

Transformative Justice and Racial Reconciliation

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In 1940, *the New York Times* reported a story about the lynching of a 16-year-old African American boy who was accused of attacking a white woman in LaGrange, Georgia. The lynching victim was named Austin Callaway. He was taken to the police department after the accusation was made, only to be carried away later by six white men. The men took Callaway six miles outside of town and shot him multiple times, leaving him for dead. Callaway was found alive but later succumbed to his injuries in the hospital (Perry, 2019). Several decades later, *the New York Times* again reported a story about the small town of LaGrange, Georgia, and the same lynching but this time in a different light. The newspaper reported that the current chief of police, Louis Dekmar, was apologizing on behalf of the department not only to the NAACP president in Troup County, Ernest Ward, but also to the family and community for the department's failure to prevent this horrendous crime (WESA, 2017). This was the first known lynching apology offered by a white police chief on behalf of an entire police department in America. The story made national news on networks such as ABC, CNN, NPR, and it sparked many conversations about lynching apologies. Sadly, most lynching victims' stories have yet to be told or apologized for. One of the big questions that has been asked, especially this year, with the protests for Black Lives Matter, concerns whether or not apologies for lynchings and other racial atrocities are effective. In my research, I will analyze how and if these apologies and discussions can help our communities, making them a better place for current and future residents.

A Brief History of African American Racial Injustice in America

While the history of racial injustices done to African Americans in America has a time span of about 400 years, this paper could not encompass all of those stories. This paper will instead focus on the timeline from post-Civil War America to present times.

Post-Civil War

Before the Civil War ended in 1865, President Abraham Lincoln, a Republican, had already started creating a reconciliation plan for the Southern states. In his plan, he wanted to grant amnesty to all ex-Confederates who were of

the lower ranks, while still punishing the higher officials and officers. He believed that if he did this, then he could create loyalists in the South who would work with him on Reconstruction (DeBerry & Miller, 2019). The Republican Congress was very unhappy with this plan, as they believed that it was too mild; in retaliation, they created the Wade-Davis Manifesto, which blocked Lincoln from planning Reconstruction and gave the power to Congress (DeBerry & Miller, 2019). Unfortunately, Lincoln was assassinated before the end of the war, meaning that his Vice President, Andrew Johnson, a Democrat from Tennessee, was now in office. President Johnson was a staunch Unionist, but he did not share the same sentiments that Lincoln did. He believed that the South should be punished, but he granted them way more leniency than Lincoln had planned to. Johnson conceived of fourteen categories in which a person could not be given a pardon, but many of these guidelines were lenient. He also required that all states abolish slavery before reentering the Union. Before Congress could reconvene in 1865, Johnson had instituted his plan, and all but one Southern state had ratified their constitution. Johnson declared that Reconstruction was over (DeBerry & Miller, 2019). Republicans proposed the 14th Amendment in 1866, which gave freed slaves citizenship and protection under the law, but it failed at first. As white supremacy upheld its status in the White House, it was also allowed to continue in Southern states.

Taking a look back at the states, many Southern plantation owners were angered by the fact that they now had to treat what was previously their property as actual human beings. A man who had previously been a slave was murdered simply for asserting that he was free after the Civil War (Equal Justice Initiative, 2015, 9). The leniency of Johnson's early Reconstruction plans was also taking a toll on the states. Originally, the plan for Reconstruction was also supposed to help freedmen get on their feet and begin a normal life, but unfortunately for some, that never happened. A lot of the land that was supposed to be given to freed slaves was given back to white landowners by 1866 (Shally-Jensen, 2014, 122-130). African Americans without jobs or homes fell prey to the new Black Codes that were being instituted in the South. These laws were created to exploit the terms of the 13th Amendment, which abolished slavery unless it was

punishment for a crime. Odd laws began appearing, such as an Apprentice Law created in Mississippi, which allowed Black children to be taken from their parents if it was believed that they were not being taken well care of (Shally-Jensen, 2014, 125). The children were then given to “suitable families” (typically white families) to serve as apprentices, which meant more free labor. Vagrancy laws began popping up across Southern states, and it became illegal to be homeless. If you broke the law, then you were hauled off to jail to be an indentured slave until your debt was paid off (Shally-Jensen, 2014). While these discriminatory laws continued to gain traction, Congress sat on Capitol Hill, not making any effort towards a fix.

