

Weaponizing Historical Memory: Legal Battles Over Statues, Monuments, and Collective Trauma

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This study aims to explore how historical memory is weaponized through legal and societal conflicts over statues and monuments, with a focus on their role in collective trauma, identity, and symbolic justice. This article employs a scientific narrative review approach using a descriptive analysis method to synthesize interdisciplinary literature from 2019 to 2024 across memory studies, trauma theory, legal scholarship, and cultural anthropology. Relevant case studies, legal rulings, scholarly articles, and theoretical frameworks were selected through systematic searches of academic databases. The analysis focuses on comparative historical contexts, key legal controversies, psychological effects, and activist responses related to monuments in the United States, the United Kingdom, South Africa, Eastern Europe, France, and Belgium. The findings reveal that monuments act as contested sites of public memory and instruments of political power, capable of both reflecting and suppressing collective trauma. Legal disputes over their removal or preservation often involve conflicting principles such as cultural heritage protection, freedom of expression, and democratic representation. Statues connected to colonialism, slavery, or totalitarian regimes frequently provoke public protest and judicial challenges, exposing deep societal divides. The presence of oppressive symbols in public spaces contributes to psychological distress and intergenerational trauma among marginalized groups, while their removal can serve as a form of symbolic justice. In parallel, emerging practices such as counter-monuments and memory activism offer alternative strategies for reckoning with the past. Statues and monuments are not neutral artifacts but dynamic symbols that influence how societies remember and negotiate historical trauma. Their legal and cultural contestation underscores broader struggles over identity, justice, and collective healing, making public commemoration a critical site for ethical and political transformation.

Keywords: *Monuments, Collective Memory, Legal Controversy, Cultural Trauma, Public Protest, Memory Activism, Symbolic Justice*

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1. Introduction

In recent years, statues and monuments once considered enduring symbols of national pride or historical commemoration have become lightning rods for political and legal conflict. Across the globe, debates about which figures deserve public veneration have intensified, revealing deeper societal struggles over memory, identity, and justice. From the removal of

Confederate statues in the United States to the defacement of colonial monuments in Europe and the dismantling of Soviet-era memorials in Eastern Europe, a collective reckoning with historical memory has emerged. These disputes are not merely about stone and bronze; they reflect clashes over narratives of the past, who has the right to shape them, and how societies choose to remember or forget historical trauma.



The removal or protection of public monuments has become a contentious global issue, especially in democratic societies grappling with historical injustices. In the United States, the 2017 Unite the Right rally in Charlottesville, Virginia—centered around the proposed removal of a statue of Confederate General Robert E. Lee—brought international attention to the volatile intersections of racism, heritage, and public symbolism. This event spurred a broader movement to reassess monuments associated with white supremacy and colonial oppression. In parallel, European countries have faced renewed scrutiny of their colonial legacies. The statue of Edward Colston, a slave trader whose likeness stood in Bristol, England, was pulled down by protestors in 2020 and thrown into the harbor, sparking a wider debate about Britain's imperial past and the legal ownership of public history (Zietlow, 2020).

Similar tensions are evident across Eastern Europe and the post-Soviet sphere, where de-communization laws have triggered the removal of monuments to Soviet leaders and war heroes. In Bulgaria, for instance, Soviet monuments have become focal points for competing national memories, with some viewing them as relics of foreign domination and others as symbols of anti-fascist resistance (Рикев, 2022). These struggles are further complicated by the presence of laws that regulate memory and historical interpretation. Memory laws, which aim to shape public understanding of the past through legal instruments, have been enacted in several countries to criminalize denial of genocide, glorification of totalitarian regimes, or perceived slander of national heroes. These legal measures, though intended to promote reconciliation or protect victims' dignity, often serve to institutionalize particular historical narratives at the expense of pluralism and open debate (Sadowski et al., 2024).

At the heart of these disputes lies the concept of collective memory, which refers to the shared recollections and interpretations of historical events within a group or society. Collective memory is not static; it evolves over time, influenced by political shifts, cultural production, and generational change. As Simko argues, collective memory operates through both formal commemorative practices and informal cultural transmission, shaping how societies understand themselves in relation to their past (Simko, 2019). In this context, statues and monuments function as material

anchors for memory, embedding narratives of power, suffering, or triumph into the landscape of everyday life. Closely tied to collective memory is the concept of cultural trauma, which occurs when a group experiences a profoundly distressing event that leaves lasting psychological and symbolic scars. Cultural trauma is not merely the residue of past suffering but a socially mediated process through which that suffering is interpreted and integrated into collective identity. As Eyerman emphasizes, cultural trauma involves the re-narration of painful histories in a way that binds communities together, even as it highlights their wounds (Eyerman, 2019). In many cases, monuments become proxies in the struggle to acknowledge or deny such trauma. Their presence or absence can validate or silence the experiences of historically marginalized groups.

Symbolic violence, another critical concept in this discourse, refers to the imposition of dominant cultural meanings and values through symbols that appear neutral or natural. According to Bourdieu's formulation, symbolic violence often operates subtly, reinforcing social hierarchies through the normalization of particular worldviews. In the context of public monuments, symbolic violence manifests in the glorification of figures whose actions may have caused immense harm to others. The continued display of such statues can be experienced as an ongoing form of marginalization or erasure, especially when legal systems resist calls for their removal. As Veh and Raubenheimer note, the aesthetics of monumentality often reinforce white masculine dominance, shaping public space in ways that exclude alternative historical voices (Veh & Raubenheimer, 2022).

