

A Truth Commission for Central Virginia

Lessons from Eight U.S. Case Studies



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Applied Policy Project

Prepared for University and Community Action for Racial Equity (UCARE)

Disclaimer

The author conducted this study as part of the program of professional education at the Frank Batten School of Leadership and Public Policy, University of Virginia. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author, and are not necessarily endorsed by the Batten School, by the University of Virginia, or by any other agency.

Acknowledgments

I am so grateful for everyone who helped me complete this project. Although I cannot name everyone, I feel indebted to a few in particular.

First and foremost is Dr. Frank Dukes. Lecturer at the University of Virginia, Distinguished Fellow at the Institute for Engagement and Negotiation, and Director of the University and Community Action for Racial Equity (UCARE), Dr. Dukes is an inspiration for anyone interested in conflict resolution, community building, and racial justice. Without his direction and vision, I could not have finished this project. Thank you for your time and for taking a chance on me, Dr. Dukes.

Two other people whose guidance was instrumental to the success of this project are Professors Dan Player and Leora Friedberg. I am amazed by both of you: the amount of time and individualized attention you gave me is astounding considering I was but one student among a couple dozen whom you advised. For all the countless drafts read, for all the comments made, for all the thoughtful advice given, and—most important—for all the hours you spent aiding me, I want to extend you my sincerest thank you.

Finally, I want to thank the people whose support for me is unwavering: my parents, Tom and Jenny, my siblings, my friends, and, of course, my loving wife, Catie. No man is an island, and none of this project was possible without any of you. I want to acknowledge Catie and mother in particular, both of whom are tireless editors of my work, both of whom sounding boards for nearly every idea I contributed in this report.

Glossary

Dialogical truth—A synthetic narrative that society comes to adopt about a previously disputed act of injustice; occurs when people discuss and merge multiple accounts of the injustice; requires (1) public truth-telling about the injustice, especially from the perpetrators, and (2) communal reflection on that truth-telling, as well as on who bears responsibility.

Factual truth—A piece of objective, verifiable information about a disputed event: a fact in the conventional sense.

Personal truth—The lived experience of someone who experienced injustice: especially, the victim's lived experience.

Truth commission—An officially constituted body focused on examining past injustice by encouraging both victims and perpetrators to tell their truths to the community.

Truth-telling—The sharing of the truth: especially, one's lived experience or that of a family member.

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Executive Summary

Racial injustice in Central Virginia is as old as the Commonwealth itself, beginning its fifth century last year. To bring an end to this hideous history, the University and Community Action for Racial Equity (“UCARE”) is leading the effort to create the Central Virginia Truth Commission. As currently conceived, the commission would have a twofold purpose of educating the community about how its history of racial injustice shapes the present and identifying actions to foster equality, equity, and social healing.

Past truth commissions vary tremendously: some comprised several commissioners, others just one; some focused on decades of injustice, others a single event; some were official organs of the state, others independent. This variation makes it a challenge to define what a truth commission is. For now, suffice to say that a truth commission is a body constituted by written mandate to examine past injustice by encouraging both victims and perpetrators to tell their truths to the community.

Issues on truth commissions extend beyond the definitional into theory and empirics. Proponents of truth commissions argue that they facilitate truth-telling, a process they claim yields eight benefits: those range from promoting reconciliation and achieving justice to facilitating institutional reform and deterring future abuses. Critics, however, are skeptical that truth commissions accomplish any of these benefits for three reasons. Theoretically, it is unclear how truth-telling produces these benefits. Empirically, it is hard to evaluate truth commissions because of data limitations and poor model specification. And practically, the time, expense, and retraumatization associated with truth commissions may outweigh whatever benefits they do achieve. What is clear is that the entire truth-commission causal model depends on truth-telling: unless that occurs, none of the claimed benefits will be realized. Consequently, my analysis focused on how UCARE can promote truth-telling once the Central Virginia Truth Commission commences.

To identify successful truth-telling practices from past commissions, scholars prefer to use case studies. As the dominant approach in the literature, it is the method I used in my analysis. I examined the following eight truth commissions:

1. The Greensboro Truth and Reconciliation Commission
2. The Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission
3. The Rosewood Massacre Commission
4. The 1921 Tulsa Race Riot Commission
5. The 1898 Wilmington Race Riot Commission
6. The Mississippi Truth Project
7. The Boston Busing/Desegregation Project
8. The Metropolitan Detroit Truth and Reconciliation Commission on Racial Inequality

I evaluated each commission using three criteria: how effective it was at truth-telling, how costly it was, and how much administrative and political support it received. From my case-study analysis, I reached six conclusions on effective truth commissions:

1. **Pay more attention to who the commissioners are rather than how many.** Careful commissioner selection includes prioritizing diversity and avoiding appearances of bias, to victims, to offenders, or to the state. So long as the commissioners reflect the community under examination, the number of commissioners appears not to affect truth-telling.
2. **Lean on experts and scholars to collect, interpret, and contextualize new information.** A commission composed of a handful of people will necessarily have limitations. Effective commissions recognized their limitations and consulted with experts in those fields, consequently enhancing the factual truths they produced.
3. **Treat fundraising as a prerequisite rather than a guarantee of success.** Commissions need funding: computers, office space, researchers, travel, among other expenses, all cost money. But above a certain threshold (around \$100,000 according to my analysis), the marginal benefit of funding flatlines. At this point, commissions should redirect their attention from fundraising, a time-intensive activity, on to the truth-telling process itself.
4. **Bear in mind that administrative support matters more than political support.** Political support appears to have little or no effect on truth-telling. This finding makes sense: truth commissions often probe into the role the state played in past injustice, and whatever responsibility is attributed to the state ultimately falls on the shoulders of elected officials. Unsurprisingly, commissions with strong initial political support tended to have that support wane over time. Administrative support, by contrast, bears a strong relationship with effective truth-telling; indeed, it appears to be the mainstay of an effective truth commission. Commissions should thus prioritize building and maintaining this essential ingredient of successful truth commissions.
5. **Build administrative support by engaging in community outreach, now and while the commission completes its work.** Some of the most effective commissions so depended on certain community organizations that the latter functioned as alter egos of the former. These organizations provided administrative support not only directly but also indirectly by engaging in community outreach on behalf of the commission. UCARE is well-positioned to serve in this same role for the Central Virginia Truth Commission.
6. **Make it as easy as possible for people to deliver statements before the commission.** Effective commissions minimized the barriers preventing people from sharing their truths. To reduce physical barriers, commissions should offer travel assistance. And to reduce psychological barriers, commissions should allow people to testify in writing, in private, or without attaching their names.

I recommend that UCARE and the Central Virginia truth commission abide by these principles. **But before continuing any further, UCARE should appraise the level of grassroots support for the commission.** Without widespread community support, a truth commission is infeasible. Only if UCARE is confident that such support exists should it continue down the path toward establishing a truth commission. By the same token, UCARE should remain open to the possibility that Central Virginia may not be the right place for a truth commission, at least not right now.

Problem Statement

Central Virginia's history of racial injustice is over four centuries old. Despite brief periods of progress, racial oppression in this community persists to this day. To right some of these wrongs and achieve at least a modicum of racial equity in the region, UCARE, an organization at the University of Virginia, is leading a grassroots effort to establish the Central Virginia Truth Commission. The truth-commission model, however, has faced mounting criticisms since it was first used as a tool of transitional justice in the 1990s. **Because all the purported benefits of truth commissions depend on the truth-telling process, this report considers efforts used by earlier truth commissions to help facilitate truth-telling. Unless members of the Central Virginia community tell their truths, a truth commission will be unable to achieve its goals and will ultimately fail this community.**

Background: Why This Report?

Virginia's legacy of racial injustice began its fifth century last year. In August of 1619, the *White Lion* arrived at Point Comfort, near present-day Fort Monroe, Virginia ("1619: African Arrival Exhibit," n.d.). There the ship's captain, John Lope, unloaded his enslaved cargo, some "20 and odd" Angolans stolen from Portuguese slavers, and sold them to the Virginia Governor, George Yeardley, and his Cape Merchant, Abraham Piersey (Editors, 2019). These Virginians held the men and women they purchased in bondage, placing them in servitude at local households and plantations ("1619: African Arrival Exhibit," n.d.). By 1619, chattel slavery of captive Africans had arrived in North America. It would take another quarter millennium, not to mention countless lives lost in war and armed struggle, for America to uproot this abhorrent sociolegal system.

Yet by then, the seeds had already been sowed. White supremacy and a racialized caste system had already grown into hardened institutions impervious to simple legal or constitutional fixes. Central Virginia's history exemplifies their durability. After Black¹ Virginians enjoyed an apex of equality under the Commonwealth's Reconstruction-era Constitution of 1868, White Virginians drafted a new constitution in 1902 to strip their fellow Black citizens of their rights; they also organized to terrorize and lynch Black residents of Central Virginia like John Henry James (Schneider, 2018; Wolfe, 2018). After Black students in Farmville had their right recognized in *Brown v. Board of Education* to attend the better White schools in town, White leaders of Prince Edward County organized the Massive Resistance movement, shuttering local public schools for an entire generation (Green, 2015). And after back residents of Charlottesville and their allies rallied in this current decade for the removal of confederate monuments displayed downtown, White city residents organized a national White supremacist protest in the city, which captured nationwide attention, led to the deaths of three innocent people, and left the community reeling (Hayter, 2018; Astor, Caron, & Victor, 2017). Racism is not a relic of the past in Central Virginia; racial injustice continues to shape the region.

"It is time we break this cycle," wrote Tom Perriello (2017), a resident of Central Virginia and former member of the U.S. House of Representatives. "Virginia," he went on, "should establish a statewide Truth and Reconciliation Commission on race that could bend this endless loop of progress and backlash into an arc of justice" (Perriello, 2017).

Representative Perriello proved prescient, as his op-ed foreshadowed the decision to create the Central Virginia Truth Commission. Proposed by UCARE, the not-yet-formed commission has a dual working mandate. First, the commission, once formed, will work "to create a community that understands its complex racial history and that impact on the present so that individuals and communities are no longer hindered from working together to cultivate equitable solutions" (*Truth Commission planning - DRAFT mission and goals*, 2019). Second, the commission will strive "to

¹ Throughout this report, I use "Black" to refer Americans of African origin in keeping with the APA style guide ("Racial and ethnic identity," n.d.).

create a community that understands its complex racial history and that history's continuing harmful impact on the present, and that identifies and promotes actions of repair and reparations that foster equality, equity, and healing" (*Truth Commission planning - DRAFT mission and goals*, 2019).

The Central Virginia Truth Commission has many international precedents to learn from. South Africa established one of the first truth commissions² in 1994, following the end of Apartheid (Inwood, 2017). Since then, more than 40 countries have followed South Africa's example (Ibhawoh, 2019). The common element among these commissions is their focus on developing shared public understanding of past human rights abuses in communities that ignore or justify those abuses (Inwood, 2017). A truth commission in Guatemala, for example, spotlighted the role of the government in widespread human rights abuses committed during the country's 36 years of military rule (Inwood, 2017). In her seminal *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (2011), Priscilla Hayner, a leading human rights expert, presents case studies on the commissions in South Africa and Guatemala, along with 38 more from around the world. *Unspeakable Truths* is essential reading on international truth commissions. Yet it only reviews a single case from the United States: the Greensboro Truth and Reconciliation Commission. This oversight typifies the truth-commission literature; no comprehensive analysis of U.S. truth commissions exists, a gap this report intends to fill.

Truth commissions vary in their effectiveness, and many critics decry them as an empty charade, a powerless body incapable of achieving anything meaningful or transformative. A commission in Liberia, for example, concluded its work in 2009, but it never published any records of the conversations it collected (Ibhawoh, 2019). That the commission failed to create a permanent public record of the bloody civil war engulfing Liberia for most of the 1990s meant that it achieved little beyond the symbolism of its existence (Ibhawoh, 2019). In other cases, critics acknowledge that commissions promote some community healing, but not nearly enough to justify the time and resources they demand (Gibson, 2009). The South African commission has faced this criticism, leading at least one commentator to question the utility of these commissions outside a context with as much victimization as the Apartheid (Gibson, 2009).

With the effectiveness of the model in doubt, the Central Virginia Truth Commission must incorporate best practices from other commissions lest it risk failure. **Because all the purported benefits of truth commissions depend on the truth-telling process, this report considers methods used by earlier truth commissions to help facilitate this process. Unless members of the Central Virginia community tell their truths, a truth commission will be unable to achieve its goals and will ultimately fail this community.**

² Throughout this report, I use "truth commission" to refer to truth and reconciliation commissions, as well.

Truth Commissions: Theory, Empirics, and Methodology

Theoretical Foundations

About what precisely a truth commission is, scholars disagree (Langer, 2017), and many have observed that these commissions vary considerably: by their composition, by their goals, and by their powers (see Schlunck, 1998). Even so, consensus on a set of five definitional features has emerged.

A truth commission (1) is focused on the past, rather than ongoing, events; (2) investigates a pattern of events that took place over a period of time; (3) engages directly and broadly with the affected population, gathering information on their experiences; (4) is a temporary body, with the aim of concluding with a final report; and (5) is officially authorized or empowered by the state under review (Hayner, 2011, pp. 11–12; accord Langer, 2017).

A consensus has also emerged on why truth commissions exist. At a minimum, they engage in truth-telling, figuring out a community's past, clarifying its ambiguities, and advancing a public account of what happened (Hayner, 2011). Many also do much more, whether that be aiding victims or recommending institutional reforms (Hayner, 2011).

For years, the theory behind truth commissions was unclear; in 2004, political scientist David Mendeloff added some clarity. In this pathbreaking study, he identified eight central theoretical claims about how the truth-telling process benefits a community.

- 1. Social Healing and Reconciliation.** The first central claim is that truth-telling promotes individual healing, which in turn fosters reconciliation and ultimately peace (Mendeloff, 2004). As Brahm (2004, p. 6) pointed out, “The process of coming to terms with the past can have great psychological benefit for those seeking trauma healing.” Even just sharing one's story can be therapeutic for victims (Mendeloff, 2004). That therapeutic benefit, as Minow (1998) argued, could be enhanced by the sympathetic forum truth commissions create, a forum in which victims can relate their stories free of interruption or skepticism. Once individuals heal, a society can begin to unify. Indeed, some see social unity as the principal aim of truth commissions (Brahm, 2004). “While the Allies could pack up and go home after Nuremberg,” Desmond Tutu (2000, p. 21) wrote, “we in South Africa had to live with one another.” Truth-telling, as the great anti-Apartheid leader saw it, presented a way to unite a divided society.
- 2. Justice.** The second central claim is that truth-telling promotes justice and that it does so in a variety of ways (Mendeloff, 2004). It could dignify all members of a community by giving once-voiceless victims a forum to share their stories (Allen, 1999; Brahm, 2004). It could lay the foundation for redistributive programs by growing a community's “non-conventional resources,” like social awareness and collective memory (Allen, 1999, p. 333;

accord Mendeloff, 2004). And it could restore a sense of injustice to a community desensitized to rampant abuses of law by publishing a detailed report of suffering (Allen, 1999).

