mean that our telling and retelling of history is a complete mush of relativism. The changes come, very often, from a recalculation of means and ends, and a reconsideration of the kind of distance–moral, emotional, or political–that we want to put between us and the past.

The naming of Nichols Hall came just before the onset of one of those transformations in point of view. In 1961 the University faced a Fleming Hall dilemma: one older Fleming Hall, a student residence building; and a new Fleming Hall, just named after a dean at the Law School. The older Fleming Hall thus had to become another kind of Hall, and the search for a new name turned up David Nichols. It was still possible, in 1961, to see all his "contributions" uncritically; writing the memo proposing the name, the Director of Student Residences could see Nichols's merit demonstrated both in the founding of the University and the quieting of the Indian troubles of 1864.

And then, hindsight tells us with such force that it is hard to imagine the innocence (or insensitivity or ignorance) of 1961, came "the sixties." With civil rights advocacy, the Chicano Pride movement, Asian-American activism and an Indian resurgence, many white Americans became deeply, irremediably aware of the diversity they had excluded with their model of nationalistic progress. Vital new scholarship made it clear that there was not simply "another side" to the mainstream story, but <u>many</u> sides, both within and beyond the "mainstream." White Americans who

had assumed that Indian people were invisible or irrelevant in the twentieth century had to reconsider that assumption. If the Fleming Hall dilemma had come up only six or seven years later, one suspects that University officials would have done quite a bit more looking before leaping.

Historical objectivity requires us to consider a broad range of evidence and perspectives. But it does not require us to sever the nerves that connect our emotion to our reason. If we–professors, students, or interested laypeople–become so expert and finely tuned in our cultural relativism that we feel nothing in response either to the murdered women and children at Sand Creek or to the murdered Hungate family on the ranch outside Denver, then professional academic inquiry will have proven itself to be morally anesthetizing and dangerously dehumanizing. Responding to Sand Creek, we find a tailor-made chance to show that we have not, in the academic world, gone utterly over the edge into a relativistic universe, in which all behavior is solely to be studied and never to be judged.

XI

In a judgment echoed by the five additional established scholars I consulted [readers are encouraged to consult the Appendix to examine these responses], Robert Utley (one of the most eminent Western military historians) explained why he felt the word "massacre" fit the events at Sand Creek:

> "Massacre" fairly describes Sand Creek. It is a term so loaded with pejorative connotations that historians should use it carefully and knowingly. For me, the decision to use this word involves a judgment of intent. Where noncombatants were killed deliberately and indiscriminately, I regard massacre [as] an appropriate term. Where they were killed accidentally, or where functioning as combatants, I believe a less inflammatory word should be chosen, such as battle, clash, combat, disaster, or tragedy. Thus I have referred to the tragedy at Wounded Knee, the Fetterman disaster, and the Battle of the Washita. But I have intentionally used massacre to describe Sand Creek because the slaughter was incontestably deliberate and indiscriminate.[114]

And yet Dr. Utley did not recommend changing the name of Nichols Hall:

> Donning my hat now as historic preservationist, let me offer comment on the issue facing the university. It is indeed a delicate and troubling one. But undeniably, historic nomenclature is an element in the significance of a historic property, just as is architectural design, historic use, and association with historic persons and events. All these elements express a time and place worth recalling—as an act of <u>understanding</u> rather than an act of judgment according to the values of the present. To readjust the nomenclature in order to appease the sensibilities of

> the present, however valid, is to do violence to the past, to the opinions and actions of a previous generations, and possibly to a man whose life, save for one three-month period, was honorable and constructive even by today's standards. Nichols Hall should remain Nichols Hall, not as a monument to Sand Creek, but as a reminder of how a previous generation felt about fellow Coloradan David Nichols.[115]

I have quoted Dr. Utley at length because I cannot imagine a clearer or more forceful statement on behalf of preserving the name. In the concluding section of this report, I will explain why I was first in agreement with Dr. Utley's position, and then I will explain how I changed my mind and came to an opposite conclusion. But before those explanations, I would like to note one omission in the information I gave to Dr. Utley about this case. When I wrote him, I did not fully realize how recent the bestowing of the name was; my letter to him, I believe, gave the impression that the construction of the building, the naming of the building, and the Sand Creek episode were all events of roughly the same time period. His argument for historic preservation certainly seems to rest on the idea that "Nichols Hall" dates from the nineteenth century; while I do not know if the fact that the name originated in 1961 would change his thinking, it certainly did change mine.

At the beginning of the inquiry, my own position was close to Dr. Utley's. To change the name seemed a cover-up, an evasion, a denial of the moral complexity of Colorado's past. Changing the name seemed to be a way of saying, "My, that was an unpleasant era in Colorado's history;

let's just try to forget it." First, it seemed to me more honest–and indeed more educational–to keep the name and face up to the moral complexity of the conquest of Colorado. I could imagine an effective and even compelling display case and slide show, presenting the story and driving home the point that those of us who benefit from the founding of the University and the conquering of Colorado and the West hand indeed all of North Americas have come into a complex inheritance.

