

The Transformative Capacity of Commemorating Violent Pasts:
Exploring Local Commemoration of the “Mississippi Burning” Murders

By

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For Baba

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Abbreviations

CDP: Community Development Partnership

COFO: Congress of Federated Organizations

CWRIC: Commission on Wartime Relocation and Internment of Civilians

DAR: Daughters of the American Revolution

ESA: Event Structure Analysis

FBI: Federal Bureau of Investigation

GDP: Gross Domestic Product

ICTJ: International Center for Transitional Justice

MCRJ: Mississippi Coalition for Racial Justice

MDAH: Mississippi Department of Archives and History

MTC: Mississippi Truth Commission

MTCAG: Managing Truth Commissions Affinity Group

MTP: Mississippi Truth Project

NAACP: National Association for the Advancement of Colored People

NABRE: Network of Alliances Bridging Race and Ethnicity

SATP: Subject Area Testing Program

SB2718: Senate Bill 2718

TRC: Truth and Reconciliation Commission

WCC: White Citizen Council

WWIRR: William Winter Institute for Racial Reconciliation

Abstract

Philadelphia, Mississippi—the city notorious for the violence, denial, and collective obstruction of justice surrounding the 1964 murders of three civil rights workers—is now hailed as a beacon of racial reconciliation. How and why this unexpected transformation took place is the question motivating this dissertation. My central hypothesis is that the public commemoration in Philadelphia in 2004 holds the key to understanding this phenomenon.

To explore this hypothesis, I identify three racially significant institutional outcomes of the 2004 commemorations in Philadelphia—the trial of Edgar Ray Killen, a statewide truth commission, and a bill mandating civil rights education—and evaluate whether and how these outcomes can be causally attributed to the 2004 commemoration. Drawing on archival, interview, and observational data, I employ event structure analysis to reconstruct the causal pathways leading to each outcome. After finding sufficient evidence to suggest that each transformation can be causally related to the 2004 commemoration, I then compare the 2004 commemoration to a similar commemoration that took place in Philadelphia in 1989. Through this comparison, I examine which factors present in 2004, but not in 1989, that enabled the 2004 commemoration to facilitate these transformative outcomes.

This dissertation suggests that the 2004 commemoration helped catalyze the Killen trial, truth commission, and education bill by mobilizing a new generation of mnemonic entrepreneurs, strengthening the community's mnemonic capacity, shifting local and state-level opportunity

structures, and transforming the local political culture. This study also suggests that the way a commemoration is put together matters for its outcomes. Compared to the 1989 commemoration, the 2004 commemoration more deeply engaged Philadelphia's African American counterpublic and created a more inclusive planning process that enabled organizers to develop social solidarity, and later, a distinct organizational identity and infrastructure.

This study thus engages larger questions of theoretical concern regarding how commemorations of violent pasts actually work and whether they can transform the often contested and tragic conditions from which they emerge. Furthermore, this study provides a unique lens through which to explore the legacy of the Civil Rights Movement and continuing efforts for racial justice.

Chapter 1

Philadelphia, Mississippi, and the Consequences of Commemorating Difficult Pasts

I. Introduction

Philadelphia, Mississippi – the small town notorious for the silence, denial, and obstruction of justice surrounding the 1964 “Mississippi Burning” murders of civil rights workers, James Chaney, Andrew Goodman, and Michael Schwerner—was once described by Martin Luther King, Jr. as “a terrible town...the worst I’ve seen” (Morris 1992: 16). Today, to the surprise of many, Philadelphia is hailed as a beacon of racial reconciliation. How do we explain such a striking turn-around? This is the question that motivates this dissertation, which examines how Philadelphia, Mississippi, seems to have come to terms with this tragic event over the course of 50 years. My central hypothesis is that the public commemoration in Philadelphia in 2004 holds the key to understanding this phenomenon. Through a case study of Philadelphia, Mississippi, this dissertation explores more generally how public commemorations of violent pasts as sites of collective memory actually work and whether they can transform the often contested and tragic conditions from which they emerge.

June 21, 2004 was the 40th anniversary of the murders and journalists freshly dispatched from their national offices once again descended upon Philadelphia, Mississippi, as they had in 1964—this time, to cover a different kind of story. An interracial coalition of local citizens had organized a community-wide commemoration marking the anniversary of the murders and

calling for justice in the case. Before a packed coliseum, dozens of Philadelphia citizens – black, white, and Choctaw – gathered on stage united in their call to action that those responsible for the 1964 murders should be held accountable after forty years of impunity. Among them were members of Philadelphia’s Community Development Partnership, City Council, and the Mississippi Band of Choctaw Indians, all of whom had signed similar resolutions calling on legal authorities to use every available resource to seek justice in the case.

This interracial commemoration and call for justice is remarkable when considered in light of the city’s previous history of denial. While Philadelphia’s African American community had commemorated the murders annually since 1964, those events—and the memory of the murders—remained marginalized and unacknowledged within Philadelphia’s dominant public sphere. Only once before had a similar community-wide commemorative event taken place. On the 25th anniversary of the murders in 1989, an interracial group of local Philadelphians had organized a community-wide commemoration service. Over 1,000 people from around the country gathered in Philadelphia, including nationally known civil rights movement veterans and Mississippi government officials. The event marked the first time that family members of the victims and many prominent civil rights activists had returned to Philadelphia since 1964. Despite the organizers’ hopes that the commemoration might transform Philadelphia’s racial climate, following the event Philadelphia commemorative practices returned to its pre-1989 state. The African American community continued to commemorate the event annually, while the murders remained unacknowledged by Philadelphia’s dominant white population and city officials.

In 2004, the organizers had similar ambitions. But this time following the 40th anniversary commemoration the national and local press praised the event as “a remarkable racial reconciliation,” “great for the community,” and “a turning point.” Academics described

Philadelphia, Mississippi, as a “model for racial reconciliation in the state” (“Historian Sees Coalition’s Efforts,” 2004). While certainly encouraging, whether the commemoration would mark a “turning point” in Philadelphia’s race relations remained to be seen. Such an assertion, after all, must be evaluated empirically and retrospectively.

Remarkably, in the years following the 2004 commemoration service, a number of notable racially significant transformations did, in fact, occur. In June of 2005, exactly a year after the commemoration service, Edgar Ray Killen, the mastermind behind the 1964 murders who had continued to freely reside in Neshoba County was prosecuted and convicted for his involvement in the killings. Also in 2005, Philadelphia citizens helped launch the Mississippi Truth Commission modeled after the South African Truth and Reconciliation Commission to examine episodes of racial violence between 1945 and 1975. Then in 2006, Governor Haley Barber signed Senate Bill 2781 mandating that “Mississippi’s central role in the civil rights struggle needs to be formalized and taught” at every grade level (Senate Bill 2718, Section 1).

While these may not at first appear related, this study examines whether a causal arrow can be traced forward from the 2004 commemoration service to these three notable events. To this end, I consider three related research questions: How did the community-wide commemorations come to punctuate Philadelphia’s conspiracy of silence first in 1989, and then again in 2004? Are, and if so, *how* are the Killen trial, civil rights education bill, and truth commission causally attributable to the 2004 commemoration? And finally, what factors were present in 2004 and *not* in 1989 that enabled the 2004 commemoration to have transformative consequences?