3. **Official Historical Record.** The third central claim is that truth-telling creates an official historical record, which helps victims heal, advances a new shared history, and settles conflicts over the past (Mendeloff, 2004). The detailed report published by truth commissions provides an official account of the injustice (Popkin and Roht-Arriaza, 1995). It also creates a record that prompts ongoing critical reflection of a shared history (Allen, 1999). And it provides “the definitive word on the past,” removing “history as a point of contention” in a community (Mendeloff, 2004, p. 360).
4. **Public Education.** The fourth central claim is that truth-telling serves an educative function: the commission report imparts lessons from the past, and the ordered process inculcates a culture centered on respect for human rights (Mendeloff, 2004). “A commission,” Hayner (1994, p. 609) wrote, “can perhaps help reduce the likelihood of future abuses simply by publishing an accurate record of the violence, with the hope that a more knowledgeable citizenry will recognize and resist any sign of return to repressive rule.” Sarkin (1999, p. 800) added, “The hope is that such a record . . . will also further development of a human rights culture.”
5. **Institutional Reform.** The fifth central claim is that truth-telling promotes reform by exposing issues in a community’s institutions (Mendeloff, 2004). Public hearings lay bare the institutions that facilitated past abuses. And commission reports often identify specific institutional problems that need addressing.
6. **Democracy.** The sixth central claim is that, through public hearings and a transparent account of what happened, truth-telling establishes two pillars of democracy: the rule of law and political deliberation (Mendeloff, 2004). By holding past offenders to account and by deterring future abuses, truth-telling promotes the rule of law, the democratic principle that government power is subordinate to laws and institutions. And by settling past conflicts through “debate, not violence,” truth-telling strengthens political deliberation, a necessary condition of a flourishing democracy (Mendeloff, 2004, p. 361).
7. **Preemption.** The seventh central claim is that truth-telling preempts past offenders from committing future violations (Mendeloff, 2004). As Sarkin (1999, p. 801) wrote, “Government endorsement of a committee reporting process and a final report would prevent the old regime from attempting to retake control because the process would eviscerate the old authorities’ ability to deny responsibility, blame others, or claim exigent circumstances.”
8. **Deterrence.** The eighth central claim is that truth-telling deters future abuses (Mendeloff, 2004). Public hearings warn offenders and society at large that human rights violations will not be tolerated or overlooked in the future (Allen, 1999; Brahm, 2004). And forcing past offenders to publicly admit to their transgressions, even in exchange for amnesty, can lead

to public shaming and ostracization, two other powerful deterrents separate and apart from public accountability (Mendeloff, 2004).

Many of the claimed benefits bottom out on untested and untestable normative assumptions (Allen, 1999). The model, for example, assumes that placing the spotlight on perpetrators will lead to progress rather than retrogression, even though both are possible. Take democracy as another example. How does a community benefit from more robust democratic institutions? And how do those institutions link with truth-telling? As long as “poorly developed conceptual and theoretical frameworks” remain in place, scholars will continue to struggle to evaluate truth commissions (Skaar & Malca, 2015, p. 22).

Empirical Challenges

More problematic, all eight claims are empirically intractable. How does one measure the degree of justice in a community, let alone define it? Does truth-telling actually deter future abuses? What is the counterfactual? Although measuring the therapeutic benefit may be possible for a few victims, is it possible for an entire society in which the number of victims totals in the thousands, perhaps even millions?

Even advocates of truth commissions concede these challenges. As Allen (1999, p. 316) admitted, “It is doubtful, given the various factors that intervene in these cases, whether any general claims whatsoever can be made about the capacity of truth commissions to secure the claimed benefits, even for individuals” (accord Shaw, 2005; Mendeloff, 2004). Twenty years later, the claimed benefits of truth commissions remain largely unsubstantiated (Skaar & Malca, 2015).

Quantitative studies nevertheless exist, although their findings are mixed. Olsen and colleagues (2010) concluded that the effectiveness of truth commissions depended on whether they are part of a broader suite of transitional justice initiatives. When employed alone, commissions were associated with lower measures of human rights and democracy; however, the relationship turned positive when commissions were combined with other initiatives like criminal trials or amnesty for perpetrators (Olsen, Payne, & Reiter, 2010). Wiebelhaus-Brahm (2010) found similar nuance: in general, truth commissions related negatively with human rights and bore no relationship with democracy; in specific instances, though, truth commissions related positively with both variables. These two studies exemplify the general rule. After canvassing the quantitative literature, Skaar and Malca (2015) concluded that truth commissions have mixed effects. Quantitative studies thus shed little light on whether truth commissions achieve what their proponents claim they do.

The problems with quantitative studies go beyond ambiguous results. Analyses of this sort assess truth commissions not against their stated goals, but rather against abstract values such as peace, human rights, and democracy (see Skaar & Malca, 2015). Scholars make this methodological move because of data limitations on, say, psychological healing or preemption or deterrence (Hayner, 2011). The value of quantitative studies thus depends on the extent to which abstract values accurately approximate the stated goals of truth commissions (Langer, 2017). The weaker the approximation, the less value these studies have (see Mendeloff, 2004); however, the strength of that approximation remains an open question. Data limitations produce another issue.

Current international datasets lack nuance, obscuring significant developments and trends (Skaar & Malca, 2015). That “there are few truth commissions in comparison to the explanatory variables” makes matters even worse (Langer, 2017, p. 184). All told, data limitations and poor model specification “yield misleading substantive results” (Bakiner, 2016, p. 93).

These issues and limitations of quantitative assessments pose an obvious challenge for anyone interested in deducing best practices from the literature. Because it struggles to reveal much about past commissions, this methodological approach offers little guidance for future commissions.

Do qualitative assessments offer more guidance? On the one hand, qualitative assessments uncover “the dynamics, the possibilities, and the limitations” of truth commissions (Hayner, 2011, p. 26). Because studies in this tradition focus on getting the theoretical mechanism right, they can also establish causal relationships (Bakiner, 2016). On the other hand, causal inferences require comparative data across multiple case studies (Langer, 2017), and yet most of the literature involving qualitative studies analyze single cases (Skaar & Malca, 2015). Also, measuring key outcomes like justice or reconciliation remain as much an issue in qualitative assessments as they do in quantitative ones (Langer, 2017).

Comparative Case-Study Analysis: The Dominant Approach

Given the promises and perils of both qualitative and quantitative studies, many scholars prefer a hybrid approach. Priscilla Hayner, a leading truth-commission expert, concluded: “For better or worse, our assessments of the impact of truth commissions will have to continue to include qualitative, case-specific studies” (2011, p. 26). She adopted this approach in her seminal *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (2011). Though thorough, her case-study analysis includes only a single U.S. commission. Little attention paid to a country with democratic institutions as old and as systemic as its racial caste system, her study has limited import for planners of future U.S. truth commissions.

Skaar and colleagues (2015) took a similar comparative case-study approach as Hayner. They developed a multilayered framework to analyze several case studies systematically. Like Hayner’s, however, their analysis is of limited value, for it focused less on truth commissions specifically than on transitional justice initiatives generally. It also focused on countries transitioning from dictatorship or authoritarianism to democratic rule. Langer (2017) was first to apply the framework developed by Skaar and colleagues solely to truth commissions. His analysis, however, is also of limited value, for he, too, only evaluates truth commissions in countries transitioning to democracy.

A gap remains in the literature for a systematic, comparative case-study analysis of U.S. truth commissions. In the pages that follow, I help fill that gap, deducing recommendations for planners of future U.S. truth commissions. I limit the scope of my analysis to the truth-telling process, a vital link in the truth-commission causal model developed by Professor Mendeloff.

Evaluative Criteria

In my case-study analysis, I evaluate eight U.S. commissions using a set of criteria: effectiveness, cost, and feasibility. In this section, I explain what these criteria mean and what standards of assessment each entail.

Effectiveness

Each commission I analyze aims at promoting truth-telling, a necessary process for realizing any of the purported benefits of truth commissions (see Mendeloff, 2004). To measure how effective a commission was at promoting this process, I follow the work of Hazan (2006), who evaluated the effectiveness of international truth commissions, in part, based on their ability to produce and present the truth. In gauging effectiveness, Hazan asks a series of questions, all of which center around how well a commission produced factual, personal, and dialogical truths. I likewise break down truth-telling into these three components.

- **Factual truth.** Providing concrete, verifiable information, factual truths help settle disputes over the past and answer unresolved questions for victims, their families, and the community (see Hazan, 2006). Whether a truth commission promotes factual truth-telling depends on the degree to which it produces objective information.
- **Personal truth.** Personal truths overlap with factual truths in that both clarify the past (Hazan, 2006). But they differ in that personal truths also refer to the vindication that witnesses feel when sharing their experiences of injustice (Hazan, 2006). Whether a truth commission promotes personal truth-telling depends on the degree to which it prompts victims and their families to share their stories with the commission.
- **Dialogical truth.** Dialogical truths form “the truth which society adopts” (Hazan, 2006, p. 35). Adoption happens when people in the community discuss the events under examination. For that discussion to occur, a commission needs to present both sides of what happened and clarify who was responsible (see Hazan, 2006). Hence, whether a truth commission promotes dialogical truth-telling depends on the degree to which it (1) obtains information from perpetrators and their families and (2) facilitates public reflection on its findings.

How well a commission produces these three kinds of truth determines its rating on an effectiveness scale. Very effective, modestly effective, neutral, modestly ineffective, very ineffective: all comprise the range of possible scores.

Cost

I assess each commission according to how costly it is. The total cost of a commission includes expenditures borne directly by the commission and indirectly by third-parties. Because of data accessibility issues, I use funding levels to approximate the direct cost associated with a commission. Though imperfect, funding levels give a sense of the resources that past commissions

had at their disposal and thus how replicable their truth-telling methods are for planners of future commissions. When data are available, I measure indirect costs using in-kind donations.

Feasibility

A qualitative measure of the ease with which a practice can be implemented, feasibility has both an administrative and political component. Administrative feasibility measures the support a commission receives from the community. Does the commission require coordination across many community stakeholders? What level of time and effort does it demand from these stakeholders? How much time does the commission have to fulfill its mandate? The answers to these and related questions determine whether the administrative support for a commission is low, moderate, or high.

Political feasibility, by contrast, measures the degree of political support a commission has. Does it require authorizing legislation, either at the state or municipal level? How much does it depend on coordination with government agencies or officials? Does it draw on public resources? Like the assessment of administrative feasibility, the answers to these and related questions determine whether the political support for a commission is low, moderate, or high.

Case-Study Analysis: Eight U.S. Truth Commissions

In this section, I apply the evaluative criteria to truth commissions in the United States, focusing on the truth-telling process of each. Given the idiosyncrasies inherent to truth commissions, which are the product of a community's unique history and yearning for a shared understanding of that history, I use case studies as my unit of analysis rather than individual practices devoid of necessary context.

Commentators disagree over how many truth commissions have existed in the United States. Some say only one has been implemented successfully (the Greensboro Truth and Reconciliation Commission) (Glisson, 2015); others put the number much higher (Ricks et al., 2007). Erring on being overinclusive, I have included eight case studies in my analysis. Although some depart more from the truth-commission model than others, none entirely fits within the conventional mold (see Inwood et al., 2015). Still, all eight involve an established body studying past events of violence or injustice according to an official mandate. All eight embody many, though not all, of the five hallmark features of a truth commission. Recall:

A truth commission (1) is focused on the past, rather than ongoing, events; (2) investigates a pattern of events that took place over a period of time; (3) engages directly and broadly with the affected population, gathering information on their experiences; (4) is a temporary body, with the aim of concluding with a final report; and (5) is officially authorized or empowered by the state under review (Hayner, 2011, pp. 11–12; accord Langer, 2017).

I analyze the following eight commission in turn:

1. Greensboro Truth and Reconciliation Commission
2. Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission
3. Rosewood Massacre Commission
4. 1921 Tulsa Race Riot Commission
5. 1898 Wilmington Race Riot Commission
6. Mississippi Truth Project
7. Boston Busing/Desegregation Project
8. Metropolitan Detroit Truth and Reconciliation Commission on Racial Inequality

The last three commissions stalled, never delivering a final report. For these “failed” commissions, I identify what went wrong rather than evaluate them using the criteria. Table 1 summarizes my findings.

Table 1—Outcomes Matrix from Case-Study Analysis

Commission	Effectiveness			Cost ¹	Feasibility	
	Factual truth-telling	Personal truth-telling	Dialogical truth-telling		Administrative support	Political support
Greensboro Truth and Reconciliation Commission	Modestly effective	Modestly effective	Modestly effective	\$500,000+	High	Low
Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission	Very effective	Modestly effective	Very effective	\$1,000,000+	High	Moderate
Rosewood Massacre Commission	Neutral	Very ineffective	Neutral	\$90,000	Low	High
1921 Tulsa Race Riot Commission	Very effective	Very effective	Neutral	\$110,000	High	High
1898 Wilmington Race Riot Commission	Modestly effective	Modestly ineffective	Modestly ineffective	Unfunded	Low	Moderate
Mississippi Truth Project*	—	—	—	\$400,000 ²	—	—
Boston Busing/Desegregation Project*	—	—	—	Funded ³	—	—
Metropolitan Detroit Truth and Reconciliation Commission on Racial Inequality*	—	—	—	Funding withdrawn ⁴	—	—

¹ Presented in today's dollars

² Funding shared with William Winter Institute for Racial Recognition at the University of Mississippi

³ Funding levels not disclosed

⁴ Funding levels not disclosed

* Denotes failed commissions (that is, commissions that did not produce a final report)

Greensboro Truth and Reconciliation Commission

Background on the Commission

In 2004, the Greensboro Truth and Community Reconciliation Project empaneled the Greensboro Truth and Reconciliation Commission (*GRTC Report: Executive Summary*, 2006). According to its mandate, the seven-member commission existed “to examine the ‘context, causes, sequence, and consequences,’ and to make recommendations for community healing around the tragedy in Greensboro, N.C., on Nov. 3, 1979” (*GRTC Report: Executive Summary*, 2006, p. 2).