Two race massacres occurred in 1866 that did finally push Congress into action. The first was the Memphis Massacre, which spanned from May 1 to May 3 of 1866 (Donald, 2018). On May 1st, African American Union soldiers were standing outside of the Memphis courthouse for an unknown reason. Some people had reported that they were being rowdy and unruly, so the police arrived. Harsh words were exchanged, and a ruckus began; some soldiers fired shots into the air, and it was said that the white police believed themselves to be the target, so they fired into the crowd. Ultimately, one police officer and one firefighter died in the shootout. The police retreated and returned with reinforcements, and an all-out shooting began. After a ceasefire, the soldiers returned to their fort, but the police came back and wreaked havoc on the Black community in that area for two more days. They looted, burned, and slaughtered everything that was in their way until they felt it was sufficiently over. While only one officer died in the shootout, many more people died in the massacre that followed (Donald, 2018).

The next well-known bloody massacre that occurred during the summer of 1866 took place in New Orleans, Louisiana. The Constitutional Convention of 1866 had just convened, which meant that slavery was finally made illegal in the Louisiana Constitution (Scott, 2020). Black Convention supporters, mostly Union soldiers, began a parade of celebration. They waved the American flag in joyful celebration as they walked through the streets of the city (Scott, 2020). A single shot rang out during the celebration, and then many more followed. Pistols were going off left and right, Many Black citizens ran to the Mechanics Hall down the road to take cover, only to be murdered by a white mob as well as by the police themselves, who set the building ablaze (Scott, 2020). Martial law was quickly instituted by Federal troops, and when they began counting the dead, they found that 30 to 50 Black Americans had been killed and 150 injured (Scott, 2020).

These two events led Congress to jump into action with the Militarization Act of 1867. All Southern states were occupied by Federal troops under martial law (Shally-Jensen, 2014). Along with that law came the Reconstruction Act of

1867. This act not only allowed African American men to vote but also disenfranchised former Confederates (Equal Justice Initiative, 2015, 11). This disenfranchisement allowed the voting demographic of the South to change, and with that came a greater shift towards equality. There were some 2,000 Black men who held office during the glorious time of Reconstruction (Shally-Jensen, 2014).

After a surge of Black elections and representatives in the early years of Reconstruction, a “wave of counter-revolutionary terror” began to grow within white communities that would continue for years to come (Equal Justice Initiative, 2015, 13). A politically and racially motivated massacre occurred in Colfax, Louisiana, a sugar and cotton plantation during slavery that soon became a bustling town during Reconstruction (Equal Justice Initiative, 2015, 14). The town had just finished an election cycle in which it was widely believed that the Democratic Party leaders had won fraudulently. The African American community decided to protest peacefully outside the courthouse. White citizens surround the protests and engaged in small fights with the protestors. On Easter Sunday, though, it was reported that 300 whites had attacked the courthouse, assaulting protestors (Equal Justice Initiative, 2015, 14). The casualties were three white people and fifty African Americans. Today the town has two signs pertaining to this part of its history. One sign commemorates the three white men who lost their lives “fighting for white supremacy” (Equal Justice Initiative, 2015, 14). The other sign talks a little about the event, but the last line reads “This event on April 13, 1873 marked the end of carpetbag misrule in the South” (Equal Justice Initiative, 2015, 14).

The Ku Klux Klan was a white supremacy group created by ex-Confederate soldiers in 1865 in Knoxville, Tennessee. They created a storm of white resistance to Reconstruction and terrorized African American communities in the South. This group acted as a military force for elections. The Democratic Governor of New York in 1868, Horatio Seymour, campaigned on the idea that he was a white man’s candidate and said that “black people are in form, color, and character unlike the whites and [...] are, in their present condition, an ignorant and degrading race” (Equal Justice Initiative, 2015, 15). As time went on, the idea of Reconstruction began to falter as the strong willpower of white supremacy grew. The courts overturned case after case, stripping the protections that African Americans needed in the Deep South. One of the biggest court cases that the Supreme Court dealt with was in *United States v. Cruikshank*, in which they ruled that the 14th Amendment protects citizens from actions against the state, not from individuals (Equal Justice Initiative, 2015, 19). This ruling meant that African Americans were protected from racially-motivated attacks only if they came from the state, not from private actors. This ruling basically made Reconstruction legislation useless. Then, in the election of 1876, with a deadlock between

Rutherford B. Hayes (R) and Samuel J. Tilden (D), Hayes was promised the presidency if he would end Reconstruction (Equal Justice Initiative, 2015, 22). With the election of Hayes, Federal officers were removed from the South, and the reign of white terror began.

Jim Crow

As Reconstruction ended, the era of Jim Crow began. Jim Crow was an upholding of racially-segregated laws that kept African Americans in awful conditions and separate from white citizens, and there is a significant historical connection to the name. The name “Jim Crow” comes from a white performer by the name of Thomas Dartmouth Rice (Richardson, 2018). Mr. Rice, who performed in blackface and named his character Jim Crow, first performed this act in 1832. The popularity of this minstrel show, a show performed by white men in blackface in mockery of Black Americans, slowly gained cultural significance. What started as a theatrical mocking of Black Americans used to create a comical relief for the white majority became the name of the laws that upheld white supremacy and suppressed Black Americans for 88 years.