The law plays a complex and often contradictory role in these debates. On the one hand, legal frameworks are used to protect cultural heritage, ensuring that monuments are not destroyed arbitrarily. On the other, the law can become a tool for regulating memory and stifling dissent. In some cases, court decisions affirm local governments' rights to remove statues deemed offensive or divisive; in others, national laws impose restrictions on altering public commemorations. As Čerče observes, the legal status of monuments often reflects deeper ideological struggles over who has the authority to interpret the past and how that authority is exercised in public space (Čerče, 2024). These dynamics

are further complicated by the emergence of counter-monuments and ephemeral memorials, which challenge dominant narratives through temporary, participatory, or critical forms of commemoration (Koo & Yang, 2024). The aim of this study is to explore how legal battles over statues and monuments intersect with collective trauma, contested memory, and symbolic power. By conducting a narrative review grounded in descriptive analysis, this article seeks to uncover the ways in which historical memory is weaponized in public spaces and litigated in courts. Through an interdisciplinary lens that draws on legal theory, memory studies, and trauma scholarship, the article will analyze case studies from various regions to illustrate how monuments become focal points in broader struggles over identity, justice, and belonging. Rather than offering a single explanatory model, the study aims to synthesize diverse perspectives and highlight the sociolegal mechanisms through which public memory is negotiated and transformed.

2. Methodology

This study adopts a scientific narrative review design with a descriptive analysis method to examine the phenomenon of legal and societal disputes over statues and monuments in relation to collective trauma and historical memory. A narrative review is particularly well-suited for synthesizing literature across interdisciplinary domains, allowing for a coherent exploration of how legal frameworks interact with public memory, trauma narratives, and symbolic representation. The descriptive analysis method enables a thematic categorization of the data while maintaining the depth and contextual richness required to understand complex sociolegal dynamics. Rather than focusing on hypothesis testing, this review aims to provide a conceptual and analytical synthesis of how historical memory is weaponized in public spaces through legal and political means. The research process involved identifying, organizing, and analyzing academic literature, legal documents, and case studies published between 2019 and 2024 that are relevant to the intersections of law, memory politics, cultural heritage, and collective trauma.

The literature was gathered through systematic searches of academic databases including Scopus, JSTOR, Web of Science, and Google Scholar, with particular attention given to peer-reviewed journals in the fields of legal

studies, political science, memory studies, trauma psychology, cultural heritage, and sociology. Keywords used during the search included combinations such as "monument law," "statue removal," "collective trauma," "memory politics," "legal battles over monuments," "symbolic violence," and "public memory." To ensure temporal relevance, only sources published between 2019 and 2024 were included in the review. This five-year period captures recent socio-political developments and legal debates, including the global resonance of movements like Black Lives Matter, decolonization efforts in Europe, and post-Soviet memory reconfigurations. In addition to academic literature, relevant court decisions, government policies, and NGO reports were analyzed to illustrate real-world applications of legal arguments in memory-related disputes. Selection criteria prioritized sources that explicitly addressed the legal dimensions of monument conflicts and/or their psychological or symbolic significance within collective identity narratives.

A qualitative thematic analysis was conducted on the selected literature and legal cases using a descriptive framework. The analysis followed a three-stage process: initial familiarization with the texts, identification of key themes and concepts, and synthesis of findings into a coherent narrative structure. Themes such as legal symbolism, historical denialism, memorial justice, state power, trauma representation, and counter-monument activism were iteratively coded and refined. While no software was used for coding due to the interpretive nature of narrative reviews, rigorous attention was paid to consistency and conceptual clarity. Special emphasis was placed on cross-contextual comparisons to highlight how different legal systems and cultural frameworks shape the contestation of public symbols. This interpretive synthesis integrates empirical legal cases, theoretical insights, and sociopolitical analysis to offer a multidimensional understanding of how statues and monuments function as flashpoints for unresolved historical trauma and contested narratives of national identity.

3. Theoretical Framework

The theoretical grounding of this study lies at the intersection of memory studies, trauma theory, and legal semiotics, forming a conceptual triad that illuminates how statues and monuments function not only as

aesthetic objects but as dynamic sites where legal authority, cultural power, and historical meaning converge. The removal, preservation, or reinterpretation of monuments occurs within a discursive terrain shaped by collective memory, symbolic violence, and the legal codification of cultural narratives. These theoretical perspectives allow for an understanding of how law and public symbols interact within broader processes of meaning-making, identity formation, and societal trauma.

In the field of memory studies, the concept of *lieux de mémoire* developed by Pierre Nora offers a foundational lens for interpreting the role of monuments in shaping collective memory. According to Nora, modern societies increasingly rely on physical and symbolic sites—such as monuments, museums, and memorials—to preserve history in the face of what he describes as the “acceleration of history.” These sites function as repositories of meaning, where official memory is anchored and reactivated over time. Monuments, in this sense, are not passive objects but active participants in the construction of national identity. They condense and communicate selective interpretations of the past, reinforcing or contesting dominant narratives. Nora’s framework is echoed in the analysis of Eastern European memory politics, where Soviet-era statues continue to serve as battlegrounds over competing interpretations of liberation, occupation, and trauma (Řídký, 2023).

Building on Nora’s ideas, Jeffrey Olick distinguishes between “collected memory,” which refers to personal or communal recollections, and “collective memory,” which is institutionalized through cultural symbols, political discourse, and law. Olick’s dualistic approach highlights how memory is not simply inherited but is shaped and reshaped through political contestation and state practices. This is evident in the legal protection or destruction of monuments that symbolize colonial violence, such as the debates surrounding Portugal’s Padrão dos Descobrimentos monument. As Sadowski illustrates, the monument has become a symbolic focal point for contesting imperial nostalgia and initiating a twenty-first century reckoning with the legacy of exploration and subjugation (Sadowski et al., 2024).