The events that day began when members of the Ku Klux Klan (“KKK”) and the Nationalist Socialist (“Nazi”) Party of America convened in the streets of Greensboro to disrupt and assault anti-Klan demonstrators from the Communist Workers Party (*GRTC Report: Executive Summary*, 2006). Planning to provoke a violent confrontation, the Klansmen and Nazis later admitted that they came armed and ready to use deadly force (*GRTC Report: Executive Summary*, 2006). Tensions mounted; violence broke out (*GRTC Report: Executive Summary*, 2006). Although both sides exchanged gunfire, the Klan and Nazi counterdemonstrators killed five anti-Klan demonstrators, four of whom unarmed, and wounded at least ten others (*GRTC Report: Executive Summary*, 2006). The violence left dozens of residents and witnesses traumatized (*GRTC Report: Executive Summary*, 2006). Conspicuously absent from the confrontation was the police—a fact the commission found to be “the single most important element that contributed to the violent outcome” (*GRTC Report: Executive Summary*, 2006, p. 7).

Attempts at justice followed. Through two criminal trials—one for state capital murder charges and another for federal hate crimes—the community tried holding the White supremacist shooters accountable (*GRTC Report: Executive Summary*, 2006). Both ended in acquittals by all-White juries (*GRTC Report: Executive Summary*, 2006). As for the Greensboro police force, the city settled with victims for \$400,000 in exchange for a release of all future claims against both it and members of the KKK and Nazi Party of America (*GRTC Report: Executive Summary*, 2006). Perhaps a legal victory, the settlement neglected the trauma, pain, and moral harms pervading the Greensboro community (*GRTC Report: Executive Summary*, 2006).

After two decades of unresolved injustice, “former members of the CWP [Communist Workers Party] joined with other community members and supporters to initiate the Greensboro Truth and Community Reconciliation Project” (*GRTC Report: Executive Summary*, 2006, p. 3). This grassroots organization formed a diverse fourteen-member selection committee “to whittle 67 community nominations to [a] panel of seven Commissioners” (*GRTC Report: Executive Summary*, 2006, p. 48). Nearly two years later, the commission completed its mandate, releasing its report in 2006 (*Final Report*, n.d.).

Evaluation of the Truth-Telling Process

The Greensboro Truth and Reconciliation Commission was very effective at factual truth-telling and modestly effective at both personal and dialogical truth-telling. Despite virtually

nonexistent political support, the commission and its success depended on substantial administrative and financial contributions.

Effectiveness

Factual Truth-Telling. The Greensboro Truth and Reconciliation Commission was modestly effective at producing factual truths. It interviewed or obtained statements from over 200 witnesses (*GTRC Report: Introduction*, 2006). It reviewed documents from a variety of primary sources, including internal police-department records and court documents (*GTRC Report: Introduction*, 2006). And it applied a preponderance of evidence standard³ to all evidence reviewed, excluding facts found unreasonable or noncredible (*GTRC Report: Introduction*, 2006). Its lengthy 500-page report is thus based on a substantial body of credible evidence, corroborated whenever possible across several pieces of evidence.

To obtain these facts and encourage public participation, the commission developed a multifaceted community-engagement strategy. It fostered relationships with local, regional, and national media outlets to raise awareness of the commission and to spread information about how to participate (*GTRC Report: Introduction*, 2006). It maintained a website and blog to communicate directly with community members (*GTRC Report: Introduction*, 2006). It conducted a door-to-door campaign in neighborhoods all over Greensboro to talk with residents; explain the commission and its work; listen to peoples' views on November 3, 1979; and encourage participation in the truth-telling process (*GTRC Report: Introduction*, 2006). It facilitated closed conversations with four sensitive groups⁴ in the community to create a comfortable environment for members of those groups to deliver statements (*GTRC Report: Introduction*, 2006). And it held three two-day public hearings to highlight the testimony of speakers representing all parts of the community (*GTRC Report: Introduction*, 2006). These hearings were indeed successful, each attracting an audience of about five hundred community members (*GTRC Report: Introduction*, 2006).

Still, the Greensboro Truth and Reconciliation Commission faced some issues. As it admitted, gaps in available evidence, imperfect memories and limited resources constrained its factual truth-telling (*GTRC Report: Introduction*, 2006). Perhaps the most significant issue here “stemmed from reluctance to give statements because of many potential statement givers’ fear of retaliation or distrust of [the commission’s] process” (*GTRC Report: Introduction*, 2006, p. 27). Some residents stayed away because of statements from city councilors that suggested the commission was a threat

³ This evidentiary standard requires showing that a contested fact is more likely true than not true (Orloff & Stedinger, 1983). In the case of the Greensboro Truth and Reconciliation Commission, the standard meant that the commission reported only those facts about which the commissioners were convinced were more likely truth than not true (*GTRC Report: Introduction*, 2006).

⁴ These groups include former residents of neighborhood in which the violence occurred; former members of the Communist Workers Party; current and former textile mill workers for whom the Communist Workers Party demonstrated on November 3, 1979; and reporters who covered the shootings or the event’s aftermath (*GTRC Report: Introduction*, 2006).

to public safety (*GTRC Report: City Response*, 2006). Others stayed away because of security concerns at the first public hearing, before which the media widely publicized the planned appearance of a local Klansman (*GTRC Report: City Response*, 2006). Still others stayed away because of rumors that the commission intimidated anyone who intended to express facts and opinions harmful to affiliates of the Communist Workers Party (*GTRC Report: City Response*, 2006). These rumors probably originated from the doubts many Greensboro residents had about the credibility of the commission, given that anti-Klan survivors of the shooting played a central role in its creation (Woodall, 2004). Even the mayor of Greensboro at the time expressed skepticism about the commission's ability to present an evenhanded account of the events, noting its lack of subpoena power, lack of official status, and lack of access to many government documents (Woodall, 2004).

Personal truth-telling. The Greensboro Truth and Reconciliation Commission was modestly effective at producing personal truths. The public hearings seemed designed to have this effect. To memorialize each of the five slain victims, the commission reserved five seats in the front row of the auditorium; in each chair sat a poster-sized picture of a different victim along with a yellow rose (Moffett Banks, 2005a). Perhaps reflecting the diverse audience and carefully chosen venues, most speakers at these hearings reported feeling comfortable sharing their complete truths, in a safe setting (*GTRC Report: Introduction*, 2006). Many found the public hearings emotionally cathartic (Moffett Banks, 2005a).

But security concerns likely interfered with personal truth-telling. As reports leaked that two Klansmen were to speak on panels at the first public hearing, city officials warned the public not to attend because of a potential for violence (Townsend, 2005). The warnings prompted the commission to confirm that Klansmen were scheduled to appear (Townsend, 2005). And to dispel fears of violence, it announced that armed security and nearly two dozen Greensboro police officers would be present at the hearing (Townsend, 2005). Their presence proved problematic, as many in the community questioned why security was provided by the very police force under investigation for its complicity in the shootings (see *GTRC Report: Introduction*, 2006). Taken together, these factors almost certainly discouraged some victims and their families, particularly in the Black community, from sharing their personal truths at the hearing (see *GTRC Report: City Response*, 2006). Because these issues arose before the first public hearing, too, they could have cast a negative shadow over the remaining hearings, exacerbating the harms to personal truth-telling.

Dialogical truth-telling. The Greensboro Truth and Reconciliation Commission was modestly effective at producing dialogical truths. As discussed above, the commission suffered from credibility issues. These issues worsened when the city council voted not to back the commission, a vote pitting the three Black councilors, who voted in support, against their White colleagues (Hardin, 2005). This vote further divided the city over the shootings under examination. It also signaled to city officials, the police department, Klansmen, Nazis, and many in the White community that it was okay to oppose the commission, even publicly. This encouragement from city leaders could explain why the commission faced a battery of public criticism and resistance throughout its two-year existence (see, e.g., Hardin, 2005; Steadman, 2003). Statements about the

vote undermined the commission's credibility even more. Building a shared history for a city is difficult when the mayor, for example, publicly declares that "[a]bsolute truth will be impossible"—that "[o]nly parts of the truth . . . will be told" (Hardin, 2005).

Despite these issues, the commission achieved modest success at dialogical truth-telling. First, the commission received statements from Klansmen, Nazis, and city officials and appropriately attributed responsibility to them in its final report (see *GTRC Report: Executive Summary*, 2006). Because the commission only reported findings more likely true than not true, that these statements from perpetrators appear in the final report indicate that the commission found them truthful (see *GTRC Report: Introduction*, 2006). One way the commission induced participation from noncooperative city officials was through press releases that stated the commission would not hesitate to lay blame on the city even without these officials' statements (Moffett Banks, 2005b). The subtext of these statements was clear: by speaking city officials could shape a narrative that they would otherwise be unable to influence.

Second, the commission hosted a day-long conversation with the community shortly after its final public hearing (*GTRC Report: Introduction*, 2006). The commission designed the conversation "to encourage community members to reflect on the public hearings and begin thinking about what community reconciliation [could] look[] like in Greensboro around the events of Nov. 3, 1979" (*GTRC Report: Introduction*, 2006, p. 35). The event drew an impressive audience of more than 100 community members and generated twelve pages of feedback (*GTRC Report: Introduction*, 2006; *GTRC Report: Annex on Community Dialogue Data*, 2006).

Third, the commission launched a cable-access program about its work, which was an effective way to maintain community engagement while it drafted the final report (Church, 2005). With two new shows airing each month, the program spotlighted community events discussing the truth revealed in the commission's preliminary report (Church, 2005). It also solicited feedback from viewers, itself sparking community reflection on the commission's preliminary findings (Church, 2005).

Finally, the commission solicited local organizations—churches, schools, book clubs, and more—to distribute the final report across the community (*GTRC Report: Introduction*, 2006). These so-called "report receivers" agreed to read the executive summary to members of their respective organizations and "then engage in open and honest dialogue about the Commission's findings" (*GTRC Report: Introduction*, 2006, p. 36). Although the report receivers faced trouble engaging people in the middle of summer, when the report was released, their work undoubtedly facilitated conversations and critical reflections on the report that otherwise would not have happened (Alexander, 2006). They also built a greater "sense of ownership over the GTRC's report" in the community (*GTRC Report: Introduction*, 2006, p. 36).

Cost

The Greensboro Truth and Reconciliation Commission required substantial gifts, monetary and otherwise, for its work. It received over \$400,000 dollars⁵ in grants from foundations (*GTRC Report: Executive Summary*, 2006). One hundred ten individual people and organizations donated money to the commission, although exact contribution amounts were not reported (*GTRC Report: Executive Summary*, 2006). And thirty other organizations offered in-kind donations, ranging from technical services and security to food and gifts for volunteers (*GTRC Report: Executive Summary*, 2006).

Feasibility

The administrative burden for the Greensboro Truth and Reconciliation Commission was high. Two hundred ninety-one volunteers helped the commission complete its work (*GTRC Report: Executive Summary*, 2006). Many people volunteered a lot of time: serving as commissioners; taking, transcribing, and summarizing statements; going door to door to encourage people to speak (*GTRC Report: Executive Summary*, 2006). Some made vital contributions, keeping the commission's costs in check. Students at N.C. A&T, for example, shot and produced the cable-access program free of charge, borrowing film equipment from the university (Church, 2005). Besides volunteers, the commission depended on thirty-two expert advisors and consultants (*GTRC Report: Executive Summary*, 2006). Especially helpful was the International Center for Transitional Justice ("ICTJ"), a New York-based international human rights nonprofit, which guided the commission from start to finish (*GTRC Report: Executive Summary*, 2006). All told, producing and sustaining this level of support from people within and outside the community is challenging. Greensboro may indeed be *sui generis* in this respect, benefitting from being the billed as the "first" truth commission in the United States.⁶

The commission's political support, by contrast, was low—arguably nonexistent. The city council voted not to support the commission, and many councilors delivered strong statements in opposition throughout its existence (see, e.g., Hardin, 2005; Steadman, 2003). On the one hand, the lack of political support likely damaged the commission's credibility and probably discouraged some city officials from engaging in truth-telling. On the other hand, the grassroots commission may have benefitted from not having an official status or political support: freed from political considerations, the commission could act with wider latitude and more agility.

⁵ Over \$500,000 in today's dollars.

⁶ According to my analysis, the Rosewood Massacre Commission, discussed below, was in fact the first U.S. truth commission.

Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission

Background on the Commission

For over a century, federal policy removed Native children from their homes, forced them to assimilate, and destroyed their tribal communities (see McCrea, 2012; *MWSCWTRC Report*, 2015). It did this first with boarding schools for children of the Wabanaki Confederacy in Maine (see McCrea, 2012; *MWSCWTRC Report*, 2015). It then administered the Indian Adoption Project, which stripped Native Americans of their parental rights and put their children up for adoption by non-native families (McCrea, 2012). Both were fundamental to a federal plan to “[k]ill the Indian in him, and save the man” (*MWSCWTRC Report*, 2015, p. 12).

In 1978, Congress passed the Indian Child Welfare Act (“ICWA”) to stem the abuses in the child-welfare system by raising the standards for removing Native Children from their homes (*MWSCWTRC Report*, 2015). Though a step in the right direction, the law proved hard to implement (*MWSCWTRC Report*, 2015). A 1999 national pilot study found Maine noncompliant in several areas (*MWSCWTRC Report*, 2015). An ICWA Workgroup of Wabanaki and Mainers formed shortly that year to address these inadequacies (*MWSCWTRC Report*, 2015). By 2009, however, the workgroup, now branded as Maine-Wabanaki REACH, fell short of effecting meaningful change (*MWSCWTRC Report*, 2015). Community leaders regrouped and proposed a truth commission to lay the groundwork for effective reforms (Cutler Institute, n.d.).

In 2012, the five Wabanaki chiefs and the governor of Maine authorized the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission (“Maine-Wabanaki Commission”) (Cutler Institute, n.d.). The five-member panel had a threefold purpose. First, it was to create a shared history between the Wabanaki Confederacy and the State of Maine about the treatment of Wabanaki children in the child welfare system (Cutler Institute, n.d.). Second, it was to collect information to reform this system (Cutler Institute, n.d.). And third, it was to promote healing between Wabanaki children and their families on the one hand and the administrators and social workers who ran the system on the other (Cutler Institute, n.d.). The period under investigation extended from 1978, the year the ICWA was passed, through 2012, the year in which mandate was authorized (*MWSCWTRC Mandate*, 2012). Beginning its work in earnest in February 2013, the commission delivered its final report two and a half years later in June 2015 (see *MWSCWTRC Report*, 2015).

Evaluation of the Truth-Telling Process

The Maine-Wabanaki Commission was very effective at factual and dialogical truth-telling and modestly effective at personal truth-telling. This success, however, required substantial grant funding and imposed a high administrative burden on the community. The commission also benefitted from moderate levels of political support.