The laws of segregation ranged from the almost insignificant, such as addressing white people in a certain manner, to bigger laws, such as the outlawing of interracial marriage and segregation of public education. If an African American person broke a law or was seen as being disrespectful to the white population, then it could lead to a deadly response, not just from the police department, but also from the white citizens themselves. Lynching, while used back in post-Civil War times, grew more prominent during the Jim Crow era as a way to enforce white rule and uphold white supremacy in America. Black men were lynched for actions that their white counterparts would not have been held accountable for; this is seen in the story of a Black man in Luverne, Alabama, by the name of Jessie Thornton. He was lynched strictly because he did not call the police officer Doris Rhodes by the title “Mr. Doris Rhodes” (Ekanem, 2013). Another form of excuse for lynching was based on the fear of interracial sex and the fear of rape. For example, Emmett Till, a fourteen-year-old African American boy visiting family in Mississippi in 1955, was lynched for nothing more than a white woman’s lie about a flirtation (Library of Congress, n.d.).

Lynchings were also seen as public events for white citizens. They would be advertised in newspapers just as a sporting event would be today, and families would gather at a designated spot to watch the execution (PBS, n.d.). Families would even bring home souvenirs from the dead bodies as a reminder of that day. In 1904, a public lynching occurred in Doddsville, Mississippi, where a Black sharecropper named Luther Halbort was accused of killing a white landowner by the name of James Eastland. Halbort and his wife, who remained unnamed, fled into the Mississippi swamps.

Eastland’s brother, Woods Eastland, gathered 50 men to pursue the Halborts, and within three days they were caught. The two were tied to a tree on the lawn of a Black church. Their hands were displayed while spectators removed their fingers as keepsakes before the couple was burned alive on pyres (Harris, 2015, 12-13). Lynching these two victims in front of a Black church was intentional. Another disgusting report occurred in Newnan, Georgia, in 1899, where a Black man named Sam Hose was lynched, and pieces of Hose’s heart, liver, and bones were sold to the crowd later as souvenirs (Equal Justice Initiative, 2015, 35). These public lynchings, and even private ones, were used as a demonstration to the rest of the African American community as a way to say “keep in line, or this could happen to you next.”

These atrocities may have happened 122 years ago, but the cultural significance that they most likely left on the Black communities should not be ignored. I interviewed Dekmar, the chief of the LaGrange Police Department, about his decision to apologize for the Austin Callaway lynching on the behalf of the police department. He mentioned that even though the lynching occurred 78 years ago, it still affected the way the African American community in LaGrange viewed their police department in current times. These individual traumas created by these acts do not just disappear as time goes on but rather become internalized in both the Black and white communities.

The racial terror did not stop with individuals; it would go on to spread through entire communities. In 1927, in Little Rock, Arkansas, a Black man by the name of John Carter was lynched for the accusation of having struck two white women. He was forced to jump with a noose around his neck from an automobile and then shot 200 times (Equal Justice Initiative, 2015, 39). His dead body was then paraded through the streets of Little Rock’s Black neighborhoods in a twenty-car procession. After their inhumane parade, the white mob then destroyed the Black churches in the neighborhood and created a bonfire for Carter’s body on the trolley tracks, using the church pews for fuel (Equal Justice Initiative, 2015, 39). These gross displays of violence continued for many years and in more states beyond what is considered the Deep South. The American West faced these same issues. In May 1921, in Tulsa, Oklahoma, a Black man by the name of Dick Rowland was in an elevator with a white woman named Sarah Page (Tulsa Historical Society and Museum, n.d.). The details are skewed to this day, but it was believed that he offended the woman or attacked her in some way, so he was arrested. While Rowland was at the courthouse, a newspaper article spurred outrage, and both white and Black groups formed at the courthouse where Rowland was imprisoned. A skirmish occurred with shots fired, so the Black group retreated to the Greenwood District, with the white mob following. The Greenwood District at that time was a grand spot for African American wealth, considered a sort of Black Wall Street. It

had thriving Black businesses and was one of the foundations for the beginning of a Black middle class (Tulsa Historical Society and Museum, n.d.). Within 24 hours, the Greenwood District was burned, bombed, and destroyed, with many lives lost. This massive invasion of white people into Black communities, ruining their sense of safety in what should be their safest areas, continued throughout the Jim Crow era, with little to no punishment. How is a community expected to heal when they have received nothing to help in the healing process?

The complete injustices that have been committed by the white community against the Black community span around 400 years and further. These injustices still affect the African American community today, and they continue to fracture relationships between white and Black Americans. Transformative justice is not a complete fix, as such is quite frankly impossible, but it could start the healing process so that open discussion can occur and thus begin truly addressing not only America's racist past but also its horrific past of white ancestry and how they continue to impact America and its citizens centuries later.

