives and examine intersections of race, gender, history, and power as relevant to public negotiation in America.

HISTORICAL ORIGINS

Meriwether monument, which was erected in 1916, is a 21-foot obelisk located in the center of Calhoun Park in the city of North Augusta, South Carolina. The city of North Augusta, which today boasts a population of about 25,000 people, was founded in 1906 on top of an abandoned post-Civil War "Freedman's Town" which was known as Hamburg. The monument memorializes Thomas McKie Meriwether, a white farmer killed during the "Hamburg Massacre" (also known as the "Red Shirt Massacre" or the "Hamburg Riot") which occurred on July 8, 1876. Six African Americans, including Hamburg's Town Marshal (Chief of Police) and several members of the federally funded South Carolina State Militia (which is now known as the South Carolina National Guard) were killed during the massacre. There is no accompanying monument memorializing the deaths of the James Cook, Allan Attaway, David Philips, Hampton Stephens, Moses Parks, and Albert Myniart, the African Americans killed that day¹.

The spiral towards violence began on July 4, 1876, when the Hamburg State Militia (which was composed entirely of African-Americans) temporarily closed the city's main road for drill practice and denied right of passage to two white farmers (Tom Butler and Henry Getzen) as they attempted to move their goods to market in Augusta, Georgia. Butler and Getzen immediately filed a formal complaint of obstruction of a public road with the local court, but the case was postponed until July 8. By that morning, hundreds of armed white men had arrived at the courthouse in Hamburg. When the out-numbered Hamburg Militiamen attempted to make the white men disarm, they were fired upon. The Militiamen retreated to

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¹ Andy Hunter, Bill Fitzpatrick, Larry Gleason, "Hamburg Massacre" SC Picture Project, Accessed December 7, 2019, https://www.scpictureproject.org/aiken-county/the-hamburg-massacre.html

their armory for protection, pursued by the white men. It was at this stage of the battle that Thomas McKie Meriwether was killed. Eventually, a cannon was brought in from nearby Augusta, Georgia. Cannon-fire collapsed a wall of the armory; four Militiamen were then captured and executed².

This was a remarkable event in a calculated campaign by the Democratic Party in South Carolina leading up to the elections in 1876 to sow racial tension and terrorize and intimidate African Americans (who, at that time, overwhelmingly voted Republican) in the hope of winning back the state government and ending the federal reconstruction program put in place after the Civil War. Their plan proved successful. Democrats took most positions of power in South Carolina after the election of 1876. Soon afterwards, reconstruction was ended in the South and "Jim Crow" legislation was passed. It was during the Jim Crow era, 40 years after the event, that the Meriwether monument was erected³.

The monument has four faces. They read as follows⁴

North Face

Dec 4, 1852-July 8, 1876 In Memory of Thomas McKie Meriwether, who on 8th of July, 1876 gave his life that the civilization builded [sic] by his fathers might be preserved for their childrens children unimpaired.

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² Michael Stolp-Smith, "The Hamburg Massacre (1876)" Black Past, Published April 7, 2011, Accessed December 7, 2019 https://www.blackpast.org/african-american-history/hamburg-massacre-1876/

³ Stephen Budiansky *The Bloody Shirt: Terror After Appomattox* (New York, New York: Viking Press, 2008), 220-255

⁴ Andy Hunter, Bill Fitzpatrick, Larry Gleason, "Hamburg Massacre" SC Picture Project, Accessed December 7, 2019, https://www.scpictureproject.org/aiken-county/the-hamburg-massacre.html

East Face

In youths clad morning, the unfinished years of manhood stretching before him, with clear knowledge and courageous willingness, he accepted death and found forever the grateful remembrance of all who know high and generous service in the maintaining of those social and civic institutions which the men and women of his race had struggled through the centuries to establish in South Carolina. What more can a man do than lay down his life?

South Face

In life, he exemplified the highest ideal of Anglo-Saxon civilization. By his death, he assured to the children of his beloved land the supremacy of that ideal. "As his flame of life was quenched, it lit the blaze of victory"

West Face

This memorial is erected to the young hero of the Hamburg Riot by the State, under an act of the General Assembly, with the aid of admiring friends.

PRESENT-DAY CONTEXT5

During the first North Augusta City Council meeting of the New Year, community activist Kenton Mackin approached the microphone during the public commentary phase of the meeting and demanded that the Meriwether monument be removed from Calhoun Park as quickly as possible⁶. His comments were met simultaneously with applause, gasps, angry shouts, etc. and sidelined the rest of the meeting.