Trauma theory further enriches the analysis by framing monuments as contested symbols of historical suffering and unresolved collective pain. Cathy Caruth’s theory of trauma emphasizes the belated nature of traumatic

experience—its recurrence and rearticulation through indirect signs, narratives, and images. This conceptualization is particularly salient in cases where monuments represent not only the past but the failure to address its consequences. The perpetuation of statues that commemorate figures implicated in genocide, slavery, or state repression can reactivate historical wounds, producing what has been termed “cultural trauma.” As Eyerman explains, cultural trauma involves the collective processing of an event perceived as shattering to a group’s identity, which is subsequently integrated into a shared narrative through public rituals and symbolic representations (Eyerman, 2019).

The traumatic implications of public monuments are exemplified in the South African context, where competing historical narratives are materialized in memorial landscapes. As Богатова notes, the museification of traumatic pasts often produces conflicting interpretations, with museums and monuments functioning as sites of ideological negotiation rather than consensus (Богатова & Mitrofanova, 2020). Similarly, in Indonesia, memorials commemorating the 2004 tsunami in Aceh evoke collective mourning but also raise questions about how trauma is mediated through architecture and public space (Nazaruddin & Indah, 2021). These examples illustrate how monuments are implicated in processes of remembering and forgetting, not only reflecting trauma but shaping its cultural and political articulation.

The question of symbolic violence is central to understanding how monuments can simultaneously assert and obscure power. Michel Foucault’s theory of power as diffuse and embedded in discourse provides a critical framework for analyzing how legal and cultural systems produce regimes of truth that become normalized through public symbols. Monuments are part of what Foucault would describe as “technologies of power”—mechanisms that stabilize certain historical narratives while marginalizing others. Their seemingly apolitical presence masks their role in legitimizing authority and shaping public consciousness. As Veh and Raubenheimer point out, many memorials privilege specific racialized and gendered identities, often reinforcing the symbolic dominance of white masculinity in national memoryscapes (Veh & Raubenheimer, 2022). In this light, counter-monuments and critical interventions in public space become forms of resistance

against symbolic domination. Koo and Yang explore how counter-monuments, characterized by their non-permanence and participatory nature, offer alternative modes of commemoration that challenge the monumentalization of oppressive figures (Koo & Yang, 2024). These structures resist closure and invite ongoing reflection, making them particularly relevant in societies undergoing democratic transformation or cultural reparation.

Legal semiotics—an approach that examines the meaning-making functions of legal texts and symbols—complements this discussion by elucidating how the law participates in shaping public memory. Law is not merely a system of rules but a cultural institution that encodes values, narratives, and symbols. The legal recognition of monuments as heritage sites or their protection under constitutional frameworks reflects an institutional endorsement of certain historical interpretations. As Čerče argues, the legal status of monuments often mirrors deeper ideological positions about who controls the past and whose stories are rendered visible or invisible in public space (Čerče, 2024).

This dimension is especially pronounced in societies where legal pluralism exists—where multiple normative systems, including customary, religious, and state law, interact and sometimes compete. Legal pluralism highlights how different social groups negotiate memory and justice in diverse ways, with the law serving as both a battleground and a medium of expression. In Turkey, for example, the case of the statue of the holy-madman in Dersim reveals how aesthetic and spiritual expressions of mourning become politicized within a larger discourse of Kurdish identity and historical denial (İlengiz, 2022). Similarly, Aribičan's examination of the Hagia Sophia's reconversion into a mosque illustrates how religious and political memory are entangled in legal decisions that carry profound symbolic weight (Aribičan, 2021).

The performative aspect of law, wherein legal declarations shape public understanding of reality, is especially relevant in the context of memory laws. These laws not only penalize certain forms of expression but also authorize specific narratives as historically valid. In Hungary, for instance, the state has used legislation to enshrine particular visions of national identity that valorize unburied historical figures and silence dissenting memories (Fekete, 2020). Similarly, in Ukraine, visual media and legal instruments have been

mobilized to construct a post-war cultural identity that both mourns and politicizes trauma, as documented in Prykhodko's study of visual culture in the Ukrainian context (Prykhodko, 2024).

The semiotic richness of legal symbols extends to the judicial process itself, where court decisions about monuments often invoke broader values such as dignity, heritage, and public order. These legal interpretations are not neutral but reflect prevailing political ideologies and cultural assumptions. Laycock's analysis of religious iconography in public spaces, for example, reveals how legal discourse frames certain beliefs and histories as legitimate while excluding others from the civic imaginary (Laycock, 2020). Similarly, Leon et al. demonstrate how legal and psychological frameworks intersect in shaping trauma responses to public symbols during moments of societal crisis, such as the COVID-19 pandemic and the racial awakening of 2020 in the United States (Leon et al., 2023).

Taken together, these theoretical perspectives emphasize the entanglement of monuments, memory, and law in producing symbolic orders that shape how societies relate to their past. Monuments are not merely historical artifacts; they are active sites of meaning production, contested terrain where law, culture, and trauma intersect. Through a synthesis of memory studies, trauma theory, and legal semiotics, this study seeks to illuminate how these intersecting forces weaponize historical memory in ways that both reflect and shape collective identity. Understanding this dynamic is essential for grasping the broader implications of monument controversies, not only as legal disputes but as cultural struggles over the soul of a nation.

4. Historical and Political Context

Throughout history, regimes and political movements have used monuments as tools to inscribe power, ideology, and historical memory into public space. These structures often function as enduring representations of dominant narratives, meant to project continuity, legitimacy, and moral authority. However, the meaning of monuments is rarely fixed. As regimes fall, societies transition, and collective consciousness shifts, the same monuments that once symbolized glory may become contentious markers of oppression. Contesting the presence, removal, or reinterpretation of such

monuments has therefore become central to historical reckoning and the pursuit of transitional justice, particularly in the aftermath of authoritarian rule, colonial domination, or violent conflict.