What Is Transformative Justice?

Transformative justice is a fairly new concept within social science fields. After the creation of the Restorative Justice Movement in the 1970's, it slowly began to grow, and so did its criticisms. *Restorative Justice* is defined as "a theory of justice that emphasizes repairing the harm caused by criminal behavior" (Centre for Justice and Reconciliation, n.d.). The basic concept is that the victim and the offender meet for reconciliation through mediation. Many activists and scholars argued that it did not encompass truly addressing the problem but rather focused only on the actions of the offender and how they could heal that relationship with the victim. It failed to address underlying root causes for violent or unlawful actions. A Canadian Quaker by the name of Ruth Morris began to recognize the moral failings of restorative justice and began to piece together the theory of transformative justice. Morris gathered a lot of her information from the "Alternative to Violence Project," a Quaker-run organization that started in New York City in Green Haven Prison. She formed a lot of her theory about transformative justice from the movement known as *Transforming Power*, which focused on working within yourself and your own issues to heal and then bring light to others. With these concepts in mind, the theory of transformative justice was born.

Transformative justice has four core philosophies, but the last three are the ones that this paper will center on. The three core values explored are crime, identity, and transformation. *Crime* is a form of community-based conflict where society and government might also be perpetrators; transformative justice brings issues of *identity* back into the realm of justice by addressing socio-political injustices

towards marginalized groups; this theory believes in the value of mediation, negotiation, and community circles to *transform* conflict (Nocella, 2011).

The Barnard Center for Research on Women (BCRW) has many resources on a more basic understanding of how transformative justice can be defined and identified. A woman by the name of Adrienne Maree Brown describes transformative justice as a way to get "all the way down to the root system of the harm" and then figuring out what needs to be done once at that root to transform it so that the harm is no longer there. She also points out that this is not something that the state can do, as this is deeper work, something that is based solely in the communities we have. Another representative of the BCRW by the name of Stas Schmidt states that we must "address harm but also understand why that harm happened and address the underlying dynamics that created conditions for it to happen in the first place... addressing the conditions of the community that allowed for that to be normal" (Kaba et al., 2020). So essentially, transformative justice is all about getting to the root of issues in a community so that current and future instances of harm can be resolved. This idea of transformative justice could be used as a way to heal racial tensions within our communities by opening up honest discussions of harm and the history of it. One major critique of the idea of transformative justice is that it is a fairly new social theory and therefore does not have a lot of quantitative research to support it. There have been historical events, however, that fell under the umbrella of transformative justice before it was identified as such. Analyzing the racial reconciliation actions of South Africa post-apartheid and Germany post-World War II can help us learn more about how to do so in the States.

Examples of Racial Justice Enacted

Germany Post-WWII: A Country Confronts Its Past—Again
Adolf Hitler rose to power in 1933 and not long after, his Nazi regime began upholding the new racist laws towards German citizens of Jewish heritage. During Hitler's reign, he oversaw the mistreatment and murder of over 6 million Jews in his concentration camps. World War II began in September 1939 after Hitler's invasion of Poland, and the war went on for six years. When the Second World War ended in 1945, Germany was divided in half; East Germany was controlled by the Soviet Union, and West Germany was controlled by the other three Allies: the United States of America, Great Britain, and France. The Allies met at Potsdam to discuss the idea of "Denazification," which was intended to punish the Third Reich while also transitioning Germany into a normal life that would no longer threaten world peace (McClintock, 2005). In the meeting, they devised guidelines that would be followed in the Denazification process. The guidelines were as follows:

- The acceptance that Germany as a whole, not just the elite citizens, were guilty for the crimes of the Third Reich.
- The recognition that certain characteristics of German historic culture, such as anti-liberalism and militarism, had contributed to the rise of the Third Reich.
- A plan to make Germany more democratic, finally solving the issue that Germany continued to have with leadership (McClintock, 2005).

The first step to achieving this goal was a survey named the *Fragebogen*. Citizens filled out this survey with information about their ranks within the Third Reich and were sorted into categories depending on the results. These categories determined their punishments and how long they participated in Denazification. While these programs were somewhat beneficial, they also had a lot of opposition because many Germans had been forced into supporting the Third Reich.

