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OPINION

Md. lynching commission offers chance to investigate, atone

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By NICHOLAS CREARY
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At least 44 men in Maryland and thousands nationwide lost their lives to lynchings. Now activists are shining a light on the gruesome practice hoping to start an honest and healing conversation. (Karl Merton Ferron/Baltimore Sun video)



With the signing of House Bill 307 this month, Maryland made history by becoming the first state in the Union to establish a state-wide commission dedicated to investigating racial terror lynchings in the United States. The Maryland Lynching Truth and Reconciliation Commission (LTRC) provides an opportunity for the state to take a significant step in making peace with its African American communities.

The idea for such a commission is rooted in the spirit of restorative justice, which emphasizes repairing the harm to people, relationships and the community caused by criminal behavior. Thus, "justice" must address those harms as well as the wrongdoing. A key principle of restorative justice is that the people most affected by the crime should be able to participate in its resolution.

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Desmond Tutu, the founder of South Africa's Truth and Reconciliation Commission placed the idea for the TRC in the African concept of *ubuntu*, or our

common, collective humanity, the idea that "I am because we are."



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"If one person is dehumanized then inexorably we are all diminished and dehumanized in our turn," he said in a 2004 lecture. "A criminal offense has caused a breach in relationship and the purpose of the penal process is to heal the breach, to restore good relationships and to redress the balance. Thus it is that we set out to work for reconciliation between the victim and the perpetrator. In restorative justice both the victim and the offender play central roles."

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The LTRC seeks justice for families and communities of the victims of racial terror lynching in Maryland. The forms that such justice will take will be informed by the victims' families and communities, per the restorative justice paradigm. It will also provide opportunities for the responsible parties' families and communities to

apologize and make amends in order to heal the damage to African American communities across the state for the wanton murder of their men.

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Martinican poet and politician Aimé Césaire asserted that the perpetrators of violence were made brutes by their acts of violence. The LTRC, therefore, offers an opportunity to restore the humanity of both victims and perpetrators. It will also provide a means to stop the silencing of African American communities that was an integral element of racial terror lynchings.

The LTRC's hearing process will allow victims' families and communities (and possibly perpetrators' families and communities) to tell the truth about their stories. The hearings will also provide an opportunity to identify and bring to light possible cases of racial terror lynching that are remembered in families and communities but for which there is little or no documentation.



In a 1976 interview, Clarence Mitchell Jr. talks about covering the George Armwood lynching in Princess Anne in 1933 for the Afro-American newspaper.



Beyond opportunities for truth telling, the hearings will highlight the complicity of various state organs and media outlets in participating in racial terror lynchings: The General Assembly failed to pass proposed anti-lynching legislation in 1898; county sheriffs and jailers allowed mobs to take men from jail with impunity; county state's attorneys refused to identify and bring charges against members of lynch mobs; county coroners routinely claimed that the victims of lynching died "at the hands of parties unknown"; newspaper coverage of these events contributed to the creation of a culture that condoned and encouraged racial terror lynchings. Thus, the LTRC's hearings will provide an opportunity for the state's governments to take responsibility for their (in)actions and to be held accountable for their collusion in the commission of these crimes. Conversation and discussion alone are insufficient; remedial actions are necessary, and recommendations for such actions will be included in the LTRC's interim and final reports.

Rather than a dredging up of the past, the LTRC process is an opportunity to close at least 40 open murder investigations. Ask yourself: If there were five open murder cases in Prince George's or Anne Arundel counties, and authorities knew who the perpetrators were but refused to arrest them or prosecute them — and may have even witnessed and/or participated in the crimes — what responsibility would the state and local governments have to the victims of these crimes, to their families and to their communities? This is not merely a hypothetical question, as there were in fact five lynchings respectively in Prince George's and Anne Arundel counties. The task of the Maryland Lynching Truth and Reconciliation Commission is to provide an answer to that question, and for the other 30 documented lynchings that occurred across the state.

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