One of the clearest historical examples of monumental propaganda emerged in Nazi Germany, where the regime employed statues, architecture, and commemorative rituals to advance a narrative of racial purity and national revival. Monuments to Aryan warriors, mythical Germanic figures, and Nazi leaders were strategically placed to cultivate a sense of historical destiny and cultural superiority. Following the fall of the Third Reich, these symbols were systematically dismantled or repurposed as part of denazification efforts. The destruction of Nazi monuments was not only a practical act of purging fascist iconography but also a symbolic gesture toward rebuilding German national identity on democratic and inclusive grounds. This approach became a model for post-conflict societies attempting to confront legacies of state violence.

In South Africa, monuments have served as potent symbols of apartheid and the resistance against it. During the apartheid era, public spaces were dominated by statues of Afrikaner leaders and colonial pioneers, reinforcing narratives of white supremacy and settler triumph. With the end of apartheid and the establishment of democratic governance in the 1990s, South Africa faced the challenge of how to reconcile its racially exclusive memorial landscape with the new values of equality and inclusivity. As Борагова argues, the process of museification and reinterpretation of monuments in South Africa reflects broader tensions between competing historical narratives and the desire for symbolic justice (Борагова & Mitrofanova, 2020). The transformation of sites like the Voortrekker Monument or the inclusion of indigenous and anti-apartheid heroes in public commemoration illustrates the complexities of transitional justice in deeply divided societies.

In the post-Soviet context, the collapse of the USSR triggered widespread debates about the legacy of communist rule and the fate of Soviet-era statues. Across Eastern Europe and Central Asia, statues of Lenin, Marx, and Soviet war heroes were toppled, defaced, or relocated to open-air museums. These acts were often spontaneous and politically charged, reflecting both nationalistic fervor and a desire to reclaim public space

from totalitarian symbolism. In Ukraine, for example, the wave of “Leninopad” monument removals beginning in 2013 marked a pivotal moment in the country’s redefinition of its historical and geopolitical identity. These removals were not merely acts of erasure but statements of belonging to a European democratic tradition rather than a Russian imperial legacy. As Prykhodko demonstrates, such symbolic gestures are deeply intertwined with cultural trauma and the visual media narratives that accompany them (Prykhodko, 2024).

In Bulgaria, similar controversies have unfolded around Soviet memorials, with public and legal debates reflecting polarized views on Soviet influence during and after World War II. For some, these statues represent liberation from fascism and are an integral part of anti-Nazi heritage; for others, they symbolize decades of foreign occupation and ideological suppression. As Рикев outlines, the presence of these monuments continues to provoke national debate and raises critical questions about the limits of state-sanctioned memory and the right to forget or reinterpret the past (Рикев, 2022). These conflicts underscore the difficulty of balancing historical preservation with the evolving values of post-authoritarian societies.

Colonial empires also left behind extensive monumental landscapes designed to glorify conquest, civilizing missions, and imperial grandeur. In the United Kingdom, France, Belgium, and the Netherlands, statues of colonial administrators, explorers, and military figures adorned city squares and government buildings, asserting the legitimacy of empire in both domestic and colonial contexts. However, the postcolonial period has seen increasing resistance to these symbols, particularly from diasporic communities and racial justice movements. The Rhodes Must Fall campaign, which originated in South Africa before spreading to Oxford University, challenged the continued veneration of Cecil Rhodes as a benefactor of education despite his role in colonial exploitation. As Čerče notes, the Rhodes statue became a site of moral and legal contention, where demands for removal were met with institutional inertia and debates about historical context and academic freedom (Čerče, 2024).

Legal flashpoints have often emerged when municipal governments attempt to remove controversial monuments but face legal challenges from state

authorities, heritage preservation bodies, or advocacy groups. In the United States, Confederate statues have been at the center of numerous lawsuits, where questions of local autonomy, historical preservation, and civil rights collide. Zietlow discusses how courts have become arenas for adjudicating historical meaning, often invoking constitutional principles such as freedom of speech or due process to either support or obstruct the removal of offensive symbols (Zietlow, 2020). These legal battles reflect deeper structural tensions between symbolic representation and democratic accountability, revealing how law can either facilitate or constrain cultural change.

Monuments are also closely linked to transitional justice, the broader framework through which societies address past human rights violations and seek to build inclusive futures. In many post-conflict settings, the fate of monuments becomes part of truth and reconciliation processes, where decisions about preservation or removal are seen as indicators of national commitment to justice and healing. In Indonesia, the memorialization of the 2004 tsunami serves both as a tribute to the lives lost and a platform for national resilience and education. As Nazaruddin emphasizes, these monuments are deeply embedded in public consciousness and serve as mediators of collective grief and recovery (Nazaruddin & Indah, 2021). They also raise important questions about who has the authority to narrate trauma and how such narratives are institutionalized through physical structures.

In addition to state-led efforts, artistic and activist interventions have redefined the commemorative landscape. Counter-monuments, temporary installations, and participatory memorials have emerged as alternatives to traditional heroic statues. These new forms of remembrance often resist closure, inviting ongoing engagement with the past. Koo and Yang describe how counter-monuments operate through absence, fragmentation, and irony, challenging dominant aesthetics and encouraging critical reflection (Koo & Yang, 2024). Such practices are particularly salient in societies undergoing decolonization or democratic transition, where official narratives are being dismantled and reimaged.