Another issue that Germany faced after the war was large concentration camps that were built in different areas of Germany. During the Denazification process, some camps were used to hold Nazi prisoners and some parts converted into makeshift courtrooms. These camps were also an important part of educating citizens about what had occurred within the walls of these facilities. It was an important part of Step One of Denazification, which was recognizing that they had also been participants in these horrendous acts. One of the camps used during this time was the Dachau camp, located in Bavaria; it was one of the first concentration camps built in 1933 (Marcuse, 2000). The Dachau concentration camp was used from 1933 until the American liberation in 1945. It was used as Nazi propaganda to “show” citizens that the camps were not bad. The citizens had been told and shown by German officials that these camps were for education and housing. The Dachau camp had also been used for Nazi guard training in preparation for them to then move on to their assigned camp (Marcuse, 2000). After American liberation, a United States Army general by the name of Henning Linden toured the camp and found horrendous evidence of the disgusting treatment of the German captives. After seeing it for himself, he ordered those nearby citizens to tour the facility in hopes of showing them what had really occurred during the Nazi regime. Linden was quoted as saying,

The outstanding picture I got from my inspection of this camp was the barbaric, infamous systematic effort of the camp routine to degrade the human to a point where he bordered on the animal. I would strongly recommend that all German citizens within marching distance of this concentration camp be forced to walk through [it], to the end that the German people could know and realize what form of government and

philosophy they have been supporting during the Nazi regime. (Marcuse, 2000)

The citizens were taken through the camps, but it seemed that some people still could not see past the propaganda, even after the fact. One citizen was taken through the camp during this time and after seeing it all still maintained the idea that it was a “clean” camp and the horrific conditions were just a brief phase that had occurred (Marcuse, 2000). For several months during the trials that occurred there, the Dachau camp was used as a sort of museum displaying the horrors of the Nazi regime. Victims of the camp were encouraged to create memorials and documentary exhibitions. As a way to combat the old propaganda, the U.S. military sent out pamphlets to citizens to showcase the horrific things that had occurred in the camp. After the trials finished and the U.S wrapped up the Denazification process in 1947, they handed the building over to the Bavarian government. The Dachau camp is only one example of the many camps used to showcase German brutality; some camps were later transformed into penitentiaries. The idea of Denazification slowly fell away from the German ideals, and they tried to ignore the past. After the Berlin Wall fell, it ignited the discussion again about Denazification, and whether or not it was needed again.

After the Berlin Wall fell in 1989, the struggles of unifying both sides began. One of the biggest turning points in this time was that professionals who had been alive during the time of Nazi Germany were now retiring. The younger generation began to move into the fields of science, history, law, and education and began conducting new research into Germany’s atrocious past (Evans, 2018). These revelations led to the monuments that we see today, such as memorials for the victims of the Holocaust and monuments that are kept in Germany as a reminder. These monuments were created to remind older Germans, to inform younger Germans, and to better prevent such atrocities in the future.

Apartheid and Post-Apartheid: Owning Up to the Truth

Before analyzing the process of post-apartheid and its contribution to transformative justice, the history of apartheid itself must be recognized. In 1692, the Dutch government founded Cape Town in South Africa. As time went on, more white settlers began to colonize parts of South Africa, and in 1910, the Union of South Africa was founded, which later became the National Party. A counter-party was also created in 1912 to combat white supremacy; this party was known as the African National Congress (ANC). The growth of large cities in South Africa attracted many Black African workers in the 1930’s and 40’s. The National Party opposed Black Africans moving to the large cities, as they believed that it threatened their ability to rule, so when they came to power in 1948, they began to institute and uphold white supremacist laws. Some of these laws included creating specific towns for

different races, as in 1951 when the Bantu Authorities Act was passed (Lucas, 2020). This act meant that the Black towns were the only places where Black Africans could reside. Their laws also mimicked segregation laws that America upheld during the same period, such as Black Africans not being allowed in first class railroad cars and the outlaw of interracial marriage or fornication. The ANC began fighting against these laws by organizing protests and committing acts of civil disobedience.

One law that sparked protest and that was the origin behind the Sharpeville protest, which later became a massacre, was the Pass Book Law of 1952. This law restricted the gathering of Black Africans to groups of fewer than 10 persons and required every South African over the age of 16 to carry a pass book at all times (Adesina, 2021). This pass book held information about the person, such as their name and fingerprints, as well as information on whether they were allowed to be in non-Black cities. This law rightfully created outrage, and many anti-apartheid groups as well as the ANC organized a protest. A group of five thousand people gathered in Sharpeville on March 21, 1960, in front of the police station and other government buildings, with the intent to be arrested for not carrying their required passes. In response, the police became annoyed by the protests and fired shots into the crowd, creating a panic. Even when the crowd began to flee, the police continued to shoot. When the dust cleared, 69 people were found dead. This massacre sparked so much outrage and protests that the Pass Law was suspended, and on March 30, 1960, a state of emergency was declared. The government also passed the Indemnity Act in 1961, which cleared all government officials of any wrongdoing or liability (Adesina, 2021). The ANC and others continued to fight against the injustices created by white supremacy, but the Soweto Massacre in 1976 is what really began the true call for change in the apartheid laws in South Africa.