Effectiveness

Factual truth-telling. Collecting 159 statements, ninety-five from Native people and sixty-four from non-Native people, the Maine-Wabanaki Commission was very effective at producing factual truths (*MWSCWTRC Report*, 2015). These statements pepper the ninety pages composing the commission's final report—statements from the adopted and the fostered; statements from tribal leaders and state leaders; statements from biological parents and adoptive parents; statements from tribal child-welfare staff and state- and federal-agency staff (*MWSCWTRC Report*, 2015). The statements will live forever, too. Archived at Bowdoin College, transcripts of nearly every interview leave a public record of the commission's work in addition to the report itself (*MWSCWTRC Report*, 2015). Although it received far fewer tribal documents than hoped, the commission also consulted a rich archival record of government reports and statistics while writing the final report (*MWSCWTRC Report*, 2015).

Four aspects of the commission's approach helped it succeed at factual truth-telling. First, it hosted a kickoff event just before its first statement-gathering session (McMillan, 2013). To 100 people or so, the commission explained what it was and why it existed (McMillan, 2013). The event raised the commission's profile, of course. But it did more than that—it primed the community to participate: optimistic about the commission, audience members expressed hope that the truth-commission process would bring Maine and the Wabanaki tribes together and move them forward (McMillan, 2013).

Second, after hearing that people say they “were frightened of retribution, of speaking out about family members or about systems that would penalize them,” the commission decided to allow people to speak anonymously (*MWSCWTRC Report*, 2015, p. 76). This decision probably encouraged some people to speak who would not have otherwise; in fact, at least four speakers chose this option (*MWSCWTRC Report*, 2015).

Third, it collected statements through twelve multiday visits to communities across Maine (*MWSCWTRC Report*, 2015). Six of these visits were to four tribes, five to Maine's largest cities and one to a prison where Wabanaki are overrepresented among the incarcerated (*MWSCWTRC Report*, 2015; Gluckman, 2014). Each visit began with the commission socializing with community members (*MWSCWTRC Report*, 2015). Having built rapport, the commission then invited anyone in the community to deliver statements during walk-in hours (*MWSCWTRC Report*, 2015). For those unable or unwilling to attend these public statement-gathering sessions, volunteers or, if possible, commissioners themselves would conduct private interviews in the speaker's home (*MWSCWTRC Report*, 2015). By giving people the option to speak in public spaces or in the privacy of their homes, the commission lowered the barriers to delivering statements, likely increasing participation.

Finally, the commission complemented statement-gathering sessions with focus groups. Of the fifteen it hosted, ten were in Native communities, five in non-Native ones (*MWSCWTRC Report*, 2015). Whether it was strength in numbers or the informality of a group conversation, the focus groups drew out statements from otherwise hesitant speakers. “[P]eople,” the commission found,

“often felt more at ease discussing issues in groups” than in formal public hearings (*MWSCWTRC Report*, 2015, p. 78).

Despite its success, the commission’s approach had flaws. Although some commissioners were Native American, none were Wabanaki (*MWSCWTRC Report*, 2015). It conducted all its work in English (*MWSCWTRC Report*, 2015). And its process was initiated and driven by a few passionate organizations, not the tribe writ large (*MWSCWTRC Report*, 2015). The commission, to many Wabanaki, lacked representativeness. Causing concern at best and breeding hostility at worst, this issue likely kept some Wabanaki at home during the truth-telling process. A political controversy made this issue even worse. While serving on the commission, one of the non-Native commissioners was elected Maine’s secretary of state (“Governor LePage and Passamaquoddy Tribal Chief issue statement on truth and reconciliation commission,” 2013). He ignored calls to step down as a commissioner, serving in both roles until the commission dissolved (“Governor LePage and Passamaquoddy Tribal Chief issue statement on truth and reconciliation commission,” 2013; *MWSCWTRC Report*, 2015). “[The commissioner] position should be non-political,” the chief of the Passamaquoddy argued (“Governor LePage and Passamaquoddy Tribal Chief issue statement on truth and reconciliation commission,” 2013). Because this commissioner refused to step down, the Wabanaki, unlike the State of Maine, lacked formal representation among the commissioners themselves. To many, this imbalance subordinated the tribes to the State of Maine, damaging the commission’s credibility and possibly interfering with truth-telling (see “Governor LePage and Passamaquoddy Tribal Chief issue statement on truth and reconciliation commission,” 2013).

Personal truth-telling. The Maine-Wabanaki Truth Commission was modestly effective at producing personal truths. Besides the already-mentioned representativeness issues, the commission faced two other personal truth-telling problems. First, the commission sometimes relied entirely on volunteers to collect statements from people. They did this despite acknowledging that “people often wanted to have a Commissioner present to witness their experience” (*MWSCWTRC Report*, 2015, p. 77); that was a mistake. To want an officially authorized panel to witness your experience is to want acknowledgment of your experience from the state. Second, the commission failed to contact critical tribal communities. Those whose voices went unheard include Wabanaki who have since left Maine; Wabanaki children and teachers; and Wabanaki law enforcement (*MWSCWTRC Report*, 2015).

Yet, the commission largely succeeded at personal truth-telling. Anonymity shielded victims of child-welfare abuse from retribution, facilitating full and frank discussions about their experiences. In a similar vein, the commission gave people the option to alter or even rescind their statements (*MWSCWTRC Report*, 2015). Although this practice has dubious implications for factual truth-telling, its effect on personal truth-telling is unambiguous: if people know that they could retract their statements at any point before the final report is released, they would be likely open up and share more with the commission than they otherwise would. That the commission socialized with community members before statement-gathering sessions also helped produce personal truth-telling. The commission indeed found this an effective way to prepare people psychologically for discussing intimate memories of traumatic experiences (*MWSCWTRC Report*,

2015). Just as sharing food with people builds comfort, so does speaking with them in your own home. This practice explains another finding by the commission: that many people preferred giving statements in their own home than in public venues.⁷ And of course, the community visits played a central, if not the most important, role in producing personal truth-telling. The commission communicated its respect for each community it visited, Native and non-Native alike, when it rooted itself in those communities for several days. That level of commitment showed that the truth commission was not some passive exercise, but a serious attempt to understand the experiences and suffering of victims.

Dialogical truth-telling. Collecting statements from sixty-four non-Native people, the Maine-Wabanaki Commission was very effective at producing dialogical truths. Four of its efforts stand out. First, early in the process, the commission collaborated with Robert Shetterly, a painter and creator of the “Americans who tell the truth” collection (Patch & Shetterly, 2013). Shetterly painted two portraits of the Passamaquoddy women who led the truth-telling effort (Patch & Shetterly, 2013). The commission hosted a public unveiling ceremony for the paintings, and Native and non-Native people were both invited (Patch & Shetterly, 2013). With victims and perpetrators in the audience, the ceremony alone stood as a testament to reconciliation. But it was the Q&A session at the end of the event that truly set the tone of forgiveness, healing, and grace that persisted throughout the commission’s work. A former Department of Homeland Security employee in the audience stood as if to ask a question, but asked for forgiveness instead (Patch & Shetterly, 2013). The stunned audience fell silent (Patch & Shetterly, 2013). Slowly, one of the women portrayed in the portraits approached the former DHS worker, a woman who had just admitted to having spent years removing Native children from their families and placing them in White homes (Patch & Shetterly, 2013). She stopped before her, kissed her cheek, then her forehead, and then rested her forehead on the other’s (Patch & Shetterly, 2013). Moments passed as their bodies connected, tears streaming down each woman’s face (Patch & Shetterly, 2013). The event came to be seen as a metaphor for the truth-commission process: forgiveness and healing happen not through words, but acts (Patch & Shetterly, 2013). The ceremony offered a powerful moment of public reconciliation right as the commission was preparing to begin its work.

Second, the commission helped produce dialogical truth by engaging the community as it developed, processed, and produced its findings. Even while the commission was still collecting statements, it presented preliminary findings at public information sessions organized by its founding organization, Maine-Wabanaki REACH (see, e.g., McCrea, 2015; Daugherty, 2014). Some held at universities, others scheduled on Martin Luther King, Jr. Day: these events attracted hundreds of audience members (see, e.g., McCrea, 2015; Daugherty, 2014). The sessions not only sparked community conversations about the history under investigation; they also gave the commission feedback on ways to improve the final report. The commission used another means for receiving community feedback: it allowed statement givers to correct any misstatements before releasing the final report. The commission sent copies of the draft report to every one of these

⁷ There appears to be a tradeoff of sorts between personal and dialogical truth-telling. Speaking privately deprives the community of public hearings, which impedes dialogical truth-telling.

people (*MWSCWTRC Report*, 2015). It asked them to read the report and send back any edits or comments (*MWSCWTRC Report*, 2015). Soliciting feedback in this way ensured that the history as the commissioners saw it reflected the lived experiences of victims and perpetrators alike. The practice also instilled a sense of ownership over the final report for those who took the opportunity to serve as informal editors.

Third, the commission hosted five community forums just before the release of the final report (“Truth, reconciliation group to host 5 forums,” 2015). The discussions helped produce dialogical truth in a couple of ways. They spread awareness of the commission’s findings. They also convened victims and perpetrators in the same room to reflect on the truth-telling process and the shared history detailed in the commission’s report (“Truth, reconciliation group to host 5 forums,” 2015).

Finally, filmmakers at PBS worked with the commission to produce *Dawnland*, a documentary released in 2018 about the truth commission and its twenty-seven-month factfinding process (Kesich, 2019). Aired nationally, the documentary spread the truth uncovered by the commission far beyond Maine. Also, with its national renown, PBS legitimized the commission’s work for anyone doubting the latter’s credibility. Perhaps most important, the documentary filmed the whole twenty-seven-month process, communicating in visual form how the commission went about its work. This likely legitimized the commission’s truth-telling process even more.

The commission did, however, fall short in a couple of respects. First, the representativeness issues discussed above hurt its credibility, especially with Native people. Having an elected official as a commissioner may have caused some to question how zealously the commission pursued the truth, at least to the extent it implicated state agencies in wrongdoing. Second, the commission decided not to attach any names to statements in the final report (*MWSCWTRC Report*, 2015). Although this decision may have helped produce personal truths, it impaired dialogical truth-telling. Some people, particularly victims, may have interpreted this decision as protecting perpetrators from public condemnation. It also precluded the commission from presenting which individual people were responsible for the past—a key component of dialogical truth-telling (see Hazan, 2006).

Cost

The Maine-Wabanaki Commission was very costly, receiving at least \$1 million in financial resources.⁸ Because it received no funding from the State of Maine or the tribal governments, private donations sustained the commission (*MWSCWTRC Report*, 2015). Although the commission reported the number of donors (thirteen), it withheld information about the amount of funding received (*MWSCWTRC Report*, 2015). Other sources fill in this gap. In 2013, a local newspaper reported a \$150,000 from one foundation (Cox, 2013). And the commission obtained

⁸ The commission did not expend all the money received. Since publishing the final report, the commission has given away more than \$200,000 (*Cause IQ Organization Profile: Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission*, n.d.).

nearly \$1 million in grant funding between 2013 and 2014, according to a clearinghouse of nonprofit information (*Cause IQ Organization Profile: Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission*, n.d.).

Feasibility

The administrative burden associated with the Maine-Wabanaki Commission was high. First, the commission placed high demands on the commissioners themselves. They were expected to volunteer two-to-three days per month for twenty-seven months (“Maine-Wabanaki Truth and Reconciliation Commission Welcoming Nominations for Commissioners,” 2012). And they spent days at a time embedding themselves in communities across Maine and the Wabanaki Confederacy (*MWSCWTRC Report*, 2015), which was necessary given that the entire state of Maine, a geographically disperse area, fell within the scope of the commission’s investigation (see *MWSCWTRC Mandate*, 2012). Sustaining that level of commitment from commissioners may not be possible or realistic for every commission. Second, the commission depended on a paid full-time staff of four people, as well as an unreported number of unpaid interns (Cox, 2013). Third, it relied on ten trained volunteers, who traveled with the commission for its multiday community visits to gather and transcribe statements (*MWSCWTRC Report*, 2015). Fourth, it worked closely with Maine-Wabanaki REACH; indeed, the latter at times functioned as the commission’s surrogate, running information sessions, engaging in community outreach, gathering statements, advising on which institution should house the commission’s archives, and more (*MWSCWTRC Report*, 2015). Finally, it developed relationships with people like the producers at PBS and Robert Shetterly, the portraitist—relationships that allowed the commission to engage in unique forms of outreach (see Kesich, 2019; Patch & Shetterly, 2013).

As for political feasibility, the commission received a moderate level of governmental support. On the one hand, the State of Maine and the tribes forming the Wabanaki Confederacy jointly authorized the commission—a blatant form of political support (Cutler Institute, n.d.). Also, the governor and some tribal chiefs publicly supported the commission throughout its existence (see, e.g., *MWSCWTRC Report*, 2015; “Governor LePage and Passamaquoddy Tribal Chief issue statement on truth and reconciliation commission,” 2013). On the other hand, there is no evidence that the U.S. Department of Health and Human Services assisted the commission even though some of its practices were under investigation (cf. *MWSCWTRC Report*, 2015). Nor was there any indication that the commission received tangible support—funding, office space, computing resources, and the like—from either the state or tribal governments (cf. *MWSCWTRC Report*, 2015).

Rosewood Massacre Commission

Background on the Commission

About a century ago, an entire town, Rosewood, was wiped off the map in Florida (Rozsa, 1992). For anyone familiar with the history of racialized violence in the Jim Crow south, the fact pattern proceeded in predictable horror. On New Year’s Eve in 1922, the KKK paraded in nearby Gainesville (Jones et al., 1993). The next morning a White woman reported an attack by an

unidentified Black man (Jones et al., 1993). White vigilante justice ensued. A mob of Klansmen from across the deep south killed a Black man on New Year's Day (Jones et al., 1993). The mob reconvened in Sumner, a neighboring town to Rosewood, and attacked a residence occupied by a Black family, resulting in three deaths (Jones et al., 1993). As word of the mob spread, residents of Rosewood, a prosperous, mostly Black small town near Florida's west coast, fled and sought refuge in nearby swamps (Jones et al., 1993). On January 5, 1923, the mob of as many as three hundred White men descended on the now-empty streets of Rosewood (Jones et al., 1993). Despite local law enforcement's attempts to stop the destruction, the mob proceeded to raze the town over the next two days (Jones et al., 1993). No building was spared—except the home of Rosewood's only white resident (Rozsa, 1992). At least eight deaths, of whom six were Black, two White, were documented (Jones et al., 1993).

By 1992, the only remnants of Rosewood were a sign on a state highway and that single spared home (Rozsa, 1992). At that point, few people knew about the Rosewood massacre, and even fewer talked about it (Rozsa, 1992). Two survivors, represented by a prominent Florida law firm, petitioned the state government to acknowledge the atrocity and to provide them and other survivors reparations (Rozsa, 1992). After months of political fighting in Tallahassee, state legislators eventually passed legislation to fund an official study of the massacre (Rozsa, 1993b; see also Sutton, 1993; "House plans to research Rosewood," 1993). Comprised of five academics at various state universities, the commission commenced its study in August 1993, delivering its final report to the Florida Board of Regents five months later in December (Jones et al., 1993; Rozsa, 1993c). Within six months, the commission submitted its study, and the governor signed into law a \$2.1 million reparations bill, which paid survivors and their descendants up to \$150,000 each (Nickens, 1994b).