A key turning point in the politics of monuments occurred during the global protests following the murder of George Floyd in 2020. The wave of statue removals

and defacements that followed—targeting figures associated with slavery, imperialism, and racism—marked a global reawakening to the symbolic violence embedded in public space. As Leon et al. argue, the trauma of racial oppression was reignited in this moment, linking historical injustice with contemporary experiences of marginalization and state violence (Leon et al., 2023). The protests not only demanded justice for Floyd but questioned the legitimacy of a commemorative landscape that continues to valorize oppressive figures. Monuments have thus become key sites in the struggle over historical narrative, legal legitimacy, and collective identity. Whether through legal adjudication, protest, or artistic reinvention, the fate of statues and memorials reveals the contours of social change and the enduring power of symbolic representation. These processes are not uniform but vary across cultural and political contexts, shaped by local histories, legal frameworks, and the degree of public participation. What unites them, however, is the recognition that monuments are never neutral—they are inscriptions of power, and their contestation is a vital part of reckoning with the past.

5. Legal Controversies and Judicial Narratives

Legal controversies surrounding monuments represent some of the most visible and contentious battlegrounds over historical memory and public space. Courts, municipal councils, and national legislatures have become central arenas where the legitimacy of statues is debated not only in terms of heritage and art but also through constitutional principles and sociopolitical values. At stake in many of these disputes is the tension between freedom of expression, cultural heritage preservation, public morality, and the rights of local communities to shape their commemorative landscapes. Judicial narratives emerging from these controversies often reflect broader ideological conflicts about identity, power, and collective trauma.

One of the most globally recognized legal disputes over monuments took place in Charlottesville, Virginia, where the city's decision to remove a statue of Confederate General Robert E. Lee sparked intense public backlash, culminating in the deadly Unite the Right rally in 2017. The statue's removal was initially challenged by plaintiffs who argued that it violated a Virginia state law prohibiting the alteration or removal of war memorials. This legal framework reflected a broader effort by

Southern states to preserve Confederate iconography under the guise of historical commemoration. However, critics of the statue contended that it symbolized white supremacy and served as a painful reminder of systemic racism. As Zietlow explains, the judicial reasoning in cases like this often involves balancing constitutional rights, such as freedom of expression and equal protection, against state interests in heritage preservation (Zietlow, 2020). In this case, the courts were forced to navigate the murky terrain between protecting history and confronting the legacies of racial oppression.

The legal tension in Charlottesville mirrored broader debates across the United States, where local governments sought to remove Confederate symbols, only to encounter state laws that either prohibited such actions or imposed procedural hurdles. These conflicts illuminated the structural disconnect between municipal autonomy and state-level memory policies. While cities like New Orleans and Baltimore moved swiftly to dismantle Confederate monuments, others faced protracted legal battles that revealed the deep entrenchment of historical narratives in legal codes. Zietlow underscores that the courts, in these cases, did not merely interpret the law; they played an active role in shaping the political discourse around public memory (Zietlow, 2020).

In the United Kingdom and South Africa, the Rhodes Must Fall movement represents a transnational legal and political campaign aimed at decolonizing public space and educational institutions. At the center of the movement is the figure of Cecil Rhodes, a British imperialist whose legacy is marked by land dispossession, racial segregation, and exploitation in Southern Africa. The statue of Rhodes at the University of Cape Town was removed in 2015 following intense student protests and public debate. However, the campaign quickly expanded to the University of Oxford, where efforts to remove a similar statue on the façade of Oriel College sparked legal challenges and national controversy. As Čerče discusses, the legal resistance to statue removal in Oxford rested on heritage protection laws and the perceived threat to architectural integrity and philanthropic tradition (Čerče, 2024).

The judicial narratives in the Rhodes Must Fall cases demonstrate the complexities of reconciling historical accountability with preservationist concerns.

Proponents of removal argued that public institutions had a moral responsibility to address the colonial violence associated with figures like Rhodes. Opponents, including heritage bodies and alumni associations, claimed that the statue should remain as a historical artifact that could provoke dialogue rather than erasure. The decision by Oriel College in 2021 to retain the statue, despite recommendations from an independent commission to remove it, reflected the power of institutional conservatism and legal ambiguity. As Koo notes, monuments like that of Rhodes are often defended not only for their historical significance but because their removal is perceived as an attack on national identity or cultural cohesion (Koo & Yang, 2024).

In Eastern Europe, the enactment of de-communization laws has led to the legal reconfiguration of public memory through systematic monument removals. Countries like Ukraine, Poland, and the Baltic States have passed legislation mandating the removal of symbols associated with the Soviet regime, including statues of Lenin, commemorative plaques, and street names. In Ukraine, the 2015 de-communization law explicitly prohibited the display of Soviet symbols, leading to the dismantling of thousands of monuments and the renaming of cities and towns. As Prykhodko points out, these laws were justified by appeals to democratic values and national sovereignty, positioning the Soviet legacy as antithetical to contemporary identity (Prykhodko, 2024).

However, these legislative efforts have not been without legal and ethical complications. In some regions with significant Russian-speaking populations, the removal of Soviet monuments has provoked protests and legal challenges on the grounds of cultural discrimination and historical revisionism. Courts in these areas have been tasked with interpreting the constitutionality of memory laws in light of minority rights and freedom of cultural expression. The resulting judicial decisions have varied, with some upholding the de-communization mandates as necessary for national unity, while others have emphasized the need for pluralistic memory practices. As Řídký notes, the legal interpretation of public symbols in post-Soviet states often reveals an underlying struggle over who has the authority to define national history and how that history should be inscribed in public consciousness (Řídký, 2023).

In France and Belgium, recent legal challenges have emerged around statues that commemorate colonial figures and events. These countries, which once governed vast overseas empires, continue to display monuments honoring individuals such as King Leopold II in Belgium or colonial military commanders in France. As racial justice movements have gained momentum in these nations, demands for the removal or contextualization of these monuments have intensified. Legal challenges have been filed both to remove offensive statues and to prevent their destruction, leading to complex court battles that involve constitutional protections of cultural heritage, property rights, and freedom of expression.