Since then, the community has been abuzz about the future of the monument and Calhoun Park. Mayor Bob Pettit, however, has largely remained silent. He cited the South Carolina Heritage Act as a barrier to any change, but also floated the idea of a new monument. As the months have passed, he has come under increasing pressure from local, regional, and national news outlets from across the political spectrum, urging him to act decisively. It is now May. Mayor Pettit has learned that members of national organizations with competing political interests are planning to descend upon North Augusta in mass to stage protests and counterprotests on July 8th, the anniversary of the massacre. He does not want his city to become the next Charlottesville⁷.

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⁵ Some facts were altered and/or invented in the "Present Day Context" and "Participant Role Descriptions" to enhance the value of this simulation as a learning tool and to reinforce course themes

⁶ Lindsey Hodges "Meriwether monument in North Augusta topic of special called meeting" Aiken Standard, Published November 11, 2018, Accessed December 1, 2019, https://www.aikenstandard.com/news/meriwether-monument-in-north-augusta-topic-of-special-called-meeting/article_f5c697e8-e453-11e8-a0cc-8beb16e8bd00.html

⁷ Paul Duggan and Justin Jouvenal "Neo-Nazi sympathizer pleads guilty to federal hate crimes for plowing car into protesters at Charlottesville rally" The Washington Post, Published April 1, 2019, Accessed December 8, 2019, https://www.washingtonpost.com/local/public-safety/neo-nazi-sympathizer-pleads-guilty-to-federal-hate-crimes-for-plowing-car-into-crowd-of-protesters-at-unite-the-right-rally-in-charlottesville/2019/03/27/2b947c32-50ab-11e9-8d28-f5149e5a2fda_story.html

Out of desperation (and with an eye on re-election in November) he has organized the negotiation that is about to unfold. In addition to Mr. Mackin, the mayor has invited several other key stakeholders, including North Augusta City Attorney (Kelly Zier), Member of the United Daughters of the Confederacy (UDC) and a direct descendent of Thomas McKie Meriwether (AnnaLee Meriwether Tomlinson), President of the National Association for the Advancement of Colored People, South Carolina Branch (SCNAACP) (Brenda C. Murphy), and President of the Friends of Calhoun Park (FCP) community organization (Emma Lynn Skaggs).

Mayor Pettit recognizes the competing interests of the organizations represented by the stakeholders he has invited to this special meeting, but he hopes that, together, they can come to some negotiated agreement to stave off a potentially violent summer showdown and hopefully enable him to keep his position.

TEACHER'S NOTE

Group Size/Scenario

The context for this simulation is a public forum. Students are encouraged to imagine this negotiation is taking place in the City Council Boardroom of the North Augusta, South Carolina City Hall Building. This simulation will require the direct and prolonged participation of six students to play the following roles: Mayor of North Augusta (Bob Pettit), North Augusta City Attorney (Kelly Zier), Member of the United Daughters of the Confederacy (UDC) and a direct descendent of Thomas McKie Meriwether (AnnaLee Meriwether Tomlinson), Local activist and journalist (Kenton Mackin), President of the National Association for the Advancement of Colored People, South Carolina Branch (SCNAACP) (Brenda C. Murphy), and President of the Friends of Calhoun Park (FCP) community organization (Emma Lynn Skaggs). Students not assigned one of these roles will function as members of the audience. The North Augusta City Council Boardroom has just enough space to comfortably seat all the students in the class. Students (and faculty member) are free to attempt to be recognized to speak during the negotiation or otherwise influence proceedings.

Time Required/Procedures: Overall duration ~1hr

All students and faculty member should read accompanying background statement before engaging in the negotiation (preferably in the days leading up to the negotiation with a brief recap at the beginning of class). Additionally, the six student volunteers should take some time (~5mins) to read their role description as assigned. Once students are familiar with their roles, begin the negotiation. The mayor will function as the de facto moderator/facilitator.

Reserve ~30mins for the negotiation session. The main objective of the negotiation should be to reach some kind of agreement or create a foundation for an implementable plan moving forward. Afterwards, ~20mins should be set aside for discussion.

*Times are estimates only and can be adjusted as necessary.