In a broad theoretical sense Philadelphia can be used as a metonym for larger questions of whether and how commemorations have causal consequences. But Philadelphia is also worthy of a dissertation on its own terms. As one of a handful of events that shaped the

trajectory of the Civil Rights Movement of the 1960s, the commemorations in Philadelphia, Mississippi, provide a unique lens through which to explore race relations in the post-Civil Rights era. In other words, the commemoration of the 1964 “Mississippi Burning” murders is not merely a methodologically useful case; it is also inherently central to my theoretical concern with the potential consequences of commemorations for racial reconciliation and transformation. My goal in this dissertation, then, is to catalyze and contribute to a critical discussion of whether and how commemorations of violent pasts can facilitate social change.

II. The Case: A Philadelphia (Mississippi) Story

The Movement, the murders, and a “strange, tight little town”

In 1964 Philadelphia, Mississippi’s Chamber of Commerce issued a promotional brochure describing Neshoba County as “a thriving community” (Huie 1965:125). “The most outstanding attraction,” the brochure boasted, “is the friendly and hospitable people who make the area their home. A visitor to our community finds an old-fashioned welcome and a degree of friendliness that exists in no other place” (ibid.). This depiction of Philadelphia (the county seat of Neshoba County) provides a stark contrast to the infamous murders of that same year.

It was a year in which racial tensions in Mississippi had reached a boiling point. Over the previous decade, private citizens and state actors had buttressed their defenses against so-called “civil rights” who threatened to dismantle Jim Crow segregation. Following the 1954 Supreme Court decision in *Brown v. Board of Education* that mandated the desegregation of public schools at “all deliberate speed,” a citizens’ movement emerged in Mississippi to resist the court order. Across the state, White Citizens’ Councils (WCC) terrorized activists, those suspected of being activists, and those sympathetic to activists through a range of economic and

political tactics such as boycotting businesses, causing individuals to be fired, or ending the leases of rental homes (Payne [1995]2007: 34-35).

Elected office holders also institutionalized methods to defend Mississippi from federal intervention. In 1956 the Mississippi Legislature created the Mississippi State Sovereignty Commission (MSSC), a government body empowered with a broad mandate to "do and perform any and all acts deemed necessary and proper to protect the sovereignty of the state of Mississippi and her sister states from encroachment thereon by the Federal Government" (MDAH, "Sovereignty Commission Online"). Throughout its tenure (1956-1977), the Sovereignty Commission served as the "eyes and ears" of Mississippi to suppress the movement for civil rights by cultivating a dense networks of informants -- both white and black -- to gather surveillance on tens of thousands of suspected activists and sympathizers. In addition to employing spy tactics, the Commission used false imprisonment, jury tampering, and a variety of other illegal tactics to defend segregation (Bermanzohn 2002).

The Mississippi State Sovereignty Commission, while never formalizing an alliance with a resurgent Ku Klux Klan as they had with the White Citizens Councils, turned a blind eye to the Klan's activities (Irons 2010). Following the Supreme Court decision in 1954, the Ku Klux Klan, which had been dormant in Mississippi since in the 1920s, began to mobilize alongside state actors. By the spring of 1964, the White Knights of the Ku Klux Klan were firmly established in Neshoba County and on April 5, 1964, announced their presence by burning twelve crosses across the county, including one on Philadelphia's courthouse lawn. Like many southern towns, the courthouse in Philadelphia marked the physical center of the city and represented the symbolic touchstone of local political culture. Despite the fact that one could not drive through Philadelphia without passing the courthouse, not a single local law enforcement officer would admit to having seen the burning crosses (Whitehead 1970: 26).

Meanwhile, civil rights activities in the state were heading in a new direction. Previous efforts by mostly African American civil rights activists had resulted in them being beaten, jailed, and in some cases murdered. These crimes, however, had failed to attract national attention or government intervention. Thus, leadership from the Student Nonviolent Coordinating Committee (SNCC) devised a different strategy based on new logic: “perhaps the national media – and, in turn, the federal government – would take notice if those being shot at and beaten were the sons and daughters of privileged white America” (McAdam 1988:33). In total, over 1000 mostly white college-aged students from elite universities in the North, volunteered to participate in the summer project.

James Chaney, Andrew Goodman, and Michael Schwerner were the summer’s first casualties. On June 21st, the three civil rights workers failed to report back before nightfall after having visited Philadelphia, Mississippi, to investigate a church burning – what would turn out to be the first of twenty-two fire bombings of black churches in Mississippi throughout the summer of 1964 (Cagin and Dray [1988]2006:2). In the immediate aftermath of the disappearances, the Congress of Federated Organizations (COFO), suspecting that the trio had been beaten or even killed, continued to contact federal officials, news reporters, and other prominent individuals who might convince the federal government to intervene (Cagin and Dray [1988]2006: 318). Only after the civil rights workers’ car was discovered at the bottom of a lake on nearby Choctaw tribal land did President Johnson and Attorney General Robert Kennedy order over 200 sailors from the Meridian Naval Air Station to dredge local swamps in search of the missing men. This effort unearthed the corpses of at least three other African

Americans, but failed to uncover the whereabouts of Chaney, Schwerner and Goodman (Kotz 2005: 174).¹

The disappearances generated global media speculation, but while the press adopted and reinforced COFO's initial suspicions that Philadelphia's Sheriff and Deputy were somehow involved in the disappearances, most white Philadelphians believed the disappearances were a "hoax" or "northern conspiracy" (Mars 1977). Even after the discovery of the civil rights workers' burned out station wagon, many white Philadelphians still believed COFO was behind the prank. As more time passed, this theory became more difficult to sustain. Many locals projected blame onto the civil rights workers themselves.² Journalist William Bradford Huie, who covered the story in 1964, captured this prevailing sentiment: "If the three were dead—well, what the hell? *They* were to blame! They had asked for it. *They* had come 'looking for trouble'" (Huie 1965, 38).

If the civil rights workers had come "looking for trouble," so too had the nearly eighty journalists who had descended into Philadelphia to cover the story for their rapt readership. Within days of the trio having been reported missing, Philadelphians felt besieged. Journalists were threatened with violence and cautioned to leave. Those that stayed worked under

¹ On the failure of the media to cover the disappearance of African American civil rights workers during the summer of 1964, in particular, Charles Edward Moore and Henry Hezekiah Dee, see McDonald (2008).

² On how perpetrator communities manage collective guilt, see Smelser (2004); Geisen (2004); and Tsutsui (2009).

constant threat, and in some cases, faced acts of aggression.³ “Some of this [violence and intimidation] is sheer bravado” observed a New York journalist who had witnessed altercations between citizens and reporters in Philadelphia, “but some of it is also very conscious and very controlled, and it is difficult to distinguish the one from the other, to know which situation is simply unpleasant and which may be fatal” (Cagin and Dray [1988]2006: 344).