In Belgium, for instance, legal debates over statues of Leopold II have highlighted the state's reluctance to fully acknowledge the atrocities committed in the Congo Free State. While activists have called for the removal of these monuments as symbols of genocidal violence and racial exploitation, heritage laws and municipal resistance have slowed progress. As Sadowski discusses, the preservation of such monuments is often framed as a matter of historical continuity, even as public sentiment shifts toward accountability and reparation (Sadowski et al., 2024). In France, similar legal controversies have arisen over the commemoration of colonial generals and the refusal to remove statues despite evidence of their involvement in violent repression. These cases illustrate the legal inertia that often protects controversial monuments under the guise of national pride or architectural significance.

A key aspect of these legal battles is the invocation of public interest arguments. In many instances, courts and legislatures must weigh the symbolic harm caused by a monument against its historical or aesthetic value. This balancing act frequently centers on constitutional principles such as freedom of expression, equality, and non-discrimination. For example, in the United States, plaintiffs challenging the removal of Confederate statues have claimed that such actions violate their First Amendment rights to express cultural identity. Conversely, supporters of removal argue that the presence of such statues constitutes a form of government speech that endorses racist ideology. As Laycock argues, the legal interpretation of public religious and historical symbols often hinges on whether

they are viewed as private expressions or state-sponsored endorsements (Laycock, 2020).

Another recurring theme is the conflict between local autonomy and national memory policies. Municipal governments are frequently at the forefront of monument debates, responding to the concerns of local constituents and activist movements. However, their efforts are often constrained by state or national laws that limit their authority to alter public space. This dynamic is evident in cases ranging from Charlottesville to Brussels, where local officials may support removal but face opposition from higher levels of government or centralized heritage authorities. As Winterstein suggests, this tension underscores the difficulty of democratizing memory in societies where historical narratives have long been dictated from above (Winterstein, 2021).

In some cases, the legal resolution of monument disputes leads to creative compromises. Rather than removing statues entirely, cities may choose to relocate them to museums, add explanatory plaques, or erect counter-monuments nearby. These solutions aim to preserve historical artifacts while offering critical engagement with their meanings. As İlengiz demonstrates in the case of the holy-madman statue in Dersim, Turkey, such approaches can facilitate open-ended mourning and nuanced remembrance, allowing for both reverence and critique (İlengiz, 2022). These strategies reflect an emerging recognition that legal adjudication alone cannot resolve the emotional and cultural dimensions of public memory.

Legal controversies over monuments thus reveal the contested nature of historical meaning in contemporary societies. Courts, legislatures, and advocacy groups play pivotal roles in determining which histories are honored, which are silenced, and how symbols of the past are interpreted in the present. While legal decisions are often grounded in principles of heritage preservation and constitutional law, they are inevitably shaped by political context and cultural pressure. The judiciary becomes not only an interpreter of statutes but a participant in the symbolic struggle over collective identity. Understanding these legal narratives is essential for grasping the broader dynamics of how societies reckon with historical trauma and the enduring legacy of their monuments.

6. Monuments and Collective Trauma

Monuments, as symbolic and material presences in public space, have the capacity to reflect or suppress collective trauma depending on their historical context, aesthetic form, and cultural interpretation. While some monuments are erected to honor victims or commemorate collective suffering, many others glorify figures or regimes responsible for oppression, thereby reinforcing dominant narratives while marginalizing or silencing those who endured historical violence. The tension between these functions is particularly pronounced in societies attempting to reconcile with a painful past. Whether maintained, removed, or recontextualized, monuments play a critical role in the mediation of collective trauma, shaping not only how societies remember but also how they heal—or fail to heal—from legacies of harm.

Trauma studies emphasize that collective trauma is not merely the sum of individual pain but a rupture in the shared frameworks that organize meaning and identity. Cathy Caruth's foundational work on trauma underscores that traumatic experience often eludes direct representation, instead returning through indirect forms, symptoms, and symbols. Monuments, in this regard, can function as such symbols, either by encoding trauma in ways that make it publicly visible and open to mourning, or by concealing it beneath heroic imagery and nationalist myths. Eyerman explains that cultural trauma arises when a group's identity is shaken by a catastrophic event that becomes part of its collective memory, and this process is often negotiated through symbolic representations in public space (Eyerman, 2019). When monuments commemorate perpetrators or systems of domination, they risk re-traumatizing affected communities by reaffirming their historical exclusion and ongoing marginalization.

The psychological effects of such symbolic violence are profound, particularly for survivor communities and minority groups who see their trauma dismissed or denied in the public sphere. As Leon et al. argue, public symbols that ignore or distort historical trauma can compound feelings of invisibility, stress, and oppression, especially during periods of societal crisis or racial tension (Leon et al., 2023). Their study, situated during the COVID-19 pandemic and the racial awakening of 2020, illustrates how monuments became focal points

for expressing collective grief and anger, particularly among Black communities in the United States. The presence of Confederate statues in majority-Black neighborhoods, for example, served not only as historical markers but as enduring reminders of white supremacy, communicating a message of exclusion from the nation's symbolic order.

The removal of such monuments can have therapeutic effects, signaling an institutional acknowledgment of past wrongs and a willingness to create more inclusive narratives. However, the process is rarely psychologically neutral. For some, particularly those who identify with the cultural or familial legacy of the figures represented, removal can trigger defensive responses rooted in perceived identity loss or historical negation. Fekete discusses how the contested burial and commemoration of historical figures in Hungary has shaped national identity across decades, illustrating how the treatment of the dead—whether enshrined in monuments or denied memorialization—can fuel symbolic conflict and collective anxiety (Fekete, 2020). These emotional dynamics complicate efforts to reconfigure public space, especially when historical symbols are entangled with present-day political affiliations and intergenerational narratives.