In the summer of 1976, Black South African high school students gathered in various places with the intent to march to Orlando West Secondary school to pledge solidarity against Bantu education (Baines, 2006). Education in Black townships during this time was sorely lacking when it came to actually educating students. Their education supplies were almost non-existent, and their students outnumbered their staff, not to mention the fact that some of their staff didn't even have teaching certificates (Baines, 2006). This was all a by-product of the Bantu Education Law of 1953, which transferred all Black education to the Bantu Education Department, headed by a white supremacist by the name of Hendrick Verwoerd ("The Soweto Uprising: A Soul-Cry of Rage," 1976). The catalyst that made the protest a reality was that the Afrikaans language was to become the main language by which education was taught. This angered many students because there were many active languages in each region of South Africa. On June 16, 1976, the Soweto Student Representative Council organized a peaceful march that

quickly turned violent due to police escalation. The police blocked students from reaching their desired meeting place, and when the students refused to obey orders, law enforcement officers shot tear gas into the crowds and used dogs to maintain order. When those efforts failed, the police decided to shoot into the crowd of students ("The Soweto Uprising: A Soul-Cry of Rage," 1976). After the first shots were fired, chaos erupted. In retaliation, some protestors began lighting buildings and cars on fire, while others either were attacked by or were attacking police officers. The city was sealed off by officials, and helicopters dropped tear gas on the small African town. This one riot soon spread to other townships nearby as news spread. Once it all ceased, the damages were unimaginable: 700 dead and 5,000 injured (Baines, 2006). This incident, like the one in Sharpeville, was only one of the many fights for justice that occurred before apartheid ended in 1990.

After the fall of apartheid in South Africa, the work to create a new government began. One of the biggest issues that the new government faced was the question of dealing with the human rights violations that had occurred during apartheid. While some South Africans wished to ignore the past, pushing it aside for political alliance and stability, others supported the idea of bringing the sins to light as a way to share the stories of victims and create a healing process (Deegan, 2001, 137).

Many debates were held over how to handle the reconciliation of South Africa, but the idea that was finally agreed upon was the Truth and Reconciliation Commission (TRC), which was officially created in 1993 (Deegan, 2001, 138). The TRC would provide public acknowledgement of and reparations to the victims of gross abuses. The TRC would investigate and share crimes only between the years of 1960-1994 (Deegan, 2001, 138-139). This was not to say that crimes that happened before 1960 were unimportant or that justice was unattainable; many places have recognized crimes earlier than 1960, but now the hyper-focus was on crimes committed where the victims or witnesses were still living. The TRC also granted amnesty to perpetrators, with a set of conditions, but many people feared that amnesty would not bring about the justice that was deserved. Desmond Tutu, the Chairman of the TRC, even questioned if there could be justice if amnesty were allowed, but the TRC maintained that this was not punitive justice but rather a restorative one (Deegan, 2001, 138).

After much debate over the thought of amnesty and how it should be handled, a set of conditions was created. These set conditions for amnesty were as follows:

- Any action in which amnesty was sought had to have occurred between 1960-1994.
- The action had to be politically motivated not for personal gain.
- The applicant had to disclose the whole story, and

- the rule of proportionality had to be observed (Deegan, 2001, 139).

The commission created committees within itself to handle different aspects of this step toward transformative justice. The Human Rights Violation Committee was tasked with investigating the crimes of human rights. They were to record all allegations made by victims and the victim's family and determine whether the violations occurred from deliberative state planning or any other organization (Deegan, 2001, 140). These cases were then chosen by this committee and presented to the public under certain considerations. In one eyewitness account that was shared in front of the TRC by a participant of the Sharpeville massacre, a man by the name of Fredrick Batkani, said that

At Sunday night we gathered at the football ground. All men were there. Women were not allowed. It was the middle of the night around midnight, when the police came. They said: "What are you doing here?" The leaders of Pan-Africanist Congress answered: "We're here to talk about the bad rules of the passes." That wasn't the right answer, because moments later the officers started to hit us with whips. We ran away, some of us badly hurt. There were also shots. I don't know if they were aimed at people or not. It was dark, I couldn't see. (Lodge, 2011, 2)

This eyewitness account captures only a fraction of the injustices that occurred during apartheid rule. Another account shared to the TRC came in the form of Edith Mjobo. Three of her sons were outspoken activists, and the government had a habit of detaining and torturing families as a means to get information. Mjobo shared at her testimony that "As they were looking for my sons, they used to arrest my husband. And they used to cover his face with plastic bags and torture his genitals. He became sick because of this. He suffered a lot until his death" (Deegan, 2001, 142).

The TRC worked for two and a half years compiling information just like this and working with victims as well as perpetrators to share the truth about apartheid. The 3,500-page report was released after fighting with the ANC, the ruling party at the time, about the contents.