A second argument for leaving the name unchanged rests on the fact that universities, to come into the world and to stay in the world, must make a few compromises with purity. By the nature of American history, many universities were founded and funded by men who made their fortunes in enterprises resting on slavery, or on other varieties of ruthless exploitation and manipulation of labor. How could one, after all, "clean up" the University of Virginia, when slaveholding was laced through its origins? Perhaps even more important, many universities, especially Southern ones, stayed true to the white-supremacist goals of their founders, down to very recent times. One cannot help wondering about the names on the buildings at the University of Mississippi or the University of Alabama. If it became national policy to limit the names on buildings to the names of Americans who had been, throughout their lives, fair and decent to minorities and the working class, there would be room for a whole new service industry in the removing and refurbishing of name

etc. Even when you get the story to Sand Creek, you then must deal with the breakdown of agreement in records and testimony. A conscripted audience might well feel bored and irritated by this cascade of detail, uncertain of any larger point, and further put off by the partisans of both sides, who would be likely to interrupt the speaker to refight the many battles of interpretation that have become routine and ritual in the years since 1864. While I, for one, love to give lectures to audiences of non-specialists, "Nichols Hall and Sand Creek" is a speaker's opportunity I believe I would turn down (and not wish on a friend).

c) If an audience traveled successfully through the thicket of detail, they would still be likely to notice one fact: while the activities of Nichols in the 1860s and 1870s carry considerable historical weight and significance, the naming of Nichols Hall in 1961 does not. The violence of the 1860s connects directly to the origins of Colorado; the naming of Nichols Hall connects only to a bureaucratic scramble to resolve the confusion between the undergraduate Fleming Hall and the law school Fleming Hall. If the hall had been built and named "Nichols" in the nineteenth century, then it would be a historical artifact worthy of study, resonant with important lessons about attitudes and behavior in the past. It would clearly meet Robert Utley's standards for historical preservation. If the name Nichols Hall dated from 1880, one could fruitfully study the thinking and feeling that led to its naming, and that study could teach

plaques.

While that was my position at the beginning, I have over the last few weeks changed my judgment. Let me explain four reasons.

1) It has seemed to me, from the start, that the name on Nichols Hall is a terrible gesture of inhospitality to Indian students. Whatever else it was, Sand Creek was one of the lowest points in white/Indian contact on this continent, ranking with the dreadful Mystic River Fort Fire in New England in 1637 and, on the other side, with the Santee Sioux uprising in Minnesota in 1862. To celebrate <u>either</u> Sand Creek or the Santee Sioux uprising, the killing of Indians or the killing of whites, would be tasteless, a dreadful way of saying, "Our people killed your people, and we're still glad they did." If we are undertaking to make the University of Colorado a more comfortable and inviting place for Indian people, then "Nichols Hall" makes a gesture that discredits and undermines every well-intentioned gesture the University has made.

2) Originally I had thought that it would be possible to retain the name and use it for educational purposes. The story is, after all, a powerful one, full of both human interest and important historical lessons. But, for the three following reasons, the idea of retaining the name "Nichols Hall" and using it educationally no longer seems workable to me:

a) I cannot imagine a practical and effective way of achieving the educational goal. Place a display case in the building's lobby? We are,

all of us, from freshmen to professors, quite adept at ignoring this kind of information; in buildings that look considerably more "historic" than Nichols Hall does, we easily ignore plaques and displays without even making the effort, especially once they have been in place for some time. Require freshmen to attend an orientation-week lecture on David Nichols, the University, and the conquest of Colorado? Unless it was delivered in a very compelling way (which would, almost by necessity, run the risk of being a very upsetting, even sensationalistic way), such a lecture would probably leave, as its most lasting impact on the audience's mind, a question as to why they had to hear "all that stuff." As the years passed, those charged with administering this ritual might well begin to wonder just what they were doing and why they were doing it.

b) Assuming that someone could think up a viable educational device for presenting the background information on Nichols Hall, it would still be, for the educator involved, a communicatory nightmare. Every lecturer has had the experience of launching into a case study in which the details and confusion over the details begin to overpower the significance and meaning of the story. The Sand Creek story has all the makings for this kind of dilemma. Before you can get to Sand Creek, you must take the audience through the detail of the Fort Wise Treaty, of Colorado territorial politics, of Wynkoop's Smoky Hill meeting, of the Camp Weld discussion, of the transition from Wynkoop to Anthony, etc.,

students something very important about the relatively distant past. But a close study of the duplication of the name "Fleming Hall" and the resulting decision to substitute the name "Nichols"—that study offers rather thin gruel for the mind. The difference between studying the origins of a name bestowed in the nineteenth century and studying the origins of a name bestowed in the mid-twentieth century is as dramatic as the difference between studying a piece of ancient pottery discovered by archaeologists and studying a tourist-shop replica manufactured yesterday. Nearly everyone who has suggested to me that the name should be kept for educational purposes has assumed that the hall got its name a century ago, that the name itself carries a long and revealing historical pedigree. In fact, it does not. Preserving the name does not preserve a piece of the nineteenth century; it preserves, instead, a bureaucratic expedient of 1961.