Indeed, the Klan presence in Philadelphia posed a threat to those who sought to uncover the fate of the civil rights workers, but Klan intimidation was not limited to African Americans. “Everyone who fails to conform, white and black alike, learns to fear,” observed *Life Magazine* reporter David Nevin, “There may only be a few hundred Klansmen, but they reach the whole community...To speak out against the Klan or even to question Lawrence Rainey’s treatment of Negroes has come to be equated somehow with disloyalty to one’s own” (Nevin 1964b). Indeed, the Klan structure in Neshoba was pervasive. Joseph Sullivan, the FBI’s lead agent on the case, described the Neshoba County Klavern as “one of the strongest Klan units ever gathered [in the state of Mississippi] and one of the best disciplined groups” (Ball 2004: 7). “In spirit,” Sullivan reflected, everyone in Neshoba County belonged to the Klan” (ibid: 80).

Despite this reign of terror, Philadelphia’s wall of silence was not impenetrable. After six weeks of investigation, the search effort came to a close when a local informant provided the FBI with the location of the bodies. By the end of the formal investigation, three Klan members had confessed to the FBI and recounted in detail how local Klansmen—including business

³ In one notable instance, an NBC cameraman was chased by a man with a knife following an altercation involving their cars. Later that week, the same cameraman was shot at by a farmer with a rifle while shooting footage from a low-flying helicopter, after which he asked the network to be transferred (Cagin and Dray [1988]2006: 344).

leaders and law enforcement officials—had kidnapped, murdered, and ultimately buried Chaney, Schwerner, and Goodman thirty feet beneath an earthen dam on the outskirts of town. Three years after the murders, seven men from Neshoba and nearby Lauderdale County were convicted in a federal court on charges that they denied Chaney, Schwerner, and Goodman their civil rights. None would serve more than six years. Despite over 44,000 pages of FBI documentation on the case no one stood trial for murder – a *state* charge that no Mississippi District Attorney saw fit to prosecute.

Murder Becomes Memory: 1964-2004

For the next twenty-five years, public discussion of the murders within Philadelphia’s white community was largely concealed by what Zerubavel (2006:2) has described as a “conspiracy of silence” – when “a group of people tacitly agree to outwardly ignore something of which they are all personally aware.” Members of the African American community of Philadelphia, on the other hand, organized a number of commemorative efforts to honor Chaney, Schwerner, and Goodman in 1989. This included dedicating commemorative plaques at Mount Zion and Mount Nebo, both churches that served the local African American community, and holding annual commemoration services at Mount Zion. During this period between 1964 and 1989, Philadelphia could be described as having two mnemonic communities: the African American community, which commemorated the event annually, and the white community, which remained shrouded in civic silence.⁴

⁴ I adopt Booth’s (2006:52) definition of mnemonic communities as “communities (of some type) of sameness defined from within by the presence of a morally/politically relevant past.” But I also acknowledge that individuals “are not carbon copies of publicly available accounts” (Irwin-

It was not until the twenty-fifth anniversary of the murders in 1989 that an interracial group of local Philadelphians made an effort to organize a cross-community commemoration service intended to incorporate these separate communities of memory. On June 21, 1989, over 1,000 people from around the country descended upon Philadelphia to participate in this interracial commemoration service. The event marked the first time that family members of the victims and many prominent civil rights activists had returned to Philadelphia since 1964 and attracted significant national media coverage. Throughout the daylong event it appeared that the city had reached a turning point – it seemed that the process of planning and participating in the commemoration service had left the town indelibly altered. Those in attendance that day may very well have believed that Philadelphia had turned a page away from the silence and denial that had characterized its past towards acknowledgment and reconciliation. This sentiment is exemplified by remarks made by the city’s white Alderman, Steve Wilkerson. Speaking to the crowd, Wilkerson explained:

“We knew we had made progress, but we were able to prove it to ourselves and others by putting together all segments of our community to put on this event. *The momentum of today’s activities will not be lost.* We will move forward with continuing efforts to

Zarecka 1994:27). Rather, an individual’s memory is a complex, crosscutting combination of the collective memories of those social communities to which he or she identifies. Such “communities,” for example, often correspond with social identities such as generation (Schuman and Scott 1989), region (Griffin 2004), ethnicity (Bodnar 1992; Agnew 2005), social class (Halwachs [1925]1992), religion (Halwachs [1925]1992; Hervieu-Leger 2000), family (Hirsch 1997; Landsberg 2004) or those having experienced a particular traumatic event (Alexander et al. 2004).

broaden the contacts and open the lines of communication as we tackle the problems and challenges of life together” (*The Neshoba Democrat*, July 5, 1989 p. 14, my emphasis).

Despite this optimism and the extraordinary nature of this commemoration service, the momentum of the day’s activities largely subsided. Outside the dedication of a state-sponsored historical marker at Mount Zion immediately following the 1989 commemoration, commemorative activity was again limited to the African-American community, which continued to commemorate the event annually. The broader interracial civic engagement with this “difficult” past returned to its pre-1989 state.

It was not until 2004, fifteen years after the first event, that a new inter-racial coalition of Philadelphians organized yet another citywide commemoration service, this time to mark the fortieth anniversary of the murders. The commemoration service held on June 21, 2004 was remarkably similar to the event in 1989. Again, the victims’ family members were in attendance, as were notable civil rights veterans, national media outlets, and interested individuals from across the country. Again, there was a picnic and memorial service where the speakers, albeit in different words, claimed that change had finally come to Philadelphia and that the “momentum of today’s activities would not be lost.” This time, it appears they were right.

Three Transformations

A number of notable racially significant transformations did, in fact, take place in the year following the 40th anniversary commemoration. In 2005, the known-mastermind behind the 1964 killings was finally brought to justice in a Mississippi court of law. On June 21, 2005, “Preacher” Edgar Ray Killen was convicted on three counts of manslaughter for his involvement in the murders. The Killen trial also coincided with a teachers’ summit in Philadelphia focused on civil rights education and culminating in the 2006 passage of Senate

Bill 2718, effectively mandating civil rights education at every grade level in Mississippi public schools. Also in 2005, a statewide truth commission was initiated. Modeled after the South African Truth and Reconciliation Commission, this project was mandated to investigate racially motivated violence between 1945 and 1975.

These transformations were not the only developments engendered by the 2004 commemoration. Beginning in 2005, Philadelphia's commemorative landscape became fragmented once again, this time along different fault lines. Mt. Zion, which had been the bedrock of Philadelphia's counter-memory of the murders for decades, now hosted the dominant commemorative event. Simultaneously, civil rights veterans and some with his historic ties to the Mt. Zion community hosted an "alternative" commemoration in the ruins of the nearby Longdale community center charging that Mt. Zion had been coopted by Philadelphia's white power structure.

Considering this fissure, Philadelphia's reputation, and decades of what appeared to be unyielding civil silence, the emergence of a trio of racially rooted transformations – the Killen trial, education bill, and truth commission – requires explanation. While these were not the only such transformations to occur in Philadelphia or across the state of Mississippi, these three transformations are significant as *indicators* of a change in a long-standing trajectory – what appeared to be intractable Southern institutional racism.

But we cannot assume that an event is necessary *caused* by that which preceded it. Therefore, both *whether* and *how* these three transformations are causally connected to the 2004 commemoration remains an empirical question. When I refer to a "causal relationship" I do not mean to suggest that I am searching for the singular cause of any of these transformations. Each of these is the result of a configuration of countless factors that would have to be explained by looking at the "local" context that addresses specific issues (e.g. for the Killen

Trial – a history of institutional racism in the criminal justice system; for the Civil Rights Education Bill – Brown v. Board of Education and a history of how the civil rights movement was denied and demonized in textbooks; for the truth commission – a growing field of transitional justice practitioners). This contextual information will certainly inform the analysis, but this is *not* the question I wish to ask or answer. Rather, I aim to establish whether the 2004 commemoration was a necessary – even if not sufficient – pre-condition to set these transformations in motion. In other words: had the 2004 commemoration not existed, would these transformations have occurred how and when they did?