Evaluation of the Truth-Telling Process

The Rosewood Massacre Commission was neutral at factual and dialogical truth-telling and very ineffective at personal truth-telling. Whatever success the commission had is in large part due to its high degree of political support. As for its ineffectiveness, low administrative support and modest funding were probable causes.

Effectiveness

Factual truth-telling. The Rosewood Massacre Commission was neutral at producing factual truths. To write its ninety-seven-page report, the commission used a variety of primary-source documents: manuscripts from the NAACP, lynching records from Tuskegee University, county deed and marriage records, local census returns, and more (Jones et al., 1993). It interviewed seventeen survivors (Jones et al., 1993). It also reviewed reports from fifty-nine newspapers and a 1979 *60 Minutes* segment, which included additional interviews with survivors (Jones et al., 1993). As for secondary sources, the commission drew from twelve books on the massacre, among other materials (Jones et al., 1993). For an event occurring so long ago, why then was the commission only neutral at factual truth-telling? The reason is threefold.

First, the commission “had trouble getting some people to discuss what they knew of the incident,” as one commissioner put it (Rozsa, 1993d). This participation issue could have been because survivors did not know the commission existed, which is plausible given that the commission did not post notices in newspapers requesting information from survivors and their families. Even if survivors knew the commission existed, they may have been reluctant to participate out of fear, which was a problem other commissions faced (see *GTRC Report: Introduction*, 2006). Practical reasons may have also kept people away. Ten of the interviews took place in Tallahassee, all seventeen in Florida (Jones et al., 1993). It is unknown whether the commission offered travel assistance to survivors living outside the state. Whatever the cause, the participation issue impeded factual truth-telling.

Second, the commission tried and failed to do an archaeological dig in Rosewood. Doing so could have revealed valuable information about the destruction and clarified how many people died in the massacre, a disputed figure (see Jones et al., 1993). But current landowners in Rosewood refused to permit the dig (Rozsa, 1993d). The then-owner of the only home surviving the massacre also owned thirty-five acres in Rosewood (Caplan, 2018). Perhaps he refused because tired of the “deluge of national publicity” (see Rozsa, 1993a) or because the commission grew out of an effort of survivors living in Miami rather than from current residents of Rosewood and surrounding areas (see “Last survivors of rampage want story told,” 1992). His intent notwithstanding, the commission’s inability to persuade him to permit the dig limited the commission’s factual truth-telling.

Finally, before the commission commenced, its critics contested its credibility, claiming the effort was “politically motivated” (“Study won’t solve Rosewood case,” 1993). The criticisms continued after the final report’s release. One expert on Rosewood accused the commission “of doing sloppy work that ignores some of the Rosewood survivors who might be entitled to damages” (Morgan, 1994). The daughter of a deputy sheriff of a neighboring county also claimed that her father helped residents of Rosewood flee during the mob attacks, a claim contradicting statements two survivors made before the commission (Nickens, 1994a). Whose account is ultimately correct is beside the point; what matters is that the commission failed to address these conflicting accounts because it never even interviewed the deputy sheriff’s daughter (Nickens, 1994a). That the commission ignored available evidence, contradictory or otherwise, undermined the credibility of its factfinding.

Personal truth-telling. The Rosewood Massacre Commission was very ineffective at producing personal truths. To be sure, the commission did interview seventeen survivors (Jones et al., 1993). But it conducted these interviews only in private, conducting not a single public hearing (see Jones et al., 1993). Although private meetings might increase participation on the margin, public hearings lie at the heart of the truth-commission model because they publicly acknowledge victims’ suffering (Gonzalez et al., 2013). According to truth-commission experts at the ICTJ, “The hearings of a commission should be open to both the public and the media, unless the commissioners are satisfied that an open hearing is not in the interest of justice—or could harm someone” (Gonzalez et al., 2013, p. 26). Private interviews have a time and a place, and all

commissions should offer them as an option if necessary, but public hearings should remain the default.

The commission's personal truth-telling was ineffective for two more reasons: it failed to interview every survivor willing to share their experiences, and it did not engage in community outreach to mobilize people reluctant to participate. The evidence for both shortcomings lies in the legislative hearings on the reparations bill considered after the commission issued its final report. At these hearings, survivors shared their stories publicly for the first time (see "Rosewood survivors break 70-year silence," 1994). Some were White survivors whose relatives were among the dead or had assisted Black residents of Rosewood (Hollis, 1994; Nickens, 1994a). Others were Black survivors initially reluctant to speak (Nickens, 1994a). Truth commissions exist to provide a delicate forum that allows people to share their experiences publicly but to do so with minimal psychological retraumatization. Legislative hearings provide no such forum. The press amplified rather than clarified conflicting testimony at these hearings (Nickens, 1994a; Hollis, 1994). Lawyers cross-examined survivors who stayed quiet for seventy years precisely because they feared no one would believe them (see Hollis, 1994). That so many survivors spoke publicly for the first time at legislative hearings reveals a significant deficiency in the commission's personal truth-telling.

Dialogical truth-telling. The Rosewood Massacre Commission was neutral at producing dialogical truths. As discussed above, many critics challenged the veracity of the commission's factfinding: some offered conflicting evidence the commission ignored; others poked holes in the commission's research methods (see, e.g., Morgan, 1994; Nickens, 1994a). These criticisms gave skeptics a pretextual hook to reject the commission's factfinding, interfering with the community's adoption of the truth told in the final report. Veracity concerns aside, some criticized whom the commission held responsible for the massacre; a Florida assistant attorney general, for instance, questioned the process the commission used when laying blame ("Rosewood attack hearings open today," 1994).⁹ There is indeed no evidence that the commission interviewed either state officials or members of the mob or their descendants (cf. Jones et al., 1993). Both a perception of prejudice and a failure to engage perpetrators and responsible parties hindered the commission's dialogical truth-telling.

But the commission did two things well in terms of dialogical truth-telling, both related to the issue of reparations. First and most important, the truth it told served as the basis for a state

⁹ According to the assistant attorney general, the state attributed responsibility to two state officials without giving them an "opportunity to confront their accusers and present their versions of the facts or to outline the limits on governmental resources in 1923" ("Rosewood attack hearings open today," 1994). Insofar as he was highlighting an obligation to investigate contested points and to consider constraints on people as they existed at the time, not as they appear generations later, he had a point. But to the extent he confused a truth commission with a criminal trial, he erred. A truth commission, though juridical in nature, is not necessarily bound by rules of evidence, by testimonial privileges, even by the Sixth Amendment's Confrontation Clause. His sincerity can be questioned, too, considering he made this argument while defending the state against reparations bills (see "Rosewood attack hearings open today," 1994).

reparations bill that became law (Nickens, 1994b). This alone marks a milestone in our nation's incomplete journey toward racial equity. The history behind the act makes this milestone even more impressive. A reparations bill failed in 1992; too many people questioned the murky history, including the identities of the victims (see Sutton, 1993). A political compromise created the commission: if the historical record justified reparations, bills to that effect would be reconsidered. The record did so justify and proved convincing enough to convert skeptical lawmakers in Tallahassee to support measures of repair. That the commission vitally contributed to such a monumental legislative achievement is a testament to its dialogical truth-telling.

Second, the reparations debate directed Floridians' attention to the truth the commission told. Editorials and op-eds in Florida's leading newspapers called for reparations in light of the commission's final report (see, e.g., Dyckman, 1993; Editorial Board, 1993). Readers wrote letters to the editor making the same case to their communities based on the history outlined in the commission's final report (see "Reparations due for burning of town," 1994; but see "Letters," 1994). The issue divided some (see "Compensation," 1994). But the debate as it unfolded in the pages of newspapers remained mostly positive, and all sides seemed to acknowledge that the massacre happened and that it was a horrible injustice (compare "Reparations due for burning of town," 1994 with "Letters," 1994). With the history clarified, people started looking forward toward a more just future—a telling byproduct of dialogical truth-telling.

Cost

The Rosewood Massacre Commission fulfilled its five-month mandate within its relatively small budget of \$50,000¹⁰ (Rozsa, 1993c). This figure is misleading, however, because the commission comprised five commissioners, all of whom were state-salaried professors from three state universities (Rozsa, 1993c). There is no evidence that the commission received any outside funding.

Feasibility

The Rosewood Massacre Commission imposed a low administrative burden. There is no evidence that the commission received volunteer support or hired research assistance or interns. Nor is there evidence that the commission had a public relations team or leveraged the media for community outreach purposes (although the press did widely report on the commission for its brief existence). Nor did it use community gathering spaces or host events at public facilities because it conducted interviews in private rather than in public (cf. Jones et al., 1993).

The commissioners themselves shouldered most, though not all, of the burden throughout the process. With only five months to research and write a ninety-seven-page report, the commissioners likely worked close to full time (see Jones et al., 1993). They also traveled across Florida for five survivor interviews (Jones et al., 1993). But they received some outside help, primarily from Tuskegee University and the NAACP. Both institutions granted the commission

¹⁰ About \$90,000 in today's dollars.

access to their lynching records and investigative files—valuable primary-source materials informing the commission’s study (Jones et al., 1993).

As for political feasibility, the commission required a high degree of support. The state authorized and funded the commission (Rozsa, 1993c). State-salaried professors composed the commission (Rozsa, 1993c). They used state-owned facilities to interview survivors and state-owned resources to research and write the final report (see Jones et al., 1993). The state also opened its archives to the commission, turning over a litany of documents—county deeds, county marriage books, county commissioners’ minutes, depositions with survivors, state prison records, and state census returns (Jones et al., 1993). The state, in short, involved itself in nearly everything the commission did.

1921 Tulsa Race Riot Commission

Background on the Commission

On May 31, 1921, a White mob descended on Greenwood, a prosperous Black neighborhood in Tulsa that some referred to as “the Black Wall Street of America” (*Tulsa Race Riot*, 2001). In twenty-four hours, the racist mob destroyed thirty-five blocks in Greenwood: over twelve-hundred homes and nearly every other structure—schools, businesses, churches, even a hospital—razed (*Tulsa Race Riot*, 2001). Anywhere from thirty-eight to 150 people or more died, of whom almost all were Black (*Tulsa Race Riot*, 2001). As the violence unfolded, Tulsa law enforcement did not intervene; in fact, some joined the mob, and others supplied it with guns and ammunition (*Tulsa Race Riot*, 2001). Meanwhile, the Oklahoma National Guard conducted mass arrests, detaining nearly every surviving Greenwood resident (*Tulsa Race Riot*, 2001). Not one person faced a criminal charge for the thousands of crimes committed that day (*Tulsa Race Riot*, 2001). Plainly, “a collective body had coldly and deliberately and systematically assaulted one victim, a whole community, intending to eliminate it as a community” (*Tulsa Race Riot*, 2001, p. 17).

Decades later, a conspiracy of silence muzzled residents of Tulsa (see, e.g., *Tulsa Race Riot*, 2001; Romano, 2000). Virtually no one talked about the 1921 massacre, and among those who did, fact often blurred with fiction (see Romano, 2000). The Oklahoma legislature considered a reparations bill to break the silence, clarify what happened, and offer some justice to victims and their families (Ford, 1997). Although that bill failed, a watered-down version produced the Oklahoma Commission to Study the Tulsa Race Riot of 1921 (“1921 Tulsa Race Riot Commission”) (Overall, 1997). According to its legal mandate, the eleven-member commission existed to study the riot, identify who was involved, develop a historical record of the event, and deliver a final report detailing both its findings and appropriate methods of repair (*Tulsa Race Riot*, 2001). After the legislature extended the original January 1999 deadline, the commission submitted the final report to the state and city governments in February 2001 (*Tulsa Race Riot*, 2001; Ford, 1998).

Evaluation of the Truth-Telling Process

The 1921 Tulsa Race Riot Commission was very effective at factual and personal truth-telling and neutral at dialogical truth-telling. Even after adjusting for inflation, the commission required relatively few financial resources. It did, however, depend on high levels of administrative and political support.

Effectiveness

Factual truth-telling. Considering it investigated an event nearly eight decades in the past, the 1921 Tulsa Race Riot Commission was very effective at producing factual truths. Its twenty-page report was based on hundreds of interviews from witnesses and their families, as well as a collection of nearly twenty thousand documents (*Tulsa Race Riot*, 2001; Bryant, 2001). The final report also attached eight essays from historians that analyzed and contextualized the new information recorded by the commission (*Tulsa Race Riot*, 2001). Comparing the report with a leading book on the massacre at the time, the commission wrote: “The report attached here filled 115 typed pages in the telling; the comparable portion of the book prints entirely in 25 pages” (*Tulsa Race Riot*, 2001, p. 8). “The report has to be longer,” it continued, “because it has more to report, stories not told in the first telling,” and “draws upon more evidence”—205 footnotes to the book’s fifty (*Tulsa Race Riot*, 2001). Besides the final report, the commission archived all its recorded interviews and the entire documentary record at the Oklahoma Historical Society (*Tulsa Race Riot*, 2001).

Several factors enabled the commission’s success. Chief among them was the subcommittee on survivors, which the commissioners established at their first meeting (*Tulsa Race Riot*, 2001). The three-person subcommittee pursued “every possible avenue to identify every possible survivor” (*Tulsa Race Riot*, 2001, p. 5). The commissioners on this subcommittee ghostwrote letters signed by prominent Black historians to *Jet* and *Ebony*, urging readers to come forward with any pertinent information (*Tulsa Race Riot*, 2001). They did the same thing with leading Black newspapers like the *Chicago Defender* and *Pittsburgh Courier* (*Tulsa Race Riot*, 2001). These commissioners also worked connections with local historical communities, plugging them into a network with Greenwood’s oldest, most respected residents and leaders (*Tulsa Race Riot*, 2001). These efforts produced modest initial success; national media interest “introduced a multiplying factor” (*Tulsa Race Riot*, 2001, p. 5; accord Johnson, 1999). “The *Dallas Morning News*, the *Los Angeles Times*, the *New York Times*, National Public Radio (NPR), every American broadcast television network, cable outlets . . . , the British Broadcasting Corporation—this merely begins the attention that the media focused upon this commission and its inquiry” (*Tulsa Race Riot*, 2001, p. 4; accord Espinosa, 1999a). What sparked national media interest? Controversy. Media coverage popped after the commission released that it was investigating the existence of an unmarked mass grave (see, e.g., Hamilton, 1999; Bryant 1999). Coverage popped again after the commission leaked that it was investigating the use of aircraft in the massacre (see, e.g., Montgomery, 1999; Espinosa, 1999b). And coverage popped a third time after the commission publicized that it was recommending reparations in its final report (see, e.g., Krehbiel, 1999; Nelson 1999). The commission’s manipulation of the media was masterful.