Materials: Role sheets and Background statement

Possible Negotiation Outcomes:

- Removal of Meriwether Monument from Calhoun Park
- Relocation of Meriwether
 Monument from Calhoun Park
- Reinterpretation of Meriwether Monument in Calhoun Park
- Obfuscation of text of Meriwether Monument
- No Change to Meriwether Monument

- Construction of New Monument in Calhoun Park
- Construction of New Monument in alternate location
- No construction of new monument
- A combination of monument creation, removal, relocation, reinterpretation, etc.
- Other outcomes presented by participating students, audience members, and/or faculty member

Learning Objectives:

- Understand and identify positions, interests, best alternatives to negotiated agreements (BATNA), and zones of possible agreement (ZOPA) as they relate to this negotiation simulation
- Incorporate negotiation strategies learned from course texts
- Explore how the past can influence negotiation in the present day
- Recognize race, gender, and power as they relate to negotiation
- Contemplate what voices are present and absent in public negotiations

PARTICIPANT ROLE DESCRIPTIONS

NOTE: While reading over your participant role description, participating students are encouraged to identify and/or formulate their character's position, interest, best alternative to a negotiated agreement (BATNA), and zone of possible agreement (ZOPA) as they relate to this negotiation over the Meriwether Monument. Furthermore, during the negotiation simulation, identify other characters that share similar interests to the interests of your character. This could strengthen your position during the negotiation. Also, what characters stand in opposition to your interests? How can you counter their arguments during the negotiation?

North Augusta Mayor Bob Pettit (de facto moderator)

Bob Pettit has six months remaining on his 4th term as mayor of the city and plans to run for a 5th term in November of this year. Last election cycle was his most contentious yet, but Pettit narrowly defeating Ron Padgett. Pettit championed a controversial tax-hike to help fund a \$400 million riverfront revitalization plan, which included space for apartments, small businesses, a senior center, and a minor league baseball stadium. At the time, residents were skeptical of the plan, and it almost cost him his job. However, after the successful on-time and on-budget completion of the plan, public opinion shifted overwhelmingly in favor of the mayor. Residents particularly enjoy the new riverfront walkway and public-use kayak area.

At the end of the year, re-election for Pettit seemed assured. Now, however, his future is in doubt. Both progressives and conservatives are beginning to view the mayor as weak, aloof, and indecisive. The day after Mr. Mackin demanded the monument be torn down, Pettit uttered the regrettable soundbite that he had "never really noticed the monument" when approached by a local reporter on his way into city hall, even though Pettit's office at city hall has a clear view of Calhoun Park.

A resolution to the monument controversy that is acceptable to most voters of North Augusta is Pettit's main concern going into this negotiation. Although historically conservative leaning, the electorate of North Augusta has changed dramatically in his four terms. Population has increased over 25% and the riverfront revitalization has attracted new businesses and new residents, many of which are young, college-educated professionals.

His staff has been researching similar monument controversies in other American cities like Charlottesville, Virginia and Baltimore, Maryland⁸, although his situation is complicated by the South Carolina Heritage Act, which limits his authority to act unilaterally.

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⁸ Fenit Nirrapil "Baltimore Hauls Away Four Confederate Monuments After Overnight Removal" The Baltimore Sun, Published August 16, 2017, Accessed December 12, 2019 https://www.washingtonpost.com/local/md-politics/baltimore-begins-taking-down-confederate-statues/2017/08/16/f32aa26e-8265-11e7-b359-15a3617c767b_story.html

North Augusta City Attorney Kelly Zier

City Attorney Kelly Zier is one of the few city employees that did not grow up in North Augusta. She studied law at the University of Tennessee at Knoxville and moved to North Augusta for this position, which she has held for five years. She has developed a good working relationship with Mayor Pettit and has enjoyed the small town feel and "Southern hospitality" of North Augusta.

She is present at the negotiation to provide legal insight to all stakeholders, but ultimately to protect the City of North Augusta, and by default, Mayor Pettit.

Two laws feature prominently into this negotiation. The first is the South Carolina Heritage Act, which prohibits the Mayor and/or the City Council from removing the Meriwether Monument outright. To legally remove the monument, legislation would have to be introduced in the South Carolina State Legislature recommending that the monument be removed. The bill would have to pass both the house and the senate with a two-thirds majority and be signed by the governor⁹.

The Heritage Act is less explicit when it comes to relocating or moving monuments.

Some South Carolina legal experts argue that an act of the legislature is necessary to move or relocate a monument protected by the Heritage Act, because, by moving the monument, you would be "removing it by proxy." As precedent, experts point to a piece of legislation that

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⁹ General Bill 4895, Sess. of 2000 (South Carolina State Legislature) Accessed December 7, 2019 https://www.scstatehouse.gov/sess113_1999-2000/bills/4895.htm

allowed the City of Charleston to move a protected monument from a public park to a museum because it was deteriorating due to exposure to the elements.