3) These are times when many critics of higher education have charged that universities have abandoned the teaching of ethics and moral thinking. Retaining the name "Nichols Hall" would confirm those charges. My thinking here rests on the proposition that, to most people, the naming of a building means, implicitly, the <u>honoring</u> of the person involved. Continuing to honor David Nichols would thus place the University in a peculiar moral position.

Let me explain what this would mean in practice. Say the University

keeps the name but requires all the freshmen to learn about Nichols's activities. The events of 1864 show humanity at its worst; for a reminder, simply return to pages 79 and 80 of this report and reread the descriptions of Sand Creek mutilations. Even putting the violence at Sand Creek aside, the one case of Nichols's clear, individual responsibility—at Buffalo Springs on October 10, 1864 (see pp. 83-88 of this report)—is nearly as disturbing in its indiscriminate killing of women (and possibly children), in Nichols's pride in the achievement, and in his violation of the department's commanding officer's instruction that "women and children be spared." If one described these violent events to young people, and then told them that they were to live in a building with a name that commemorated those events, and that they were to consider that building home, then I can imagine a variety of responses, none of them particular desirable in ethical terms. Some students might well be very much distressed by this formal effort on the part of their University to remind them, every time they wrote down their addresses or looked at the outside of their home, of the capacity of humans for brutality. Some students might respond with indifference; and the effort to acquaint them with the events of 1864 might well further anesthetize them, immunizing them against sympathy and bringing David Nichols and Sand Creek to a level of seriousness and significance comparable to the present-day status of Alferd Packer and his not-really-very-festive cannibalism. Most

students might simply end up perplexed; if these dreadful events occurred in the 1860s, and if David Nichols was centrally involved in them, then why would the University choose to honor him for his achievements? Students already have ample opportunity to develop all three of these emotional and ethical positions: melancholy and distress over the human capacity for violence; callousness and indifference to human suffering; and perplexity over the meanings and intentions of University policy and of authority in general. None of these positions deserves or needs University sponsorship. Under these circumstances, retaining the name "Nichols Hall" would make a rather direct statement that universities are, indeed, just about as muddled on ethical questions as their critics have said they were.

Let me say, explicitly, that this is an ethical question, not an ethnic one. If the decision should be to drop the name "Nichols," then I would urge the University to replace it with the name of a person who, to the best of our knowledge, did not injure or kill women, children, or other noncombatants. This ethical objection would, in other words, apply to people of all ethnicities. This does go a bit against the grain of the usual portrayals of Western history. The subject has long been a target for partisans of different sorts who have tried to construct a clear and consistent alignment of "good guys" against "bad guys," "villains" against "victims," with racial identity often defining that alignment. Regardless of

these efforts, the reality of Western American history remains ethnically and ethically complex; neither virtue nor villainy came to rest in the possession of any particular groups. Condemning the attack at Sand Creek has never, in fact, been a matter of pitting whites against non-whites. From the beginning, men like Edward Wynkoop, Joseph Cramer and Silas Soule spoke forcefully against the attackers, even if they were all participants in "Anglo-American culture."

To select the name of an Indian (or Hispanic or black or Asian) person who had attacked or led in the attack of noncombatants would thus be as objectionable as retaining the name "Nichols." The intention, instead, should be to make the rather obvious, but still vital point that the University does not condone the unrestrained killing of noncombatants, regardless of the ethnicity of either attacker or victim.

4) The available historical evidence simply does not support a counterargument that Nichols's philanthropic accomplishments outweigh his actions on October 20 and November 29, 1864. Even if the evidence were available, I am not at all sure what kind of moral calculus would permit one to weight positive against negative, the founding of universities against the killing of noncombatants. But we are spared that trying exercise by the uncertainty of the evidences while we cannot disprove the proposition that Nichols made a heroic ride on behalf of the University, we also cannot prove that he did. There is, therefore, no very

firm basis for arguing that Nichols's service to the University requires us to preserve the name "Nichols Hall."

I would, therefore, recommend that the University change the name of Nichols Hall, and carefully choose a replacement. I would also recommend that the University add a display area to the Heritage Center exploring this complicated troubling, and instructive story.

Respectfully submitted,

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