While the TRC did not fully heal the communities in South Africa, it did open many people's eyes to atrocities that had occurred. No longer could citizens say, "My people would not do that" (Deegan, 2001, 157).

Analytical Method

This paper, while full of historical significance, still begs the question "Do transformative justice and racial reconciliation work? Thus, the question has to be tested. To create a test, one must have a theory, hypothesis, and different variables. A *theory*, which is the first step to testable research,

is defined as "a set of empirical generalizations about a topic" (Monroe, 2000). A theory is the broad generalization that forms the general idea for research. The next step would be narrowing your theory down to a *hypothesis*, and that is defined as "an empirical statement derived from a theory." Within the hypothesis, there are *variables*, which are defined as "the objects by which the hypothesis describes (Monroe, 2000). There are two variables in a hypothesis: the dependent variable and the independent variable. The *independent variables* are those presumed in the theory underlying the hypothesis to be the "cause," and the *dependent variable* is considered the "effects or consequences" (Monroe, 2000).

The theory for this paper is questioning whether or not transformative justice helps heal community ties. The hypothesis is this: Do active discussions on race and lynching apologies help heal racial ties within the community? My dependent variable consists of racial attitudes and relationships within the community of LaGrange, Georgia. My independent variable is going to be the presence of racial trust-building initiatives and lynching apologies in communities like LaGrange.

While there is not a lot of qualitative data available on the subject, because of how new the topic is, the case in LaGrange, Georgia can give us a glimpse into how these programs and ideas can work, as well as how they have inspired other cities to follow.

LaGrange, Georgia

Racial Trust-Building Initiative

The beginnings of what would become the Racial Trust-Building Initiative in LaGrange, Georgia, began in 2014. Former President of LaGrange College Dan McAlexander informed me that the project idea started in the office of LaGrange Mayor Jim Thornton with two other mayors from the surrounding cities, Police Chief Louis Dekmar, the County Commission Chair (at the time Ricky Wolfe), the local state representative (at the time Carl Von Epps), and the Troup County Sheriff. In this closed-door meeting, Wolfe made the point that every breakfast meeting that occurred with the Mayor about issues in the town always circled back to race. With that conclusion in mind, Wolfe and Von Epps volunteered to co-run an organization now known as the Racial Trust-Building Initiative (RTBI). The two pitched the idea to local funders and stakeholders in 2015, and it was met with some criticism, but also with some interest. The two were in contact with Hope in the Cities, a race and reconciliation group run out of Richmond, Virginia. They traveled to Richmond to conduct research on how exactly the program could be run. Wolfe and Von Epps also worked with Southern Truth and Reconciliation (STAR), a group located in Atlanta, Georgia, which does consulting and networking for groups just like the Racial Trust-Building Initiative.

After a lot of collaboration, research, and planning, STAR hosted the very first of many trust-building activities at LaGrange College on March 7, 2015, the 50th anniversary of Bloody Sunday. The Racial Trust-Building Initiative has Level 1 and Level 2 training that is taught by STAR and Hope in the Cities. After the citizens of LaGrange go through their initial training, they can then meet to discuss more in-depth ideas and discussions around race. While McAlexander was not able to attend the first session, due to family issues, he did attend later on. He said that the things shared within this group were “powerful, powerful stuff [that was] helping people have honest, frank, and civil conversations, especially on whites.” He backed this up by sharing the story of Nathan Green, whose sister cried after being able to step into the Callaway Auditorium, which had been a community center at the time and was not desegregated until 1992. It had been private property until that year, and it was vaguely understood that the owner, Fuller E. Callaway, a staunch segregationist, wished to keep it segregated until it was sold to Milliken and Company, who donated the building to the college, who then desegregated it.

Another well-known community member, Ernest Ward, the previous president of the NAACP, shared that this organization was one of great importance to him and to the healing of the community. The group has sponsored many activities around the issue of race, whether it be reflection activities such as creating a timeline and seeing how the past looked like to other citizens or meeting for breakfast to discuss the idea of implicit bias of all people. They are continually active in their efforts. As of now, McAlexander said that there have been 350 citizens, both Black and White, who have participated in these trainings and discussions. This creation of this group in 2015 began the building blocks for the lynching apology for Austin Callaway that occurred in 2018.

The Apology

Dekmar, the man who initiated the apology, attended the first Racial Trust-Building Initiative in 2015, but before then it seemed that he was already contemplating the issue. He first became aware of the lynching long before the creation of RTBI, which seems to be back in 2011. Dekmar noted that two older Black women were discussing the police department, and it was made evident that even after 70 years, the lynching still affected the way that the older Black citizens of LaGrange viewed the department. He recognized this issue but did not know how to approach it effectively until years later. He wanted not only the police department but also the community as a whole to work together on this issue. Several years later, in 2016, he approached Ward with the idea for an apology.