III. Literature Review

A literature review is intended to engage and evaluate how previous scholarship has addressed the empirical issues driving my research. In the case at hand, while there is of course much scholarship on the topic of collective memory broadly speaking, to my knowledge there is not any scholarship that is framed to examine the civil rights movement and its consequences through the specific lens of commemorative activities and their causal implications. In the absence of this my literature review must instead come at the problem from several different approaches, each of which *partially* addresses my overall concern from a different angle of research.

Remembering Chaney, Schwerner, and Goodman

The first place to turn is the historical literature on the case. There are several books on the 1964 Freedom Summer Project that mention the murders (McAdam 1988; Mills 1992; Watson 2010), as well memoirs written by white Philadelphians that provide personal accounts

of growing up in Mississippi during the 1960s (Mars 1977; Winstead 2002; Houze 2006). Few of these accounts, however, mention efforts to commemorate the murders, and those that do only briefly mention the 1989 or 2004 commemoration services, usually in an epilogue or postscript (see Cagin and Dray [1988]2006; Katagiri 2001; Ball 2004, 2006).

Furthermore, these brief accounts focus almost entirely on elite white actors as the key players in the emergence of the 1989 and 2004 commemoration services. For example, most of these works emphasize “the Molpus apology” – when in 1989, Dick Molpus, a white Philadelphia-native and then-Secretary of State, the second highest elected position in Mississippi, publicly apologized for the murders – the first Mississippi politician to do so. These studies also highlight the work of Stanley Dearman, the editor of Philadelphia’s local newspaper, *The Neshoba Democrat*, and Jerry Mitchell, a Texan born investigative reporter from the Jackson *Clarion Ledger* in bringing this case to light and mobilizing support for the prosecution of Edgar Ray Killen. Certainly, each of these men influenced the causes and consequences of local commemoration making in Philadelphia, but focusing only on their efforts obscures an important and often overlooked part of the story. From this literature, one would have no idea that the African American community of Philadelphia had been commemorating the murders all along.

More recently, historians have returned to Philadelphia, Mississippi, producing monographs with a more detailed local history and nuanced analysis of how Neshoba County residents have confronted their difficult pasts. In *One Mississippi, Two Mississippi*, Carole George (2015) links the history of the Methodist church with a local history of Neshoba County to demonstrate how “white Neshoba...learned that reconciliation requires a willingness to confront the past fully and truthfully.” Likewise, in her study of civil rights era cold case trials, Renee Romano (2014) details how Philadelphia citizens served as agents of change in local

efforts to pursue legal and social justice. While both studies offer important contributions to the historiography on the Philadelphia case, neither engages Philadelphia's racial reckoning and the role of public commemoration as the primary phenomena to be explained. In both instances, the primary subject is something different: for Romano, the emergence and impact of prosecuting civil rights cold cases; for George, a transforming Methodist church. This dissertation, however, places the commemorations in Philadelphia, Mississippi, front and center by seeking to explain whether and how these commemorations are causally related to three subsequent racially significant institutional transformations. Thus, this dissertation aspires like a number of significant sociological studies (Morris 1984; McAdam 1988; Payne [1995]2007, Andrews 2004) to examine the civil rights movement – in my case, its legacy – to offer new insight, both historical and sociological, on a case of national import.

Mississippi Turning?: Literature on Three Transformations

Despite the significance of the Killen trial, civil rights education bill (SB2718), and Mississippi Truth Commission, academic literature on these three transformations is relatively scarce. Several scholarly articles mention the Mississippi Truth Commission, but do little more than provide a brief outline of the project's emergence (Lamont 2010; Beitler 2013; for an exception, see Labuda 2011). Likewise, the only scholarly article on the education bill to date is a forthcoming piece by sociologists David Cunningham and Ashley Rondini, which offers insight on how past contention shapes possibilities for contemporary civic action on youth education. Cunningham and Rondini describe the Killen trial as a “watershed moment” in regards to the civic action that would engender the civil rights education bill, but the article's primary objective is to explain different civil rights education practices in two Mississippi cities

(McComb and Philadelphia). The context under which the education bill emerged, and its possible relationship to Philadelphia's commemorations, remains unexplored.

Slightly more attention has been given the Killen trial. Outside of one book (Ball 2006), several book chapters (Simpson 2006; Chermack and Baily 2007, Romano 2014), and several dozen newspapers articles printed around the 2005 conviction, little has been written on the prosecution of Edgar Ray Killen. What has been written provides a detailed picture of main actors and sequence of events, but does not thoroughly investigate previous failed attempts to indict Killen, or theorize what had changed in 2004 so as to enable a successful indictment and prosecution.

What has been written comes primarily from historians, legal scholars, and journalists, but this work suggests a number of sociological factors that may explain why and when a civil rights era cold case is prosecuted. Family members of the victim's often play a crucial role in pressuring local and state law enforcement to consider re-opening a case, as do new witnesses or evidence (Gill 2007; McDonald 2008; Romano 2014). But none of these factors can entirely explain why the "Mississippi Burning" case was finally put before a grand jury in 2005, less than three years after then Mississippi Attorney General, Mike Moore, ruled the case effectively closed.

In *Justice in Mississippi*, the only book-length account of the murder trial of Edgar Ray Killen, Howard Ball (2006) suggests that the Philadelphia Coalition, an interracial group of Philadelphia citizens formed in 2004, is the reason the Killen was ultimately brought to justice in 2005. While Ball's insight that the Philadelphia Coalition is important to understanding the 2005 indictment is apt, this explanation overlooks the circumstances out of which the Philadelphia Coalition emerged. The group that eventually became the Philadelphia Coalition was originally formed as a commemoration planning task force for the upcoming 40th

anniversary. Thus, my hypothesis suggests that the planning and implementation of the 2004 commemoration is key to understanding the Killen trial, as well as the truth commission, and education bill.

IV. Commemoration: Cause and Consequence

Commemorations have long been of interest to sociologists attuned to the cultural fabric underlying social interactions. “By carving socially marked events out of essentially unmarked stretches of history,” Zerubavel (2003:326) eloquently argues that commemorations help “to articulate what groups collectively consider eventful.” That a commemoration “lifts from an ordinary historical sequence those extraordinary events which embody our deepest and most fundamental values” (Schwartz 1982:377) reinforces the importance of studying commemorations as significant mnemonic practices (Zerubavel 1995; Connerton 1989). These descriptions, while beautifully constructed, reflect a general tendency in the field of memory studies to conceptualize commemorations as the representation of a particular historical happening deemed eventful, or “worthy” of commemoration. However we might also ask: under what conditions might a commemoration itself become *eventful*? To be sure, we have learned a great deal about how commemorations emerge (Wagner-Pacifici 1996; Armstrong and Crago 2006) and what form they take (Vinitzky-Seroussi 2002; Teeger and Vinitzky-Seroussi 2007; Steidl 2013), but the question I ask falls outside the standard inquiry about commemorations: Can, and if so, how can commemorations “transform social relations in a ways that could not be fully predicted from the gradual changes that may have made them possible” (Sewell 1996:843)? But first, why should we presume that commemorations are consequential?