Additionally, the City of North Augusta has a law forbidding any new development in Calhoun Park¹⁰. A possible solution the city has explored is the creation of a second monument in the park memorializing the African Americans that were killed during the massacre, which currently would be illegal. However, the process for changing the City law is much simpler and achievable than overcoming the Heritage Act; only a simple majority in the City's 5-member Council and the signature of the mayor could allow the creation of a new monument in that space.

To address the concern of thousands of political partisans descending upon North

Augusta for summer rallies, Zier recommends amending city law relating to mass public

demonstrations and changing the application process to obtain permits for public gatherings.

The desired result would be to deter and ultimately exclude activists from congregating in the city.

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¹⁰ Ordinance Number 04-30, Sess. 2004 (North Augusta City Council) Accessed December 8, 2019 https://library.municode.com/sc/north_augusta/codes/code_of_ordinances?nodeId=COOR_CH17PARE

Kenton Mackin

Kenton Mackin is a native of nearby Aiken, South Carolina and works as a journalist for the Aiken Standard. He feels uncomfortable calling himself a spokesperson for the African American community, but he was driven to action while walking with his young son through Calhoun Park one Saturday afternoon shortly before Christmas to look at the holiday lights.

As an area resident, and unlike Mayor Pettit, Mackin *had* noticed the monument before. He had read each side on multiple occasions. On that Saturday afternoon shortly before Christmas, he decided enough was enough. How can our community leave such a racist monument unchallenged for so long? He thought about his son's future and the words engraved on the monument; what kind of civilization was he going to leave for his son and his son's son? He had to speak up.

Almost overnight, Mackin has become a lightning-rod for praise and criticism because of his outspokenness on this issue. Mackin has reached a large audience nationwide through his writings on his personal blog. He has also recently started a podcast. The national media attention North Augusta has received recently has helped Mackin make personal and professional connections he had never imagined; but he has also received death threats.

Mackin refuses to back down on his position that the monument should be removed.

Furthermore, he believes the park itself should be renamed. The park is named for John C.

Calhoun, a 19th century politician from South Carolina who was widely regarded as one of the

most ardent defenders of slavery between 1820-1850¹¹. Mackin believes that "Pettit Park" would be a much more appropriate name, if the mayor is willing to make a bold move...

¹¹ United States Senate "John C. Calhoun, 7th Vice President (1825-1832)" United States Senate Accessed December 8, 2019 https://www.senate.gov/about/officers-staff/vice-president/VP_John_Calhoun.htm

United Daughters of the Confederacy (UDC) - AnnaLee (Meriwether) Tomlinson

Annalee Meriwether Tomlinson is a direct descendent of Thomas McKie Meriwether and, although she is also a member of the United Daughters of the Confederacy (UDC), an organization founded by the female decedents of Confederate Veterans of the American Civil War in the 1890s¹², she is adamant that she is attending this negotiation as a representative of the Meriwether family, not on the behalf of her organization.

In her opinion, this monument has nothing to do with the Confederacy, Jim Crow, or White Supremacy. In her view, this monument was erected to her ancestor as a lasting testament to the senselessness of gun violence. Afterall, her ancestor was only 23 years old when he was tragically gunned down. Where is the proof that her ancestor was an active combatant in the "massacre"? How can anyone prove that her ancestor was a white supremacist? Maybe he was an innocent bystander, caught in the crossfire, as so many young people are still today in America.

The words on the monument may seem unfortunate to a 21st century audience, but their meaning has been misrepresented. Remember, Thomas McKie Meriwether did not write the inscription on his monument. Why vilify this dead man? Can't we let him rest in peace?

Tomlinson emphasizes that gun violence is on the rise in America and she welcomes the national attention the monument to her ancestor has received. However, she argues that the

¹² United Daughters of the Confederacy "History of the UDC" United Daughters of the Confederacy Accessed December 11, 2019 https://hqudc.org/history-of-the-united-daughters-of-the-confederacy/

interpretation of the monument has been co-opted by the gun lobby and partisan groups in an effort to create tension in the small community and distract from the real issue at hand.

Instead, the message stemming from this monument should be clear: stop the gun violence! Tomlinson argues that, instead of being a racially divisive moment, this should be a moment for White Americans, Black Americans, and all other Americans to come together to confront the evils of gun violence, a majority of which affects Black Americans.