Ward at the time was the NAACP President, and when he was approached with this idea, he wanted to make it very clear that it had to be an action-based apology rather

than a baseless one. He compared an apology to an engagement: “I said an apology without some concrete action would be like an engagement without a marriage; it wouldn't mean nothing.” Ward exclaimed that he had to be very careful accepting an apology as the President of NAACP because the whole creation of the NAACP was to fight against lynchings. After a lengthy discussion over the idea, the two worked together along with other members in the community to come up with a plan.

The apology took place in Warren Temple United Methodist Church, a historic church in LaGrange. This was the same church from 1940 whose pastor, when he heard of the lynching, wrote to Thurgood Marshall for justice. CNN reported that 200 people, all of mixed colors, crammed into the church, with police in uniform seated among the citizens. Mayor Thornton gave his speech first, saying, “Some would like to see us bury the past and move on. Until we have a full and complete acknowledgement of the past, we can never heal” (Grinberg, 2017). Many other important people gave an apology for their department's failings at that time. For example, local judge Jeannette Little quoted the Bible: “Ye shall know the truth, and the truth shall set you free” (Grinberg, 2017). The apology was just the beginning, though, as Ward said that there needed to be action, too.

The Actions After

When asked if he believed that the apology was effective in building trust between the community and the police department, Dekmar said, “The acknowledgement and the apology are the first step. It isn't the concessionary step; it's the first step.” True to his promise to Ward about action following the apology, he began to go through the policies and procedures that were used in the department. He acknowledged that through an administrative lens, the policies might seem as though they are distributed justly and fairly, but through a historical lens, you could see how it affected marginalized communities. So with that in mind, the LaGrange Police Department began fixing the system from the inside.

One of the first projects instituted was the Record Restriction Act, which restricts arrest records of people who were not charged with a crime. This act is instrumental in job growth within marginalized communities. If someone is looking for a decent-paying professional job but they have an arrest record, then they are less likely to get a call back or even a recognition. Most marginalized communities have a high rate of arrests, and the restriction of police records can even the playing field for many people to attain jobs. Another program that was implemented was the switch from arresting people for certain misdemeanors to instead writing citations when it's applicable. Dekmar explained that if you arrest someone for having an open container of alcohol in public, they will sit in jail until they can be seen by a judge, who will then most likely release them on a promise to appear. He

explained that this can affect marginalized and lower income citizens exceptionally because if you arrest them on a Friday and they have a job on a Saturday, then they have just lost that job. He said, "Now you've just introduced chaos into a situation where you know two days later, the judge is going to punish them, release them on their promise to appearance, so they have sat in jail essentially for no good reason." This is a good program that allows citizens a chance to make up for the misdemeanor without, as Dekmar said, throwing chaos into an environment for nothing.

Another program that has been implemented is the addition of a case worker position to the force. This person, connected with 700 agencies, can now help people outside of just having an officer there. This case worker can point the person in the direction of help so that they can get what they need. The last program that really benefits the community is the Car Care Program. This program was created with the help of local car part stores. If a citizen is pulled over for a broken headlight or any minor vehicle infraction, then an officer, instead of writing a ticket, gives the person a 10% off coupon to an auto parts store so that they can fix the problem. This means that someone who might pay \$200 for a ticket is now able to save money while getting the infraction fixed. This is a great program because at the end of the day, if someone with little money has to choose between groceries or their tail-light, they will choose the groceries.

While all of these programs are great at building a sort of trust, Dekmar points out that "trust does not give you a pass, but what it does give you is time." He pointed to the riots within the larger cities and how all of that strife stems from the continued distrust within the community. He explained that in white communities, if the police mess up, it is seen as nothing more than a screw-up, but in Black communities, it's "another screw-up on a page in a chapter in a book in a library full of bad outcomes. It's not looked at in isolation; it's looked at with the historical experience they have had in some quarters with the police, if that makes sense." This idea rings true in the events that have occurred just last year; first the murder of Ahmaud Aubrey, then George Floyd, followed by Breanna Taylor, and so on. It's nothing new for the Black community or other minority groups, but trust-building is something that the white community should start considering.

Conclusion

While these programs continue to be used in the small town of LaGrange, they should also be considered in towns around the US. There may be no qualitative proof that these programs help communities in their growth, but there is quantitative proof that it can help to educate the citizens. The Racial Trust-Building Initiative has over 350 members and plans to grow its numbers by working with LaGrange College to educate its students. They are working to help implement a program just like it in Smyrna, Georgia, and have already

done so in Harris County, Georgia. These programs cannot promise change, but they can promise open discussions and education for both races so that we can begin to hopefully create a better future for the next generation.

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