But controversy is a double-edged sword. The controversy around the commission probably discouraged some people from coming forward with valuable information. The issue of reparations was particularly polarizing. Newspapers reported substantial opposition to the measure among Tulsans, even among victims (see, e.g., Nelson, 1999; Pagel, 1998). Even the commissioners themselves admitted that the subject of reparations proved more contentious than expected (see Krehbiel, 1999).

Personal truth-telling. The 1921 Tulsa Race Riot Commission was very effective at producing personal truths. It interviewed all 180 identified survivors and all 167 identified descendants (*Tulsa Race Riot*, 2001). Also, many commissioners said they could see that their work had given some people in the community “finality” over what happened eighty years earlier (Kurt, 1999b). A co-chair of the commission summed it up best: “We certainly have many, many, many more personal stories—white and black—of riot experiences than we ever have in the past. . . . People are talking now, as where they didn’t necessarily want to 25 years ago” (Espinosa, 1999c).

The commission’s achieved this success through five principal means. First, by allowing three commissioners to focus on identifying and building relationships with victims and their families, the subcommittee on survivors was just as effective at personal truth-telling as it was at factual truth-telling (see *Tulsa Race Riot*, 2011). Second, the use of public hearings allowed victims to break the conspiracy of silence and have their voices heard in their community (see *Tulsa Race Riot*, 2001). Many speakers indeed felt relief that they could finally share their experiences publicly after so many years of silence (see, e.g., Montgomery, 1999; Knight, 1999). These two observations accord with what I observed in the Maine-Wabanaki Commission: coupling personal-relationship building with public hearings appears to be an effective way of producing personal truths. Third, to ease the burden of participating, the commission offered transportation assistance to victims and their descendants to (“Race riot commission to conduct interviews,” 1999). Providing this service made the commission more accessible and almost certainly increased participation. Fourth, the commission seized the opportunity to draw heavily from Black sources while drafting the final report (*Tulsa Race Riot*, 2001). It did so not only because they received “so much new evidence . . . from Black sources”—sources that “documented black experiences and recorded black observations”—but also because the history up until that point was viewed as whitewashed: “Too many early journalists and historians had dismissed black sources as unreliable,” so “[t]oo few early librarians and archivists had persevered black sources as important” (*Tulsa Race Riot*, 2001, p. 7). The commission changed that. It elevated Black sources, and in doing so, refracted a unidimensional fiction into a multidimensional truth. Finally, the commission brought together sixty survivors, alongside a prominent historian, to publicly present details about the massacre and their memories of what happened (Kurt, 1999a). The event not only disseminated the personal truths of survivors to audience members; it also allowed survivors to empathize with one another about their shared experiences.

Dialogical truth-telling. The 1921 Tulsa Race Riot Commission was neutral at producing dialogical truths. On the one hand, its process achieved many hallmark features of dialogical truth-telling. By “naming names,” it clarified who was responsible for the past. It blamed the state and

city governments for their inaction and, in some cases, participating in the massacre (see Romano, 2000). It similarly blamed the *Tulsa World* for running an article that precipitated the violence (Hamilton, 1999). Also, by organizing events around the release of the report—some of which attracted crowds in the thousands (Ruble, 2000)—the commission facilitated reflection among Tulsans on their shared history (see Krehbiel, 1999). More generally, the commission process lifted the shroud of silence over Tulsa, encouraging even more reflection (see, e.g., Nelson, 1999; Espinosa, 1999c).

On the other hand, the commission fell short in at least two ways. First, its intense outreach to survivors and the Black community in Tulsa left it minimally engaged with the White community. I found only glancing references to White participants in news reports about the hearings, and those referenced were witnesses, not perpetrators or their descendants (see, e.g., Kurt, 1999c; Staples, 1999). Nowhere in the commission's final report is there any evidence that leaders or participants of the White mob, or their families, were interviewed or otherwise participated—a conspicuous absence for purposes of dialogical truth-telling (cf. *Tulsa Race Riot*, 2001). Second, the significant controversy around the commission delegitimized it to some (see, e.g., Kurt, 1999c; Romano, 2000). This delegitimization, in turn, likely caused many Tulsans to reject the truth told by the commission. Controversy also caused some government officials, including the governor at the time, to oppose the commission and its study (Romano, 2000). This further delegitimized the shared truth the commission tried to create.

Cost

The 1921 Tulsa Race Riot Commission completed its work using relatively few financial resources. With the Oklahoma Historical Society serving as a conduit, the commission indirectly received \$50,000¹¹ in appropriated funding from the state (*Tulsa Race Riot*, 2001). Already over budget by 1999, the commission received another \$20,000¹² in state funding (Espinosa, 1999a). The commission reportedly considered seeking an additional \$100,000 in grants, but whether it obtained any outside money is unknown (Espinosa, 1999a). In its final report, the commission did not reveal whether it received any donations, monetary or otherwise (cf. *Tulsa Race Riot*, 2001). Funding is an area where the commission could have been more transparent.

Feasibility

The 1921 Tulsa Race Riot Commission imposed a high administrative burden. Just as Maine-Wabanaki REACH functioned as an alter ego of the Maine-Wabanaki Commission, so the Oklahoma Historical Society, a state agency, functioned for the 1921 Tulsa Race Riot Commission. Among the many ways in which the historical society assisted the commission included using its coffers to hold the commission's state funding, hosting and maintaining the commission's website, and organizing the commission's fifty or so unpaid research volunteers

¹¹ Over \$80,000 in today's dollars.

¹² Over \$30,000 in today's dollars.

(*Tulsa Race Riot, 2001*). Volunteers outside the historical society contributed in significant ways, too. Most notably, collectors and amateur historians gave the commission, among other documents, old transcripts of interviews with another fifty survivors of the massacre (*Tulsa Race Riot, 2001*). Ten consultants also offered their collective expertise in law, archaeology, anthropology, forensics, and geophysics to the commission (*Tulsa Race Riot, 2001*). And twelve historians contributed eight essays to the final report, one of whom even wrote commission's section of the final report (*Tulsa Race Riot, 2001*). All told, "thousands of hours volunteered by hundreds of people" enabled the commission to complete its mandate (*Tulsa Race Riot, 2001*, p. 12).

Likewise, the commission depended on high levels of political support. That the commission was an official state inquiry authorized by legislation and funded by the state shows high levels of initial government support (see *Tulsa Race Riot, 2001*). But the government played an active role throughout the process. It funded the commission (*Tulsa Race Riot, 2001*). It selected all eleven commissioners, as required by the authorizing legislation (*Tulsa Race Riot, 2001*). The governor appointed six commissioners, "three from names submitted by the Speaker of the House, three from nominees provided by the Senate Pro Tempore" (*Tulsa Race Riot, 2001*, p. 2). Directors of two state agencies, the Oklahoma Historical Society and the Oklahoma Human Rights Commission, served as ex officio members of the commission (*Tulsa Race Riot, 2001*). The mayor of Tulsa selected the final three commissioners, whose names were proposed by the Tulsa City Commission (*Tulsa Race Riot, 2001*). Once the commission started working, the government gave them access to official government records—court papers, building permits, death certificates, and more (*Tulsa Race Riot, 2001*). The government, in short, had a hand in almost everything the commission did. The only form of political support the commission lacked was the granting of formal legal power (to, say, subpoena witnesses, order reparations, or determine damages)—power not granted to a single U.S. truth commission so far.

1898 Wilmington Race Riot Commission

Background on the Commission

On November 10, 1898, White supremacists in Wilmington overthrew the biracial, legitimately elected city government ("Legacies of racial violence," 2003). The organizers—leaders of the Democratic Party in Wilmington and in New Hanover County, former Confederate officers, and journalists—planned the violent insurrection for months (Umfleet, 2006). And they executed the conspiracy with violent precision (Umfleet, 2006). They expelled twenty political opponents—Black and White—from the city, and another 2100 residents fled in fear (Umfleet, 2006). At least sixty Wilmingtonians died (Umfleet, 2006). Within a day, Democratic leaders of the coup installed themselves as mayor and members of the board of alderman (Umfleet, 2006). "The incident is the only known violent overthrow of a government in U.S. history" (Barrett, 2005). It also incited Black disenfranchisement and gave rise to Jim Crow in North Carolina (Umfleet, 2006). The socioeconomic effects of the revolt continue to reveal themselves to this day, with Black Wilmingtonians suffering from a diaspora of their community and a loss of status, wealth, and income (Umfleet, 2006).

Inspired by the commissions in Rosewood and Tulsa, the North Carolina General Assembly passed legislation in 2000 to establish the 1898 Wilmington Race Riot Commission (Umfleet, 2006). The commission had a threefold purpose: to investigate the riot, to develop an official historical record, and to examine the lasting economic effect the uprising has had on Black Wilmingtonians (Umfleet, 2006). The thirteen commissioners composing the panel were selected by the legislature, governor, mayor and city council of Wilmington, and board of commissioners of New Hanover County Board (Umfleet, 2006). The commission took three years to get up and running and completed its work in as many years, issuing its final report in 2006 (Umfleet, 2006).

Evaluation of the Truth-Telling Process

The 1898 Wilmington Race Riot Commission was modestly effective at factual truth-telling and modestly ineffective at personal and dialogical truth-telling. A combination of little to no funding, low administrative support, and moderate political support offers a probable explanation for the commission's relative ineffectiveness.

Effectiveness

Factual truth-telling. The 1898 Wilmington Race Riot Commission was modestly effective at producing factual truths. It contributed sixteen factual findings—half political and half socioeconomic—to the vast literature on the uprising (Umfleet, 2006). It documented these findings in a five-hundred-page report, rich with historical narrative stretching from early Reconstruction up through the birth of Jim Crow in North Carolina (Umfleet, 2006). But, as compared to the 1921 Tulsa Race Riot Commission, which also examined an event long in the past, this commission less created a historical record than reinterpreted and synthesized competing accounts from earlier historians. Hence, the commission's factual truth-telling, though still effective, was only modestly so.

Public hearings, contemporaneous documents and accounts, secondary sources, and expert consultants: all enabled the commission's factual truth-telling. Right after forming, the commission conducted three public hearings "to gather information, examine documents and interview descendants of those involved in the 1898 upheaval" (Ives, 2003a). Publicized in local newspapers, the hearings almost certainly produced some of the new primary-source material "uncovered in the process of [preparing the final] report" (Umfleet, 2006, "Introduction"; see also "Wilmington race riots to be reviewed," 2003). To supplement the new primary sources collected, the commission consulted preexisting primary sources "already used heavily by previous historians": letters, diaries, contemporaneous news reports, and transcripts of interviews with victims, participants, and witnesses (Umfleet, 2006, "Introduction"). Secondary sources also supplemented the commission's research (Umfleet, 2006). Everything available was used—from mainstream accounts to the controversial, from decidedly Black narratives to the decidedly White, from modern histories to the dated (Umfleet, 2006). When possible, the commission used the new information gathered to corroborate preexisting interviews with witnesses and perpetrators (Umfleet, 2006). To clarify the lasting socioeconomic effects of the coup, the commission consulted with two expert economists (Umfleet, 2006).

Personal truth-telling. The 1898 Wilmington Race Riot Commission was modestly ineffective at producing personal truths. The commission did not report how many people it interviewed or how it conducted those interviews, but participation was reportedly quite low. The three public hearings attracted a combined audience of 105 people, only a fraction of whom delivered statements (Headrick, 2003). Black participation was meager (Headrick, 2003). When asked about the poor turnout, the mayor of Wilmington at the time said: “We’re going to need to extend our interview process for this to be successful. We need more people with personal stories to come forward” (Headrick, 2003). There is no evidence that the commission held any additional public hearings before drafting its report.

The low turnout was not due to a lack of community interest. Residents wrote a steady stream of letters to the editors of local newspapers about the final report (see, e.g., “Sunday forum,” 2006a; “Sunday forum,” 2006b). Some were supportive; most were not. Regardless, that so many people wrote these letters shows that the requisite underlying interest was there. The commission just failed to channel that interest into participation.

What went wrong, then? At least three factors played a role. First, some stayed home out of fear (Headrick, 2003). As one commissioner noted, the Black community was reluctant to talk about what happened, in part because of a code of silence in that community, and in part because at least two White supremacists actively participated in the hearings (see Headrick, 2003). Second, some people remained disengaged because they perceived the commission as powerless (see Ives, 2003c). This sentiment was again especially strong in the Black community; many Black Wilmingtonians wanted tangible action, not a memorial or apologies from a “dog and pony show” commission (Ives, 2003c). But both these factors were present for other commissions, even effective ones like Greensboro. Hence, probably the most significant explanatory factor for the low turnout was the third one: commissioner mismanagement of the public hearings.

Managing a public meeting as solemn as a truth-commission hearing is a delicate act, requiring commissioners to regulate what people say without chilling future speakers. The commissioners failed to strike this delicate balance. At times, they allowed speakers to deliver unproductive, needlessly provocative statements. One Black man, for example, read a poem in which he said it was “payback time” for slavery, telling the audience he “want[ed] [their] house, car, credit cards[—]with interest” (Ives, 2003b). Comments like this did more to inflame tensions than reconcile a divided community; they also derailed the proceedings—which were supposed to focus on a post-Reconstruction riot—on thorny issues like reparations for slavery. This example demonstrates why truth-commission experts at the ICTJ recommend inviting speakers rather than allowing anyone to testify at public hearings; they also recommend establishing procedural rules so that commissions can maintain control over those hearings (Gonzalez et al., 2013). At other times, the commissioners rightfully silenced provocateurs but went about doing so in the wrong way. A member of the League of the South, a White nationalist organization, delivered a statement in which he urged the commission to study “not what just happened, but why it happened” (Ives, 2003a). In response, a commissioner asked the speaker whether he would suggest overthrowing the current mayor of Wilmington to any group unhappy with the mayor’s performance (Ives, 2003a). Stunned, the speaker stood in silence (Ives, 2003a). By challenging a speaker, this

commissioner, and by extension the entire commission, signaled its willingness to publicly rebuke speakers, which in turn could have discouraged other people from participating at the hearing.

Three public hearings nevertheless happened. Four public forums—discussed more in the following section—also happened (“Around the region,” 2006). That some personal truth-telling occurred explains why the commission was only modestly ineffective in this respect.