President of the National Association for the Advancement of Colored People, South Carolina Division (SCNAACP) – Brenda C. Murphy

Brenda Murphy has been the President of the SCNAACP for only a few months, but she has been a member of the organization since the 1980s. Murphy is descended from slaves that worked rice plantations in the Charleston, South Carolina area dating back to the 17th century. She currently resides in Columbia, South Carolina, near the state Capitol building.

The Meriwether monument has been on the radar of the SCNAACP since it was constructed and displayed over 100 years ago. In Murphy's opinion, while monuments to Confederate soldiers may be distasteful in the present day, this monument is egregiously offensive; a clear enshrinement of white supremacy that would even make Robert E. Lee pause.

As a first step, Murphy advises Mayor Pettit to solicit proposals from African American artists from South Carolina to design a monument memorializing the six African Americans that were killed during the Hamburg Massacre. If funding for the monument is an issue, Murphy signals that her organization would be willing to help the city secure the funds. A suitable location in Calhoun Park should be identified to house the new monument upon completion. Although Murphy may agree with Mackin that Calhoun Park should ultimately be renamed, she advises focusing on reimagining the physical landscape of the park first, then fighting to rename it.

Murphy also demands that the local state representative and state senator jointly introduce legislation in the South Carolina State Legislature to remove the monument from Calhoun Park. Murphy believes that, given the current political climate and the proximity to an

election, the Meriwether Monument may be able to garner the support necessary to be legally removed.

Murphy is appalled by Tomlinson's argument that the monument is an enshrinement to senseless gun violence, not white supremacy. What was the sense for a white mob to capture and assassinate four African American State Militiamen, if not to terrorize and intimidate the African American population and advance the interests of White Supremacy? Can the events of July 4-8, 1876 be storied any other way?

President of the Friends of Calhoun Park (FCP) community organization

EmmaLynn Skaggs

EmmaLynn Skaggs is a lifelong resident of North Augusta. She and her husband have three children (ages 6, 11, and 14) and for the past 15 years she has lived directly across the street from Calhoun Park.

She has been a member of the Friends of Calhoun Park (FCP) community organization for 10 years, serving as president for the last two. The organization works to preserve the natural beauty of the park while also hosting community events. FCP organizes trash and debris pick-up days and raises funds for professional landscaping. In the summer, the park hosts "Thursday Night Popsicles" and a monthly "Movie-in-the-Park" from April-October. Both events are free of charge.

Skaggs deeply resents the attention the monument has been receiving. More out-of-towners have been stopping to view the monument, trampling over the flower beds she worked so hard to plant and tossing trash on the ground.

Curfew violations have also been an increasing issue. The park closes at dusk, but frequently, individuals have been spotted roaming around the park at night, some carrying torches. Police are typically dispatched, which can be traumatic for her children.

Skaggs is desperate for a way to stave off any potential Charlottesville-esque confrontation between groups in Calhoun Park. Not only is she fearful of damage to the park, but also for the safety of her children.

The monument currently serves as the focal point of the park. Skaggs believes the park would lose its aesthetic appeal if that space was vacated. Does anyone even read that monument? Maybe we could just cover the words up somehow? A quick solution that does not alter the look of the park is best in her opinion. Any monument removal/relocation/building of a new monument would mean heavy equipment (which would destroy the park grounds) and a lengthy closure of the park (which means no community events for an extended period).

Skaggs agrees with AnnaLee Tomlinson that gun violence is a serious problem in America. Skaggs has never taken much time to reflect on the true meaning of the Meriwether monument, but maybe Tomlinson has a point. Afterall, a young man was killed. How would Skaggs feel if one of her children was killed in a gun-violence related incident?

DEBRIEF

- Allow each student participant an opportunity to comment on his/her experience negotiating as one of the various stakeholders
- Solicit additional reactions from students that acted as audience members and were observing the negotiation

FURTHER DISCUSSION QUESTIONS

- Think about the setting. Is a public-forum style negotiation appropriate for this context? Would this negotiation have been more successful in a different setting? If so, what would be a more appropriate setting?
- Did Mayor Pettit invite the right stakeholders to the negotiation? Are there important voices he neglected? Did he give a voice to someone that did not deserve it?
- Who had power in this negotiation? Did they use it in a constructive or destructive manner?
- Women featured prominently in this negotiation (4 of the 6 seats at the table were occupied by women in this negotiation simulation). Would you consider any of the female characters to be feminists or womanists? Why/Why not? What would a feminist's or womanist's interest, position, BATNA, or ZOPA be for this negotiation?

Note: Discussion questions are simply a guide to facilitate meaningful reflection on this negotiation simulation. Faculty member and class members should feel empowered to comment on the simulation and pose questions as they see fit

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