Two bills aiming to protect statues killed

Law would have required legislative OK for removal

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Legislative efforts to protect Confederate monuments in Louisiana failed Wednesday when a state Senate committee voted down two measures. Senate Bill 198 would have required legislative approval prior to removal of statues. House Bill 71 would require a public referendum before memorials are taken down.

Voting 4-2 for each bill, the Senate and Governmental Affairs Committee rejected both.

State Sen. Beth Mizell, R-Franklinton, said her SB 198 never mentioned the Civil War. She felt the testimony Wednesday took the intent of her legislation down a different path from the protections of military and historical monuments that she wanted.

Sen. Gregory Tarver, D-Shreveport, noted that the two-year fight to remove monuments in New Orleans is over. Still, most of testimony Wednesday refought the recent removal of the four statues.

New Orleans Sen. Karen Carter Peterson, the committee's chairwoman and head of the Louisiana Democratic Party, said, at their essence, both bills are about whether state government should overrule decisions local government makes about the monuments it owns sitting on property it owns and to decide whom to celebrate with these memorials.

Nevertheless, Peterson allowed witnesses freehand to discuss their different, but relevant, takes on the history and impact of slavery to the origins and meaning of the Civil War.

Peterson said many supporters were impassioned by the belief they were protecting the memories of their Confederate soldier ancestors. But she also wanted to remember the experiences of opponents whose ancestors were enslaved.

When HB 71 was sent to Peterson's committee, supporters erupted in the blogosphere claiming she would never allow a fair hearing.

Peterson said she received dozens of vitriolic emails. But she also determined that everyone would get a chance to have their say.

Unlike the House committee hearing — where the chairman used an egg timer to limit testimony — Peterson let everyone talk as long as they wanted. The hearing lasted about 6 hours.

Rob Maness, a former U.S. Senate candidate who testified in favor of the legislation, complimented Peterson for her handling of the hearing.

All 13 of the supporters who testified in favor of the two bills were white. The audience groaned or clapped to classes made during testimony until scolded by senators-at-arms who were tasked with keeping order.

Some supporters argued slavery wasn't really a racial issue. Dana Farley, of New Orleans, for instance, argued that tribal leaders in Africa sold slaves.

Sen. JP Morrell, D-New Orleans, countered that was like saying South American coca farmers were more culpable for the sale of illegal drugs in America than crime lords.

Several witnesses making their first foray were taken back at senators on the panel talking among themselves or checking their smartphones.

Jenna Bernstein was angered that some of the senators were absent. "I came a long way, from Florida. I want them all here when I speak," she said standing at the testimony table and yelling at Peterson.

The chairwoman explained that a few members also were attending a Senate Finance Committee hearing at the same time.

Sen. Wesley Bishop, D-New Orleans, said he was concerned about the precedent that would set if a referendum was called whenever a group of people disagreed with the decision made by local government.

The issue in New Orleans was vetted by two commissions, which approved the removal of the statues. Then, the City Council voted 6-1 to remove the monuments. The procedure was challenged in court and upheld.

"Where does it end?" he asked.

Bishop said he was elected to be the voice of his constituents. And every four years, the voters can replace him if they don't like what he says.

"That's the way representative democracy works," Bishop said.

Nicholas Mitchell, of the Jesuit Social Research Institute at Loyola University in New Orleans, provided something of a history lesson. He said the monuments were put up after the Confederate States of America had lost the war as a reminder to people of color that white people were in charge. The memorials were erected as Louisiana was passing laws that restricted voting, housing and other rights for black people.

Voting for both bills was identical and broke along racial and party lines.

Voting against SB 198 and HB 71 were Democratic Sens. Bishop, Morrell, Tarver and Troy Carter, of New Orleans.

Voting for both measures were Republican Sens. Neil Riser, of Columbia, and Mike Walsworth, of West Monroe.

State Rep. Thomas Carmody Jr, the Shreveport Republican who sponsored HB 71, said he would bring the legislation back again next year.