Dialogical truth-telling. The 1898 Wilmington Race Riot Commission was modestly ineffective at producing dialogical truths. It somewhat succeeded in building a shared truth and facilitating reflection on that truth. Here, the commission did two things particularly well. First, it solicited public feedback before issuing the final report. To spark the feedback process, the commission presented its draft report and preliminary findings at the first of four public forums (see “Around the region,” 2006). At the remaining three forums, the commission received not only comments on its recommendations, particularly on the issue of reparations, but also reactions to its factfinding (Umfleet, 2006). Even though the forums were well advertised (see, e.g., “Around the region,” 2006; “Campus briefs,” 2006), they drew disappointing audiences (see Mack, 2006). Only a dozen or so people attended the final one (see Mack, 2006). Still, the idea behind the public forums was a good one. By creating an opportunity for communal reflection on Wilmington’s shared history, the public forums helped produce dialogical truth.

Second, the commission blitzed the local and national media following the release of the final report. It partnered with regional newspapers, which agreed to publish lengthy inserts summarizing the report, key findings, and recommendations (see, e.g., Thames, 2006a; Collins, 2006). With *The News & Observer* (Raleigh), *The Charlotte Observer*, *The Star-News* (Wilmington), *The Fayetteville Observer*, *The News & Record* (Greensboro), and *The Roanoke Rapids Daily Herald* publishing the insert, the commission’s findings reached a readership of 600,000 people (Vaden, 2006). National media also helped spread the word about the commission’s findings and recommendations. In interviews with NPR and MSNBC, commissioners explained to national audiences the history of the riot as well as what can be done to remedy some of the harm inflicted on Black Wilmingtonians more than a century ago (Gordon, 2006; Carlson, 2006). Local and national media coverage, of course, raised awareness of the 1898 race “riot” in Wilmington, producing dialogical truth-telling in its most basic respect. But widespread media coverage produced dialogical truth-telling in a more profound way. Because so many reputable new outlets published the commission’s narrative of what happened in 1898 and what can be done today, the media strategy legitimized the final report as the definitive account on the uprising. Legitimization, in turn, made it easier for final report to become the basis of a new shared history in Wilmington.

Despite these bright spots, the commission’s dialogical truth-telling was still more ineffective than not. One reason why is that it stopped short of attributing blame to organizations whose support the commission needed. In the final report, the commission intimated the complicity of both the Democratic Party of North Carolina and *The Charlotte Observer* in the 1898 conspiracy (see generally Umfleet, 2006). The message, however, was not lost on the public, which directed its ire at both organizations in the months following the report’s release (see Donovan, 2006; Thames, 2006a). Pressure mounted. Both organizations eventually capitulated, apologizing

publicly for their contributions (Nesbitt, 2007; see also Thames, 2006b). Although truth commissions arguably exist to induce public reckonings like these, commissions should do this immediately through the final report itself, not mediately through public feedback. Dialogical truth-telling involves both identifying and attributing blame to responsible parties; that the commission did the former without the latter was a severe shortcoming. The commission should have denounced the Democratic Party of North Carolina and *The Charlotte Observer* in its final report rather than shift this obligation to the public.

This issue relates to a more general flaw in the commission's dialogical truth-telling, further explaining why it was on balance modestly ineffective in this respect. The commission failed to engage adequately with to responsible parties and their descendants. There was no evidence that the commission interviewed descendants of White participants in the uprising (cf. Umfleet, 2006). Nor is there evidence that the commission interviewed leaders of either the Democratic Party of North Carolina or *The Charlotte Observer* (cf. Umfleet, 2006). Nor is there evidence that the commission interviewed state or city officials (cf. Umfleet, 2006). That the commission seemingly conducted none of these interviews hindered its ability to affix blame to responsible parties—a necessary component of dialogical truth-telling.

Further hindering its dialogical truth-telling was that the two co-chairs of the commission were elected officials, both Democrats, no less (see Umfleet, 2006). Having two state representatives lead a state-sanctioned study reinforced the message that the commission was a political instrument, that it was created by politicians, for politicians. Hence, political considerations may have influenced whom the commission investigated and to whom it assigned responsibility. Whether that happened is irrelevant; the appearance of a political conflict is enough to cloud the commission's impartiality.

Cost

The 1898 Wilmington Race Riot Commission expended few, if any, financial resources. The state left the commission unfunded ("Legacies of racial violence," 2003). The final report is silent on funding or donors. That volunteers are elsewhere acknowledged in the report suggests that this silence was not an oversight, either (see generally Umfleet, 2006).

Feasibility

The 1898 Wilmington Race Riot Commission imposed a low administrative burden. True, fifty-two people outside the state government volunteered for the commission, assisting with everything from editing the report to archival research (see Umfleet, 2006). Though not insignificant, this level of volunteer support pales in comparison to that of other truth commissions like the one in Greensboro, for which nearly 300 people volunteered (see *GTRC Report: Executive Summary*, 2006). The commission also relied on strong media relations, another source of community support. Local and national media outlets alike devoted substantial journalistic resources to the commission (see, e.g., Gordon, 2006; Mack, 2006). And as discussed earlier, many agreed to publish a lengthy insert about the commission and its findings (see, e.g., Vaden, 2006; Thames, 2006a).

Notwithstanding the broad media coverage and moderate volunteer support, the commission did not draw from a wellspring of community support. Unlike the Maine-Wabanaki Commission, this commission did not spend days at a time traveling across the state; in fact, the commission only met ten times during its first three years of existence (Headrick, 2003; see also *MWSCWTRC Report*, 2015). Unlike the 1921 Tulsa Race Riot Commission, this commission did not rely on an alter ego community organization, nor did consult with dozens of expert advisors and historians (see *Tulsa Race Riot*, 2001; cf. Umfleet, 2006). Worst of all, many people grew more and more disengaged over the half-dozen years it took the commission to complete its mandate. Likely the most important cause of this disengagement was the tragic death of the community activist and politician who led the effort to create the commission (see Headrick, 2003). His death, which occurred just before the commission's first scheduled meeting in 2002, may have caused the community to disengage from the truth-commission process for two compounding reasons. First, it delayed the whole process, causing what should have taken eight to twenty-four months to take six years (see Headrick, 2003). Sustaining community engagement on anything for that long is difficult. Second and making matters worse, his death left the commission without a leader, and a leaderless movement is near impossible to sustain for long.

As for political feasibility, the commission depended on moderate support from the state. On the one hand, state law authorized the commission, two state representatives chaired the commission, and forty-eight state-government employees assisted the commission complete its work (Umfleet, 2006). On the other hand, the commission received no funding from the state ("Legacies of racial violence," 2003). There is also no evidence that it obtained access to government documents or records, access on which other commissions depended for their factual truth-telling (see, e.g., *Tulsa Race Riot*, 2001; Jones et al., 1993).

Failed Commissions: What Went Wrong?

At least three commissions in the United States have "failed"—that is, never released a final report. These commissions—the Mississippi Truth Project, the Boston Busing/Desegregation Project, and the Metropolitan Detroit Truth and Reconciliation Commission on Racial Inequality—failed for a variety of reasons. But three factors appear decisive: disillusionment with the truth-commission model, insufficient community support, and poor selection of commissioners.

Mississippi Truth Project

In 2005, a jury found Edgar Ray Killen guilty in the first of three trials (Glisson, 2015). All three were for murder, for crimes that occurred decades earlier in the summer of 1964 (Glisson, 2015). A KKK leader in the 1960s, Killen organized the shootings of James Chaney, Andrew Goodman, and Michael Schwerner, three civil rights workers in Philadelphia, Mississippi (Glisson, 2015). "These three brave young men," the state prosecutor said in a 2005 press release, "were not murdered by a lone individual. While a vigilante group may have fired the gun, the State of Mississippi loaded and aimed the weapon" (Glisson, 2015, p. 194). After the trial, Rita Schwerner Bender, the widow of one the murdered men, wrote a letter to the governor of Mississippi: "Restorative justice can only come with recognition of the past, acknowledgement

[sic] of wrong doing [sic], and acceptance of responsibility in the present by government and individuals to ameliorate the harm done” (Glisson, 2015, p. 194).

This letter inspired a former Mississippi governor and an activist professor to form an ad hoc group to create a truth and reconciliation commission on “Mississippi’s racist past” (Glisson, 2015, p. 194). With help from leaders of the Greensboro Truth and Reconciliation Commission and the International Center for Transitional Justice, the group drafted a declaration of intent in 2008 (Glisson, 2015). Hundreds of Mississippians convened to endorse the declaration in early 2009 (Glisson, 2015). That summer, the W.K. Kellogg Foundation awarded the William Winter Institute for Racial Reconciliation at the University of Mississippi a \$400,000 grant, in part, to fund the creation of the truth commission (“Foundation award,” 2009). By 2010, however, the Mississippi Truth Project, as the effort had become known, stalled (Glisson, 2015). The group tasked with writing a mandate disagreed on the commission’s purpose (Glisson, 2015). Meanwhile, the Great Recession displaced community interest in a truth commission (Glisson, 2015).

To regroup, the leaders of the project met with George Vickers, a transitional justice expert involved in the Guatemalan Truth and Reconciliation Commission (Glisson, 2015). His advice shocked: “Stop working for a truth commission. Most, if not all[,] commissions produce reports that sit on shelves and collect dust” (Glisson, 2015, p. 197). Persuaded, the leaders of the Mississippi Truth Project refocused from establishing a truth commission to creating a “culture of truth-telling in Mississippi” (Glisson, 2015). The project’s “deconstructed” process has involved “public ceremonies, curriculum development, community building, advocacy, and public policy” (Glisson, 2015, p. 201). Without a final report to show for its efforts, it is unclear how effective this deconstructed process has been. Whether the sum of its parts, to borrow an analogy from the project’s leader, is truly greater than the truth commission’s whole remains an untested claim (cf. Glisson, 2015). It is possible but unlikely. Neither a critical mass of Mississippians nor the state government initially supported the deconstructed process (Labuda, 2011). And since 2011, there has been a shortage of literature on the project.

Based on what little evidence exists, the Mississippi Truth Project appears to have stalled for four reasons. First, efforts to create a commission were cut short by two historic events: Hurricane Katrina and the Great Recession (Glisson, 2015). Whatever momentum the commission had in the early 2000s proved impossible to sustain over the decade and a half since (see Labuda, 2011). Second and related, grassroots support was lacking (Labuda, 2011). Insufficient grassroots support is in fact one reason why the project’s leaders later opted for a deconstructed process over the traditional truth-commission model (Labuda, 2011). Third, the project leaders became disillusioned with truth commissions in the face of mounting evidence questioning their effectiveness. This accords with what I presented earlier in this report: truth commissions remain both undertheorized and under-evidenced, their effectiveness doubted. Finally, the never-formed commission had an illogical purpose predicated on a misunderstanding of the truth-commission casual model. Its mandate called for an investigation of 1945 to 1975, the thirty years of federally imposed desegregation in Mississippi (Labuda, 2011). This “seemingly arbitrary cut-off date” would have precluded an examination of “the wider societal context of race relations throughout the state’s history, which includes not just isolated crimes but also the role of ordinary

Mississippians in upholding segregation and . . . maintaining white privilege” (Labuda, 2011, pp. 20 and 30). Ignoring this broader conversation would have undermined a central objective of truth commissions: building a shared truth today to “foster[] reconciliation for future generations” (Labuda, 2011, p. 20).

Boston Busing/Desegregation Project

Boston Public Schools exemplified the “Northern-style” segregation that persisted for decades after *Brown v. Board of Education* supposedly ended such policies (see Delmont, 2016). In the 1970s, Black civil rights activists filed lawsuits to enjoin the school system’s facially neutral policies that produced racially segregated schools (Delmont, 2016). In Judge W. Arthur Garrity, Jr., the activists found an ally. Judge Garrity, in the landmark *Morgan v. Hennigan* (1974), ordered the Boston School Committee to formulate a plan to bring the school system into compliance with the Racial Imbalance Act. His ruling also mandated the busing of about 18,000 Black and White students to some 200 schools outside their neighborhoods (Delmont, 2016; Gellerman, 2014). On the first day of busing, protestors lined the streets (Gellerman, 2014). Violence ensued (Gellerman, 2014). The Boston busing crisis of 1974 had begun, and racial violence continued for the remainder of the school year (Gellerman, 2014). *The Boston Globe* wrote, “The city of Boston has gotten out of control” (Gellerman, 2014). The governor alerted the National Guard and called in state police, who maintained order on the streets for the next three years (Gellerman, 2014).

Nearly four decades later, many Black and Brown Bostonians continued to feel the legacy of the busing riots (see Contreras, 2011). To address this history and its lingering effects, leaders of the Union of Minority Neighborhoods, a Boston advocacy group, sought to create a grassroots truth commission (Contreras, 2011). Calling the effort the Boston Busing/Desegregation Project, the leaders introduced the idea to the community with an hour-long documentary about the crisis (Contreras, 2011). A few weeks later, the Union of Minority Neighborhoods formed a seventeen-person steering committee, which released a statement of purpose for the commission in spring 2011 (*Key Findings*, 2011). This document envisioned a four-phase process (*Key Findings*, 2011); only phase one—“putting the process in a historical context and making clear exactly what the Truth Process will cover” (*Key Findings*, 2011, p. 8)—was accomplished (see *Report on Phase One*, 2012). In the twelve months it took to complete phase one, leaders of the project “met with over 2000 people in neighborhoods, schools, activist organizations, workplaces, and government” (*Report on Phase One*, 2012, p. 6). In that respect, phase one proved successful.

But as it related to the truth commission, phase one bore less fruit. The project leaders abandoned the idea of a truth commission altogether (*Report on Phase One*, 2012). The more they learned about international truth commissions, the more they understood that the model did not fit with their goals. Whereas a truth commission provides a shared history to reconcile a community, they wanted to focus on “learning, community building, and change” (*Report on Phase One*, 2012, p. 26). And whereas a truth commission “privilege[s] the voices of the victims,” they needed to “address[] a more complex situation” (*Report on Phase One*, 2012, p. 26). Theirs would now involve a “truth-seeking process” rather than a truth-commission one (*Report on Phase One*, 2012, p. 26). The next phase of their project would entail figuring out “what the truth process will include

and who will be involved and how” (*Report on Phase One*, 2012, p. 26). Whether a truth-seeking process differs substantively from a truth-commission process is unclear. Be that as it may, the truth-seeking project stalled in that next phase. All that has since been completed is a nine-page bromidic report ironically titled *Unfinished Business* (2014).

It is hard to identify what went wrong with the Boston Busing/Desegregation Project. It received an undisclosed amount of funding from four prominent foundations, including the Andrus Family Fund and the Ford Foundation (*Report on Phase One*, 2012). It partnered with five Boston-area nonprofits (*Report on Phase One*, 2012). It had support from dozens of volunteers (*Report on Phase One*, 2012). And it drew large audiences to its nearly forty presentations across Boston (*Report on Phase One*, 2012). With funding and community support ruled out, the likeliest explanation lies in the phase-one report itself: the project leaders at some point became disenchanted with the promise of the truth-commission model (see *Report on Phase One*, 2012). Like leaders of the Mississippi Truth Project, the leaders here reached this conclusion at a time when academics were struggling to find evidence to justify using truth commissions.