The “Memory of Commemoration”

To answer this question we must first examine processural approaches to collective memory. Jansen (2007:961) observes that this literature “looks for constraint on invention *not* in the give and take between past and present but in the intermediate temporal space *connecting* past and present” (see also Zelizer 1995:218-20; Olick 1999; Olick and Levy 1997; Olick and Robbins 1998: 134; Saito 2006, Cunningham et al. 2010). The same could be said of commemorations. Commemorations, as temporally bounded commemorative events, punctuate a broader narrative of commemoration and, as such, represent a dialectic synthesis of past and future commemorative efforts. In his longitudinal study of the German anniversary commemoration of May 8, 1945, Olick (1999) demonstrates how previous commemorations influence subsequent commemorations through what he calls “genre memory” – the way in which commemorations are affected explicitly or implicitly by generic models of commemoration.⁵ Likewise, Jansen (2007) demonstrates how previous memory struggles shape subsequent use of historical figures amongst the Zapatistas and Sandinistas. And in Saito’s (2006) study of the commemoration of atomic bombing of Hiroshima, he argues that previous “solutions” to the “problem” of commemorating difficult pasts both enable and constrain future approaches to commemoration.⁶ While these examples each in their own way touch upon consequences of commemoration, the consequences these examples explore are confined to subsequent commemorative activities and do not explicitly theorize the consequences of

⁵ In his development of “genre memory,” Olick draws on Bakhtin’s (1963) concept of “genre contact” – “the sharing of a common ‘way of seeing’ between texts”

⁶ For more on the paradox of commemorating and event “without consensus, or without pride,” see Wagner-Pacifici and Schwartz’s (1991:379) foundational work on the Vietnam War Memorial.

commemoration. Rather, they are primarily concerned with the debate regarding the malleability of memory (for a summary of this debate, see Olick and Robbins 1998:138-140).

Memory and Movements

Due to the fact that memory is malleable, fraught with moral significance, and often contested, collective memory -- and by consequence, commemorations -- are often the result of social movement-like activities. Recognizing this memory-movement nexus, recent work has examined how social movements both use and create collective memories (Kubal and Becerra 2014). For example, studies have found that memory of the civil rights movement can motivate individuals to support racially liberal policies including efforts to atone for past racism (Griffin 2004, Griffin and Bollen 2009). Likewise, others have found that remembering historical events can motivate present day collective action. For instance, civil rights activists appropriated and altered the dominant reputation of Abraham Lincoln to mobilize supporters (Schwartz and Schuman 2005). Thus, memory comprises an important cultural resource for “memory activists” -- also known as “reputational entrepreneurs” (Fine 2001) and “mnemonic entrepreneurs” (Armstrong and Cragge 2006) -- to employ in pursuit of present day political purposes.

Scholars working at the intersection of memory and movements have also explored how social movements shape collective memory. They have found that collective memory, like other social movement outcomes, constrained and enabled by access to resources and opportunity structures (Fine 1996; Cunningham et al 2010). For instance, Kubal (2008) finds that movements successfully institutionalize their memory when democratic change upsets the political status quo. Armstrong and Cragge’s (2006) comparative study, on the other hand, find that “success” of the Stonewall narrative within the movement for Gay rights was due to a convergence of factors, namely, the organizing capacity of local activists (what the authors call

“mnemonic capacity”), local cultural and political opportunities, and the resonance of the Stonewall narrative. Likewise, in his comparative analysis of twenty-six local commemorative projects addressing historical racial violence in the United States, Ghoshal (2010) argues that “mnemonic opportunity structures” influence the success of memory movements, that is, “a society or environment’s capacity to promote new historic interpretations, the willingness of elite allies to accommodate such interpretations, and the openness of citizens to such interpretations” (p. 121).

These studies represent an important first step towards understanding about the external factors affecting the consequences of memory movements, in particular, political opportunities and resources. Ghoshal himself, however, admits that mnemonic opportunity structures cannot wholly determine the impact a memory movement can attain, thus raising the question about what other factors, especially those internal to a memory movement, might be significant (p. 122). In addition, these studies do not clearly distinguish memory movements from the commemorative work they pursue. It is possible, on the other hand, for the local commemoration of racial violence could be organized by a loose coalition of actors (as was the case in Philadelphia) rather than a memory movement, per se. An equally, if not more important question, then, is not *what* factors influence the outcomes of a memory movement, but *if* commemoration contributes to movement-like activity and what mechanisms constitute those linkages.

Finally, it is important to note that the memory-movement literature focuses on relative success of memory movements to construct collective memory. Thus, like the studies that employ a processual approach to collective memory, the outcome of interest is limited to the domain of memory itself. I, on the other hand, am interested in whether and how commemorations affect change in other institutional domains. After all, the very motivation

behind progressive social movements is to affect broader social change. If commemorations are the result of social-movement like activities, or perhaps, constitute the wellspring out of which memory movements emerge, exploring whether and how commemorations of difficult pasts facilitate broader institutional change seems a logical extension.

Commemorations as Transitional Justice

In recent years, governments, corporations, and local communities have begun to confront violent histories at unprecedented level—a trend variously referred to as “restitution politics” (Barkan 2001), “politics of the past” (Torpey 2003), “politics of apology” (Cunningham 2004), “reconciliation politics” (Moon 2008); and “the politics of regret” (Olick 2007). In fact, an entirely new field of study and practice, “transitional justice,” has emerged to support these efforts.⁷ Truth Commissions, along with criminal trials, and reparations are just some of the processes of interest to transitional justice scholars and practitioners, but these efforts are often undertaken with the implicit assumption that such activities facilitate positive social change. This increasingly pervasive assumption persists despite little empirical evidence suggesting this to be the case.

There are, of course, exceptions. For example, Gibson’s (2004) study of the South African Truth and Reconciliation Commission (TRC) concludes that South Africans, regardless of race, who accepted the TRC’s version of the nation’s apartheid history were more supportive of the rule of law and more likely to hold “reconciled racial attitudes” (p. 201). Other transitional justice scholars, have assessed the impact of transitional justice mechanisms (e.g.

⁷ For discussion of the historical development of this field of transitional justice, see Olick and Coughlin (2003) and Teitel (2000).

truth commissions, trials, and amnesty) on human rights practices and democratic development with conflicting results (Hayner 2011; Weibelhaus-Brahm 2010; Olsen, Payne, and Reiter 2010)

Taking a more theoretical approach, Mitszal (2005) attempts to adjudicate claims that assume collective memory is a condition for justice and democracy with assertions that posit just the opposite arguing that collective memory can either enhance or reduce democratic potential “depending on the extent to which the [national] community adopts a critical and open approach to its past” (p. 1331). She does not, however, articulate the conditions under which such “openness” would be possible. Furthermore, Mitszal, like most working in this field operate under a framework whereby the nation state is congruent with the “community of memory,” thus leaving the effect of smaller scale memory projects, which are often organized by non-state actors, unexplored.