Intergenerational trauma adds another layer to this dynamic, as the psychological scars of historical violence are transmitted across generations through both silence and storytelling. Mindiasvili and Kutsia examine how refugee literature reflects collective trauma across generations, showing that narratives of displacement, loss, and survival become part of cultural identity even for those who did not directly experience the original trauma (Mindiasvili & Kutsia, 2021). Monuments, in this context, serve as physical manifestations of these inherited memories, either affirming them through recognition or erasing them through omission. When monuments fail to acknowledge the suffering of oppressed groups, they not only perpetuate historical denial but also disrupt the intergenerational processing of trauma.

In Indonesia, the memorialization of the 2004 tsunami in Aceh offers insight into how monuments can function as therapeutic devices for a grieving population. As Nazaruddin notes, these memorials act as both sites of mourning and tools for educating future generations, embedding the trauma into the cultural landscape while

enabling collective healing (Nazaruddin & Indah, 2021). However, such positive outcomes depend heavily on the inclusivity of the commemorative process and the narratives it prioritizes. When state-sponsored memorials exclude local voices or impose a singular interpretation of the past, they risk alienating survivors and undermining the very reconciliation they are meant to foster.

In Turkey, the statue of the holy-madman in Dersim illustrates how monuments can articulate forms of “open-ended mourning,” as İleğiz describes, allowing for ongoing reflection rather than closure (İleğiz, 2022). The statue does not offer a definitive interpretation of suffering but invites public engagement with the ambiguities of trauma, memory, and spiritual resistance. This approach contrasts with authoritarian uses of monuments that seek to impose a singular, often sanitized narrative. The open-endedness of the Dersim monument reflects an aesthetic and political strategy that aligns more closely with the lived experience of trauma, which rarely conforms to linear or redemptive models.

Anthropological perspectives further underscore the importance of monuments in organizing social memory and shaping cultural identity. Erokhina, in her research on South Siberian Turkic communities, explores how neotraditional practices involve the sacralization of heritage through public rituals and monumental forms (Erokhina, 2020). These practices are not static; they evolve in response to contemporary concerns, such as political marginalization or spiritual resurgence. Monuments thus become dynamic instruments of cultural renewal or resistance, embodying collective memories that may be suppressed in official discourse. In contexts of ethnic or religious minority status, such monuments can serve as silent witnesses to trauma that remains unacknowledged by dominant institutions.

The museification of traumatic histories also reflects attempts to institutionalize memory in ways that are palatable to a broader public. Боратова’s study of South African memorial landscapes reveals how state-sponsored museums often present curated versions of trauma that emphasize reconciliation over conflict (Боратова & Mitrofanova, 2020). While such narratives may facilitate national healing, they can also obscure ongoing inequalities and marginalize dissenting voices. The tension between reconciliation and recognition is

particularly acute in societies with deep structural divisions, where monuments become contested terrain in the struggle over who gets to tell the story of the past. From a psychological perspective, the symbolism of monuments can affect not only group identity but also individual emotional regulation. The visibility or erasure of historical trauma in public space contributes to a sense of safety or threat, belonging or alienation. When monuments that glorify colonialism or slavery remain unchallenged, they send a message that the suffering of colonized or enslaved peoples is either irrelevant or justified. This symbolic denial reinforces societal hierarchies and perpetuates what Leon et al. term “oppression-based trauma,” a form of psychological distress rooted in systemic marginalization (Leon et al., 2023).

Collective trauma is not only a backward-looking phenomenon; it shapes the possibilities of the future. The decision to maintain, remove, or reinterpret monuments signals a society’s willingness—or refusal—to confront the darker chapters of its history. It also reveals the mechanisms through which historical violence continues to reverberate in the present. As Simko argues, collective memory is always mediated, always contested, and always political (Simko, 2019). Monuments are among the most powerful media through which this memory is transmitted, disrupted, or transformed. Understanding their role in relation to trauma requires an interdisciplinary approach that integrates psychology, cultural anthropology, legal studies, and memory theory.

Ultimately, the engagement with monuments in contexts of collective trauma is not solely about correcting the past but about shaping the ethical orientation of the future. The presence or absence of commemorative symbols influences how societies understand justice, inclusion, and human dignity. As such, the legal, cultural, and emotional debates surrounding monuments are not peripheral—they are central to the processes of healing, accountability, and transformation in the wake of historical violence.

7. Public Space, Protest, and Memory Activism

Public space has long served as a contested arena where civic identity is negotiated and political struggle made

visible. Within this landscape, monuments and public art hold a particularly potent role, standing not only as representations of collective memory but also as markers of ideological power. In moments of societal rupture or mass mobilization, these symbols become focal points for protest, resistance, and transformation. Protest movements often target monuments not merely for their historical associations, but because they inhabit the public sphere as authoritative voices, enshrining certain narratives while excluding others. By physically confronting these symbols, activists aim to disrupt dominant memory regimes and assert alternative visions of justice, identity, and history.

The intersection of monuments and protest was starkly illuminated during the global wave of demonstrations that followed the murder of George Floyd in 2020. Across cities in the United States and around the world, statues of colonial figures, Confederate leaders, and slave traders became sites of confrontation and defiance. As Leon and colleagues argue, this wave of iconoclasm was not simply about removing offensive symbols, but about addressing the broader psychological and societal trauma rooted in systemic racism and historical denial (Leon et al., 2023). Protesters understood that public monuments carry symbolic authority—they legitimize certain histories and marginalize others—and therefore, dismantling them was a way to reclaim public space and rearticulate collective memory.