Metropolitan Detroit Truth and Reconciliation Commission on Racial Inequality

Racial oppression in Michigan is as old as the state itself (*Detroit TRC: Final Mandate*, 2011). White settlers removed indigenous peoples from their ancestral land, the made free Black Americans post bond to live in the territory, and they enforced the Fugitive Slave Act with zeal (*Detroit TRC: Final Mandate*, 2011). Structural racism, reinforced over centuries of oppression, persists to this day in Michigan, and its especially stark in Detroit—consistently “one of the most racially segregated and fractured [m]etropolitan [a]reas in the [c]ountry” (*Detroit TRC: Final Mandate*, 2011, p. 1). Driving this inequality is Detroit’s discriminatory housing policies, which link to most of the social ills plaguing Detroit’s Black community: fewer job opportunities, lower wages, worse schools, and less access to quality health care (*Detroit TRC: Final Mandate*, 2011).

In 2011, the Michigan Roundtable for Diversity and Inclusion sought to understand these forces behind racial inequality in Detroit. Inspired by the Greensboro Truth and Reconciliation Commission, they selected a truth commission as their vehicle (*Detroit TRC: Final Mandate*, 2011). Through “oral histories and personal testimonies from individuals from all segments of the community,” the nine-member commission was given “at least one year but not to exceed two years” to execute its mandate (*Detroit TRC: Final Mandate*, 2011, pp. 5–6). By January 2013, all was well: the commission—composed of four Black Detroiters, three White, one Arab, and one Latina—had been sworn in, given funding, and set free to act independently from the roundtable (Priest, 2013; Reece & Holley, 2013).

But over the next twelve months, the commission fell apart (see Priest, 2013). Three of the Black commissioners resigned due to “significant differences in perspective and personal biases” with the other commissioners (Priest, 2013, p. 2; accord Parker, 2017). The executive director quit (Priest, 2013). Sponsors backed out (Priest, 2013). Funders pulled their financial support (Priest, 2013). Convincingly diagnosing the failure, one commissioner reasoned that although each of his colleagues was committed to the project, they underestimated the significant “emotional and time

investment” a truth commission demands (Priest, 2013, p. 2). He also noted two more causes of the failed commission: an unclear mandate and insufficient support from civic institutions—religions organizations, local businesses, schools, government agencies, philanthropic groups, healthcare providers, and so on (Priest, 2013). Because the commission has not formally dissolved, what remains of the effort is unclear (see Parker, 2017). Success seems doubtful.

Recommendations

Principles and themes emerge from my case-study analysis on U.S. truth commissions. Six in total, these observations compose a set of recommendations for UCARE to consider implementing as it moves closer toward establishing the Central Virginia Truth Commission. These recommendations are as follows.

1. Pay more attention to who the commissioners are rather than how many. The number of commissioners does not seem to correlate with effectiveness: at five members, the Maine-Wabanaki Commission was one of the smallest; at eleven members, the Tulsa commission, one of the largest; yet, both were effective at truth-telling. What does seem to matter is the composition of the commission: who the commissioners are and whom they represent. Consider the Greensboro, Maine-Wabanaki, and Rosewood commissions, which each had credibility issues that likely interfered with factual and dialogical truth-telling. Their problems all stemmed from a common source: the commission's composition, whether that be an overrepresentation of victim communities in Greensboro, an overrepresentation of the perpetrators (state officials) in Maine, or a widespread perception of political motivations in Rosewood (see Woodall, 2004; "Governor LePage and Passamaquoddy Tribal Chief issue statement on truth and reconciliation commission," 2013; "Study won't solve Rosewood case," 1993). *To avoid these credibility issues, UCARE should try to make the Central Virginia Truth Commission as diverse as possible, not only in terms of race but also in terms of geography, occupation, education, and age.*

2. Lean on experts and scholars to collect, interpret, and contextualize new information. No matter how diverse the commissioners are, they inevitably will have some collective shortcomings that could constrain factual truth-telling. Those shortcomings may be in econometrics, as they were for the Wilmington commission. Or they may be in archaeology, as they were for the Tulsa commission. To bridge gaps in their subject-matter knowledge, these commissions consulted with experts. In Tulsa, for example, the commission consulted with 22 experts, twelve of whom were historians who contributed essays situating the commission's findings within the broader historical literature on the city (*Tulsa Race Riot*, 2001). These essays provided readers the necessary context to understand what the commission discovered and what disputes it clarified. *Luckily for the Central Virginia Truth Commission, experts in a variety of fields abound at the University of Virginia. UCARE, an organization affiliated with the university, could broker whatever relationships the commission may need with expert scholars in Charlottesville.*

3. Treat fundraising as a prerequisite rather than a guarantee of success. Funding matters. Two of the three failed commissions had their funding withdrawn,¹³ and the Wilmington commission, arguably the least effective U.S. commissions to publish a final report, appears to have been unfunded. But beyond a certain point—about \$100,000 based on my analysis—more

¹³ Note, however, that is unknown what came first: signs of failure or pulled funding.

funding does not guarantee better effectiveness (see Table 1). Once that level of funding is secured, the commission and its supporters should refocus their attention from fundraising, which takes a lot of time and effort, on to other matters like building community support and connecting with civic institutions. *What this means for UCARE is that once the Central Virginia Truth Commission has obtained about \$100,000 in funding, they should channel their efforts into securing administrative rather than financial resources.*

4. Bear in mind that administrative support matters more than political support. Political support appears to have little or no effect on truth-telling (see Table 1). In Greensboro, the commission succeeded despite opposition from elected officials and obstruction by state agencies (see, e.g., Hardin 2005; Steadman, 2003). By comparison, in Rosewood and Wilmington, the commissions were generally ineffective even though both enjoyed high levels of political support from start to finish (see Jones et al. 1993; Umfleet, 2006). The weak relationship between political support and effectiveness makes some sense from a theoretical perspective. Because elected officials must ultimately shoulder whatever responsibility the commission attributes to the government, some officials may oppose or obstruct the commission out of political self-protection.

Unlike political support, administrative support relates strongly with successful commissions. Strong administrative support was present in each of the three most effective U.S. commissions: the commissions in Greensboro, Maine, and Tulsa (see Table 1). In Greensboro, community support was broad: 291 residents in total volunteered to help the commission (see *GTRC Report: Executive Summary*, 2006). In Maine, community support was deep: from the commissioners themselves who devoted two or three days a week for three years to the commission, from a group of ten trained volunteers working nearly full-time for about eighteen months, and from Maine-Wabanaki REACH, the community organization that I have characterized as the commission's alter ego earlier in this report (see *MWSCWTRC Report*, 2015; Cox, 2013). The Tulsa commission combined breadth with depth: breadth because it drew support from hundreds of volunteers contributing thousands of hours, and depth because it relied on the Oklahoma Historical Society, which, among other things, directed its archival research and managed dozens of its volunteers (see *Tulsa Race Riot*, 2001).

Although political support is not irrelevant, it should not be a core concern for UCARE and the Central Virginia Truth Commission. Instead, administrative support should be, for this resource relates closely with successful commissions from the United States.

5. Build administrative support by engaging in community outreach, now and while the commission completes its work. If administrative support is so important, what can a truth commission and its supporters do to build this essential resource? The community outreach efforts of the commissions in Greensboro, Maine, and Tulsa are illustrative. The Greensboro commission used local media and a door-to-door campaign to raise awareness and encourage people to volunteer (see *GTRC Report: Introduction*, 2006). The Maine-Wabanaki commission took similar steps and more, like hosting a well-publicized commencement event and spending days visiting and socializing with community members before collecting their statements (see *MWSCWTRC Report*, 2015). The Tulsa commission likewise embedded itself in the community and used local

and national media to spread the word about its work and how people could get involved (see *Tulsa Race Riot*, 2001). UCARE need not wait until the commission commences for it to engage in community outreach; that work can be done now. Maine-Wabanaki REACH, for example, built community support for a truth-telling effort years before the commission was established (see *MWSCWTRC Report*, 2015).

Starting now and continuing throughout the commission's existence, UCARE should engage in community outreach efforts. Knocking on doors, organizing community meetings, delivering presentations to local organizations: all are among the many ways in which UCARE could help build and maintain high levels of administrative support for the Central Virginia Truth Commission.

6. Make it as easy as possible for people to deliver statements. People wanting to speak before the commission should face as few barriers as possible. To reduce logistical hurdles, the Central Virginia Truth Commission should follow the Tulsa commission's lead and offer transportation assistance to people near and far wishing to give statements (see "Race riot commission to conduct interviews," 1999). And given its regional geographic scope, the commission should do as the commissions in Maine and Rosewood did and travel to speakers instead of making them travel to it (see *MWSCWTRC Report*, 2015; Jones et al., 1993).

Logistical issues are not the only impediment to statement-giving; people may stay away for psychological reasons, too. To lower these barriers, the Central Virginia Truth Commission should use live public hearings as a default, but give people the option to deliver statements in private, in writing, or without attaching their names. This approach strikes a balance between personal and dialogical truth-telling. Public hearings send a powerful message to speakers that the community hears and respects their experiences, enhancing personal truth-telling. And as compared to written testimony, live statements allow for better assessments of the speaker's credibility, improving dialogical truth-telling. But not everyone wants the public to bear witness to their trauma, nor is it safe for all people to reveal their identities. For at least these people, the commission should provide the option for private or written or anonymous statement-giving. To preempt criticisms that statements outside public hearings are untrustworthy, the Central Virginia Truth Commission should devise rules limiting who can deliver nonpublic remarks (see Gonzalez et al., 2013). These rules should be transparent and open, as well; otherwise, decisions about who can use nonpublic statement-giving options may appear arbitrary or capricious, damaging the commission's public image.

To make itself as accessible as possible, the Central Virginia Truth Commission should offer transportation assistance and hold meetings throughout the region. And to encourage reluctant community members to share their stories, the commission should create a set of rules that allow certain people to deliver statements in private, in writing, or without attaching their names.

Implementation Strategy

To help UCARE implement my six recommendations, I conclude this report with a few points of consideration. These considerations include a stakeholder analysis, necessary next steps for UCARE to take right now, and a forecast of what the worst-case scenario could be.

Stakeholder Analysis

Several parties are involved in moving my recommendations forward, including:

- UCARE, which is leading the planning effort behind the Central Virginia Truth Commission and needs to stay involved throughout the commission's existence
- The dozens of community leaders who have participated in the planning process for the Central Virginia Truth Commission; their ongoing participation is critical, as effective truth-commissions require diverse and robust community leadership
- Local and regional news organizations that could help raise awareness of the Central Virginia Truth Commission and disseminate its findings, such as *The Daily Progress*, *Richmond Times-Dispatch*, *the Washington Post*, Radio IQ, VPM, WAMU, NBC29, WDBJ7, and WTVR
- Charlottesville civic institutions, whose support, as my case-study analysis showed (see the section on the Metropolitan Detroit Truth and Reconciliation Commission on Racial Inequality), is essential for effective truth-telling; these institutions include religious organizations (particularly those with Black congregations like that of the First Baptist Church of Charlottesville), local businesses and employers, schools (most notably, the University of Virginia, but also community colleges and high schools located in Central Virginia), and healthcare providers (namely, the University of Virginia Medical Center and Martha Jefferson Hospital)¹⁴
- Organizations that could help fund the Truth Commission, including past donors to truth commissions like the Andrus Family Fund and W.K. Kellogg Foundation, local philanthropic organizations like the John W. Kluge Foundation and Charlottesville Area Community Foundation, and prominent local individual donors like Dorothy Batten and Michael Bills
- Government agencies and officials, whose participation, especially concerning interviews and access to official documents, is valuable for dialogical truth-telling; relevant stakeholders here include elected officials (members of the Charlottesville City Council and Virginia General Assembly), city agencies (Charlottesville Area Transit,

¹⁴ The relevance of any given civic institution depends on what history the Central Virginia Truth Commission will examine, which should be specified in its mandate. Because the mandate has yet to be drafted, this list of civic institutions is more illustrative than instructive.

Charlottesville City's Attorney's Office, Charlottesville Police Department, and more), and state agencies (Commonwealth's Attorney's Office, Virginia Department of Historical Resources, Virginia Department of Housing & Community Development, among others)¹⁵

What resistance could UCARE face from these stakeholders, and what could UCARE do to mitigate this opposition? Answering this question depends on the specifics of the commission's mandate, as well as on how it decides to balance personal truth-telling with dialogical truth-telling. If, for example, the Unite the Right Rally is the only event under examination, and if the commission is openly hostile to neo-Nazi and Alt-Right speakers, Jason Kessler, among other leaders of the rally, may at best refuse to participate and at worst actively discredit or disrupt the truth-commission process.

One likely source of resistance no matter what the mandate provides is the state, whether at the state or city level. Most U.S. truth commissions have encountered noncooperative elected officials, government agencies, or political parties (see Table 1). To mitigate this resistance, UCARE should engage politicians and government officials as much as possible in the planning process. Doing so could show these officials that the Truth Commission's purpose is not to undermine the state or unseat certain officials from office. Plus, the more these officials participate, the more invested in the truth commission they are likely to become, transforming potential resistance into political support. Another way UCARE could mitigate resistance from these officials is by giving them some representation on the Truth Commission itself. This tactic could, however, raise the specter of bias or impropriety, which, as I noted earlier (see the Recommendations section), could discourage participation. Before proceeding down this path, UCARE should carefully weigh the pros and cons of doing so.

Next steps

There are two necessary steps for UCARE to take before implementing my recommendations. First, before advancing any further in the planning process, UCARE needs to appraise how much the community in Central Virginia supports a truth commission. Without widespread grassroots support, a truth commission is infeasible. Only if UCARE finds that there is enough community support should it take the second necessary step: draft the commission's mandate, either by itself or by forming an independent drafting committee as has been done for other commissions. At a minimum, the mandate should clarify who, what, when, and where the Truth Commission will examine, as well as how long the commission will have to produce its final report (ideally, eighteen to twenty-four months).

¹⁵ This list of government actors is, yet again, illustrative (see footnote 13). Until the mandate fixes what the Central Virginia Truth Commission will examine, it is impossible to identify which of these actors will be relevant for its inquiry.

The Worst-Case Scenario

What is the worst-case scenario? How likely is this outcome? The worst-case scenario is that UCARE misappraises the level of community support, thinking there is enough when in fact there is not. This scenario happened in the case of the Mississippi Truth Project, which not only failed because the commission lacked sufficient grassroots support, but also resulted in years of wasted time and effort. Assessing the likelihood of this scenario is hard to say, other than that it is not some remote possibility. It is therefore imperative for UCARE to accurately gauge community support—and for it to remain open to the possibility that Central Virginia may not be the right place for a truth commission, at least not right now.

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