The extant literature on transitional justice, however, gives limited attention to local, small-scale transitional justice efforts such as those to pursue racial justice in the Philadelphia, Mississippi, case (Waldorf 2006, for an exception see Lamont 2010). Furthermore, transitional justice scholars note that efforts to pursue transitional justice in the United States have been relatively scarce (McCarthy 2002; Valls 2003). While the United States may not have undertaken a large scale national project examining and atoning for its history of racial injustice (except, perhaps, President Clinton’s Initiative on Race in 1998), community-based restorative justice efforts like those in Philadelphia present an important alternative to top-down transitional justice and demand a deeper understanding of their emergence and impact (Griffin & Hargis 2012).

V. Approaching Commemorations as “Events”: A Theoretical Orientation

Since the 2004 commemoration appears to mark a shift in a long-standing trajectory of racial exclusion, the sociological literature on the role of events in transforming social relations, trajectories, and relations is particularly instructive (Abbott 1992; Sewell 1996; Mahoney 2000; Hess and Martin 2006; Haydu 2010; Wagner-Pacifici 2010; Moore 2011; Berezin 2012; Meyer and Kimeldorf 2014). “Events,” according to Sewell’s (1996:843) now classic articulation, should be conceived as “sequences of occurrences that result in the transformations of structures.” “While the events are sometimes the culmination of processes long underway,” Sewell continues, “events typically do more than carry out a rearrangement of practices made necessary by gradual and cumulative social change. Historical events tend to transform social relations in ways that could not be fully predicted from the gradual changes that may have made them possible” (Sewell 1996:843). Events can thus be understood as “turning points” between more stable and durable trajectories – what Abbott (2001:247) describes as the “smooth before and afters.” Historical events, however, do not happen instantaneously. Events occur *in* and *through* time; it is through their unfolding that events provide an “indispensable prism” (Abrams 1982: 192) through which to explore the complex interplay of structure and action at a particular historical moment.

While contemporary theories of “events” tend to focus on large-scale happenings that engender macro-structural change (i.e. revolutions, royal successions, and religious revivals), recent work suggests that this framework can be fruitfully applied to smaller, more frequent events (Wagner-Pacifici 2010; Berezin 2012; Meyer and Kimeldorf 2012). Certainly, Berezin (2012) argues, “there are many events that occur and recur in political life that are not as iconic as the storming of the Bastille, however constituted, that still have importance within a nationally constituted political space.”

Drawing on this insight, I suggest that 2004 commemoration in Philadelphia, Mississippi, can be understood as an “event” that transformed the social environment out of which it emerged in unexpected ways. In a Durkheimian sense, commemorations are, by definition, “events” in that they delimit the “sacred” from the “profane.” They are ruptures, however small, in the ordinary routines of social life. But not all commemorations are *eventful*. The vast majority of commemorations occur without much consequence. In other words, these “ruptures” are quickly neutralized by the dominant status quo as was the case with the 25th anniversary in 1989. Examining a case like the 2004 commemoration in Philadelphia where a commemoration *did* facilitate subsequent structural transformations can thus shed light on when and how commemorations of difficult pasts facilitate broader social change.

This approach conceptualizes commemorations, not as an event that occurs in a single day, but as a sequence of occurrences that take place *because* of a commemoration.⁸ To study the consequences of a commemoration thus requires a deeper understanding of the *process* of commemorating. This process extends both before and after the planned public ritual commonly understood as the “commemorative event.” In other words, a commemoration is a constructed social machine, requiring design, raw materials, and maintenance, for producing commemorating, which is constituted by representations of the past.⁹ Such a “social machine,” however, can have unintended consequences for which the social environment is indelibly altered. So can commemorations be thought of as structure-altering “events”? This study will argue: yes – under some circumstances.

⁸ This approach is sympathetic to Kerwin Klein’s (2002) critique of “new structuralism” in the collective memory literature.

⁹ Thanks so an anonymous reviewer for the *American Journal of Sociology* for his/her insight on commemorations as “social machines.”

VI. Methodology: Counterfactual Analysis and Systematic Comparison

To identify if the 2004 commemoration is causally related to the Killen trial, education bill, and truth commission, this dissertation builds on the literature in comparative historical sociology in proposing a historical research methodology in which sociological phenomena are analyzed and compared with attention to their particular spatial and temporal contexts (Abrams 1982; Smith 1991; McDonald 1996; Somers 1996; Mahoney and Rueschemeyer 2003). The research methodology involves two separate but complementary components: counterfactual and comparison.

Counterfactual

First, I must explore the counterfactual question: had the 2004 commemoration never happened, would this trio of transformation have still occurred? To do so, I use Event Structure Analysis (ESA) to distill the temporal and causal connections among key actions leading up to the trial, truth commission, and education bill. ESA is a non-numeric, heuristic methodology based on counterfactual reasoning that enables the researcher to analyze and interpret temporal sequences constituting the narrative of an event (Griffin and Ragin, 1994).

ESA can be thought of as a four-stage process. The first stage requires the researcher to identify or craft a synthetic historical narrative of an event based on primary materials. This should resemble the work of any good historian as he or she sifts through a deluge of facts to identify which happenings were necessary for an event to unfold. Once the researcher has generated a narrative he or she believes to be historically accurate, the second stage demands

that the researcher parse this narrative into discrete analytic actions that, in his or her mind, constitute the event. In other words, the chronology is deconstructed into its component parts.

In the third stage, the chronology is then entered into an interactive computer program (ETHNO) that prompts the researcher with a series of (if/then) counterfactual questions based on the chronology of actions. In abstract terms, ETHNO will ask the researcher whether “Action B” required “Action A,” whether “Action C” required “Action B,” and whether “Action C” required “Action A.” If, for instance, one entered into ETHNO Julius Caesar’s famous phrase: *veni, vidi, vici* (e.g. I came, I saw, I conquered), ETHNO would generate the following questions: (1) does “I saw” require “I came” or a similar action? And (2) does “I conquered” require “I saw” or a similar action?¹⁰ Each “yes” answer thus constitutes a counterfactual linkage that is then portrayed in a figure generated by the computer program. To answer such questions requires deep knowledge of the case, and of “possible worlds” that are conceptually and analytically close to the “real past” (Griffin 1993:1102). In doing so, the program probes the researchers construction, comprehension, and interpretation of the event. Thus, ESA does not *reveal* causality, but *elicits* the researcher’s understanding of complex causal relationships by scrutinizing whether and how the relationship between two temporally ordered events are, in fact, causal (Griffin 1993; Heise 1989; Heise and Lewis 1988). Through this process it is common to discover new causal connections or to determine that an action does not appear to be causally significant after further consideration.

By the end of the third stage, the researcher should have a schematic “map” or figure that depicts the *structure* of the event. This figure, which resembles a complex flow chart,

¹⁰ I draw this example from “A Short Ethno Tutorial” on the Event Structure Analysis website (accessed on June 17, 2015 at <http://www.indiana.edu/~socpsy/ESA/Tutorial.html>). ETHNO is a free java-based program hosted by Indiana University.

however, must still be interpreted. In the fourth and final stage the researcher inductively interprets the figure looking for critical points and sequences in the ESA chain. This inductive exercise is informed by social theory (in my case, social movement theory). Once the event structure has been analyzed, the researcher reconstructs the historical narrative based on a more systematic understanding of the event structure and its theoretical implications.