Iconoclasm, in this context, becomes a form of symbolic justice. It is a performative act through which power is challenged and historical reckoning is demanded. The toppling of statues, the defacement of pedestals, and the re-inscription of messages onto public monuments are acts that force a confrontation with uncomfortable truths. As Fekete discusses in the context of Hungarian national identity, the manipulation of burial and memorial practices can either consolidate authoritarian narratives or, conversely, open spaces for dissent (Fekete, 2020). Iconoclasm thus operates not only as a negation of the past but as a call to reimagine the future—a refusal to allow oppressive legacies to remain uncontested in the public domain.

Yet, not all responses to problematic monuments involve destruction. In recent decades, the emergence of counter-monuments and memory activism has offered alternative approaches to engaging with contested history. Counter-monuments are intentionally designed

to resist the conventions of traditional commemoration. Rather than celebrating heroism or permanence, they often emphasize fragmentation, absence, and participation. As Koo and Yang explain, counter-monuments invite critical reflection rather than reverence, and their aesthetic strategies are meant to provoke discomfort, dialogue, and ambiguity (Koo & Yang, 2024). These monuments may be temporary, site-specific, or interactive, offering dynamic spaces in which collective memory can be negotiated rather than imposed.

One illustrative example of counter-monumental practice is the installation of ephemeral memorials by activists and artists in response to ongoing injustices. In these cases, the monument is no longer a static object but a process—a form of engagement with history that is as much about present struggles as it is about past events. Winterstein examines how graphic counter-memorials in visual media, such as comics and graphic novels, create complex narrative spaces where historical trauma is reimagined and interrogated (Winterstein, 2021). These artistic interventions challenge the boundaries of what constitutes legitimate memory, offering expressive avenues for communities whose histories have been excluded from official accounts.

Memory activism, closely tied to these practices, seeks to democratize the processes of remembering. It involves the use of protest, art, education, and public performance to contest hegemonic narratives and advocate for historical justice. As Eyerman notes, such activism often arises from marginalized communities who use memory as a tool for empowerment and resistance (Eyerman, 2019). These movements not only critique existing monuments but propose new ways of commemorating trauma, resilience, and identity. They represent a shift from passive reception of historical narratives to active participation in shaping them.

In Turkey, the statue of the holy-madman in Dersim offers a poignant example of how public art can reflect mourning and resistance simultaneously. As İlgiz describes, the monument does not celebrate victory or dominance but instead invokes the memory of loss and spiritual defiance in a community marked by historical trauma (İlgiz, 2022). The statue's form and context disrupt the monumental norm, suggesting an open-ended relationship with the past that resists closure and encourages reflection. Such works embody the ethos of

memory activism by foregrounding pain and resilience rather than state-sanctioned pride.

Ultimately, the interaction between public space, protest, and monuments reveals the deeply political nature of remembrance. Monuments are never neutral—they are claims about who matters, what is worth remembering, and whose version of history should prevail. Protest and memory activism contest these claims, asserting the right of all communities to see their experiences and histories reflected in the shared spaces of the city. Whether through iconoclasm, counter-monuments, or performative acts of commemoration, these interventions reshape the symbolic landscape, fostering a more inclusive and dialogic approach to collective memory.

8. Conclusion

Monuments are far more than static objects occupying public space—they are living texts, deeply embedded in the narratives, identities, and traumas of the societies that create and contest them. This article has examined how statues and monuments serve as instruments of historical memory and ideological power, and how their presence or removal reflects broader legal, cultural, and psychological dynamics. Across different national and historical contexts, monuments have emerged as flashpoints where unresolved tensions over justice, identity, and history converge, often igniting legal battles, protest movements, and profound public debates.

At the heart of these conflicts is a fundamental question: who has the right to define the past, and how should that past be represented in shared civic spaces? The legal controversies surrounding monuments highlight the competing principles at play—heritage preservation versus democratic accountability, cultural pride versus historical reckoning, and local autonomy versus national policy. Courts, legislatures, and heritage institutions are frequently called upon to mediate these tensions, but the legal system alone cannot resolve the deep emotional and symbolic issues that monuments evoke. The law may provide a framework for decision-making, but the meaning of monuments is ultimately shaped by the social and cultural contexts in which they exist.

The psychological and social impacts of contested monuments are particularly acute for marginalized communities whose histories have been silenced or

distorted. For these groups, monuments that glorify oppressive figures can serve as daily reminders of exclusion, reinforcing patterns of historical denial and symbolic violence. Conversely, the removal or recontextualization of such monuments can offer opportunities for healing, recognition, and empowerment. Yet, these acts of transformation are rarely uncontroversial; they often provoke backlash from those who perceive them as erasures of tradition or attacks on cultural identity.

In response to these challenges, new forms of remembrance are emerging—counter-monuments, ephemeral memorials, and participatory acts of memory activism—that seek to democratize historical narrative and open space for dialogue. These practices do not simply reject traditional monuments but propose alternative ways of engaging with the past: ways that acknowledge complexity, encourage reflection, and center the experiences of those long excluded from official memory. As societies continue to grapple with their histories of violence, colonization, and division, such innovative approaches will become increasingly vital.

Ultimately, the future of public commemoration lies not in the rigid defense of symbolic structures but in the willingness to confront their meanings, reconsider their roles, and reimagine the collective stories they tell. Monuments, as carriers of memory and identity, must be understood not as permanent declarations of truth, but as evolving symbols capable of change. Whether preserved, removed, or transformed, they reflect the ongoing struggle of societies to make sense of their past and to shape more just and inclusive narratives for future generations. The contest over monuments is, in essence, a contest over meaning—and it is in that contest that the potential for growth, understanding, and reconciliation resides.

Authors' Contributions

Authors contributed equally to this article.

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In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

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