While counterfactual analysis has long been a part of the sociological tradition, (see especially, Weber ([1905]1949)), critics have often dismissed counterfactual analysis as “virtual history.” After all, how can we know with any certainty what would have happened? All history, including natural history, takes place in an open system. “Replaying the tape” according to Gould’s (1989) depiction of paleontology in his book, *A Wonderful Life*, would inevitably result in a different outcome. Yet this does not prevent us from making causal generalizations (see Somers 1998:771-2; Sewell 2005:112-3). In fact, any attempt to make causal claims about historical phenomena, involves counterfactual reasoning (c.f. Fogel 1989:413; Bulhof 1999; Bunzl 2004). To claim that X caused Y is also to suggest that if X had *not* occurred, neither would have Y. In Bulhof’s (1999:147) words, “[c]ounterfactuals, causes, and explanations are three sides of the same strange three-sided coin; you cannot have one without the other two.”

For several decades, social scientists have highlighted the important role of well-constructed counterfactuals differentiating between counterfactuals as thought provoking but insufficiently rigorous imaginative exercises and those that meet the criteria of rigorous social science (Elster 1978; Hawthorn 1991; Fearon 1996; Tetlock and Belkin 1996; Bulhof 1999; Mahoney 2000; Bunzl 2004; Capoccia and Keleman 2007). The latter, which is based on indirect evidence, and what I hope to accomplish in this dissertation, must fulfill a number of criterion. In particular, counterfactuals must clearly specify antecedents (i.e. hypothesized independent variables) and consequents (i.e. dependent variables); generate plausible hypotheses that require

minimal re-writing of history; and articulate mechanisms or connecting principles that are consistent with well-established theory and statistics (see Tetlock and Belkin 1996:18).

The legitimacy of counterfactual claims also depends on one's understanding of causality. Counterfactuals, according to Fearon (1996:41) search for "conceivable causes" based on "factors that could actually have been different according to the best of our knowledge about how the social and physical worlds work." This is similar to what other social scientists have described as "causal narrativity" – "a reclaimed notion of causality based on narrativity, sequence, and contingency rather than universality and predictive law (Somers 1996:96; see also Abbott 1992). In this sense, causality is not a covering law, but a "historically intelligible explanation" (Stinchcombe 1978:13-17; White 1992:65-115, 278-316; Steinmetz 1992; Somers 1992 1998; Tilly 2003).

Comparison

I will also use comparative historical analysis as a guiding framework. Here, I draw upon, but do not attempt to duplicate, Skocpol's two-stage comparative design in *States and Social Revolutions* (1976). Skocpol, in order to demonstrate that France in the late 18th century, China after 1911, and Russia after 1917 all experienced social revolutions for similar analytic reasons: (1) looks for common causal factors among cases that vary in all other ways that seem causally relevant (i.e. "Method of Similarity") and (2) *intra*-country comparisons such as the "abortive" Russian Revolution of 1905 to the Russian Revolution of 1917 (i.e. "Method of Difference", see Mill (1970 [1888]:206). I draw on this two-stage comparative design while making adjustments appropriate to my case and research questions of interest.

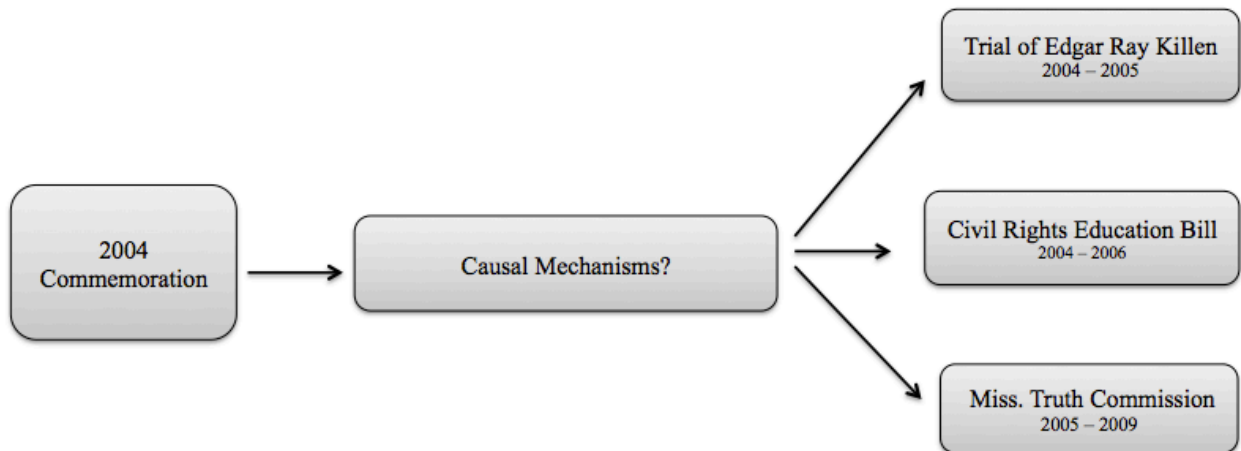
A particular challenge to this methodology comes from the fact that a comparative logic assumes that the units being compared are independent from one another (Sewell 1985; Kiser

and Hechter 1991:13; Steinmetz 2008:382). While I concur with Somers (1998: 758) who argues that “[i]ndependence is defined analytically according to what it is that is being problematized and thus along substantive, not logical dimensions” (see also Ragin 1992; Hall 2003; Rueschemeyer 2003), the 1989 and 2004 commemorations have deep substantive connections that cannot be ignored. Phenomena such as commemorations occur within particular spatio-temporal mnemonic contexts and are, at least partially, determined by previous commemorations (e.g. genre memory). Thus, I shall incorporate into my analysis the impact of previous commemorations as well as changing norms in the commemoration of the civil rights movement on the national and local level. Finally, I would argue that a comparative approach is not antithetical to an emphasis on process. Elements of process (sequence, timing, etc.) can serve as valuable points of comparison between cases.

Again, I want to emphasize that the structured comparisons in this study are influenced by, but do not strictly adhere to, the “Method of Similarity” and “Method of Difference” in order to identify causal relationships while still being sensitive to the ways in which the latter commemoration is influenced by its predecessor. In the first instance (Chapter 2), I compare the event structure analysis of the 1989 and 2004 commemorations in order to determine what, if any, commonalities these two “silence-breaking” commemorations have in common.

In Chapters 3, 4, and 5, I then explore the three structural transformations and attempt to establish what, despite significant differences, the transformations have in common – what I hypothesize to be the 2004 commemoration service. Additionally, I explore what mechanisms constitute causal linkages between the 40th anniversary commemoration and the trio of racially significant transformations (see Figure 1.1). Following that, in Chapter 6 I test the robustness

Figure 1.1 Identifying Causal Mechanisms



of my findings by comparing two remarkably similar commemoration services -- the 1989 and 2004 commemorations -- in order to confirm variables present in 2004, but not in 1989. This assumes that the 1989 commemoration could have been transformative, and thus can be conceptualized as a negative case or “near miss” (Cappocia and Kelemen 2007:352).

VII: Data Collection

This study relies on a combination of archival, interview, and observational data. Basic textual data for this work include editorials, speeches, meeting notes, emails, and journal entries. Archival data came primarily from local and statewide news sources (i.e. *The Neshoba Democrat* and the Jackson-based *Clarion Ledger*) as well national news coverage of the 1989 and 2004 commemorations (via the AccessNews online database). Additional archival data was collected at five archives and a variety of other documentary sources (personal papers, diaries, archived computer files). The archives included: the Mississippi Department of Archives and History (Jackson, MS), the Department of Archives and Special Collections at the University of Mississippi (Oxford, MS), and the Special Collections at the University of Southern Mississippi

(Hattiesburg, MS), the Wisconsin Historical Society (Madison, WI), and the Schomburg Center for Research in Black Culture (New York, NY). Beyond these “traditional” archives, I received access to the personal papers of several key informants. I supplement this archival data with in-depth interviews conducted with fifty-three key informants between 2009 and 2014, most of whom participated in the planning of the commemoration services. These interviews, while retrospective, provide additional insight on the motivations underlying the actions that make up the event sequence and assist my counterfactual analysis.

Participant observation also constitutes an important part of the data. Since 2009, I have spent twelve months in Philadelphia and the surrounding area, and have witnessed six consecutive annual commemoration services of the 1964 murders (2009-2014). Interactions with Philadelphians “on the ground,” in a myriad of institutional settings and social circles—at family dinner tables, professional conferences, after-school clubs, political meetings, church services, and local festivals—all subtly inform my analyses of texts, interactions, and other happenings.

VIII: Overview of the Dissertation

This chapter (Chapter 1) establishes the historical and conceptual foundations on which the rest of this dissertation builds. It began by presenting an overview of the 1964 murders, how they have been commemorated in the community where they occurred, and finally, described three racially rooted transformations, which are the outcomes this study seeks to explain. This study will hypothesize that these were made possible as a result of the 40th anniversary commemoration in 2004 as a major cause. The chapter then reviewed and critiqued the historical literature on the case, as well as the sociological literature on commemorating “difficult pasts.” As discussed above, this literature provides keen insight on how and under

what circumstances commemorations emerge; how contestations over memory shape the form commemorations take; and how the path dependency of memory shapes the form of future commemorations. This study's contribution to the memory literature is to shift the focus from commemorations as dependent variables or outcomes to a focus on commemorations as independent variables. I then conclude by summarizing the literature on how historical "events" shape structures, trajectories, and perceptions and argue that "eventful" approach to the study of commemorations can illuminate how – and under what conditions – commemorations of difficult pasts have transformative consequences.

The body of this dissertation is then divided into five chapters. Chapter 2 will explain the emergence of the 25th and 40th anniversary commemorations—both interracial community-wide events distinct for having punctuated Philadelphia's prevailing silence on the murders. By reconstructing and comparing the event structure of these two events, I argue that commemorability and mnemonic capacity are necessary, but insufficient factors for the emergence of "silence breaking" commemorations. I then identify two additional criteria necessary for commemorations that publicly acknowledged long-silenced pasts: pressure from national forces, and the convergence of interests between those previously opposed to, and in favor of, acknowledgment. In doing so, this chapter examines the processes through which long-silenced counter-memory becomes collective memory.

Chapters 3, 4, and 5 explore three racially significant transformations (the Killen Trial, civil rights education bill (SB2718), and Mississippi Truth Commission) and whether they can be causally attributed to the 40th anniversary commemoration in 2004. Along these lines, Chapter 3 investigates how Edgar Ray Killen came to be prosecuted after previous "failed attempts," and examines whether and how the 2004 commemoration is causally related to the trial. I argue that commemoration enabled this long delayed case to occur by: mobilizing a new

generation of local mnemonic entrepreneurs; strengthening the community's mnemonic capacity; shifting opportunity structures at both the state and local levels; and transforming the local political culture through the "memory of commemoration" (Olick 1999).

As in the previous chapter, Chapter 4 examines the causal connection between the 2004 commemoration and a racially significant transformation – this time, Senate Bill 2718, which mandated civil rights education across the state. Here, I suggest that the process of planning and enacting the 2004 commemoration further strengthened Philadelphia's mnemonic capacity such that Philadelphia citizens were able to catalyze mnemonic activism at the state level. Furthermore, the 2004 commemoration provided additional legitimacy to statewide civil society actors thus strengthening mnemonic capacity at the state level. These developments are further catalyzed by the Killen trial in 2005, an event that fundamentally shifted the matrix of political opportunity in the state enabling the civil rights education bill to move through the state legislature successfully.

In Chapter 5, I explore the causal relationship between the 2004 commemoration and the Mississippi Truth Commission, and I suggest that the truth commission emerged as a result of the convergence of local and global developments. By 2004 the global norm of "truth-telling" was firmly established, as was an international network of practitioners poised to support local truth-telling efforts. For a truth commission to emerge in Mississippi, however, the local environment had to be primed. Both the commemoration in 2004 and the Killen trial helped shift opportunity structures across the state and mobilize the mnemonic entrepreneurs who would ultimately bring the Mississippi Truth Commission to fruition—at least to a point.

Having established that the three transformations can be causally connected to the 2004 commemoration, Chapter 6 explores the *differences* between the 1989 and 2004 commemorations in order to identify the factors present in 2004 – but *not* in 1989 – that

enabled the 2004 commemoration to have transformative outcomes. This structured comparison highlights a number of factors that enabled the 2004 commemoration to facilitate the Killen trial, education bill, and truth commission. In particular, the 2004 commemoration organizers more thoughtfully engaged Philadelphia's African American counterpublic gaining key support from key members of the African American community. This was accomplished, in part, through facilitated dialogues that helped the planning task force develop social solidarity and a distinct organizational identity as the Philadelphia Coalition. This local organizational infrastructure coupled with the state-level resources provided by the Winter Institute helped shift opportunity structures across the state by creating a public platform to publicize the reluctant support of previous political opponents (e.g. Haley Barbour). Lastly, the 2004 commemoration was able to transform local political culture through intentional media coverage that had begun in 1989 with the 25th anniversary commemoration. The transformative capacity of the 2004 commemoration was thus improved by the fact that it was preceded by the 1989 commemoration providing evidence to suggest that the transformative capacity of commemorations may grow stronger with time.

In the concluding chapter (Chapter 7), I bring the Killen trial, civil rights education bill, and Mississippi Truth Commission up to the present. I then describe Philadelphia's commemorative landscape since 2004 that, in addition to facilitating the Killen trial, civil rights education bill, and Mississippi Truth Commission, also resulted in a "fragmented" local commemoration (Vinitzky-Seroussi 2002). Next, I explore the 50th anniversary commemoration in 2014 and consider it within the framework I have developed throughout the dissertation. And finally, I suggest several possible areas of future research.

Chapter 2

From Countermemory to Collective Memory

I. Introduction

One risks sounding trite when writing about memory and forgetting for there are so many aphorisms on which to rely: “The struggle of man against power is the struggle of memory against forgetting” (Kundera 1980); “History is written by the victors” (Churchill quoted in Rodwell 2013); “He who controls the past controls the future,” (Orwell 1949). Encoded in each adage is an expression of a common experience, a general truth. That history, memory, and the past are embedded within systems of power – systems that privilege certain historical “facts” and relegate others to oblivion. The local memory of the 1964 “Mississippi Burning” murders is no different. For while the contours of the Philadelphia story are known, a number of key elements remain obscured—elements that promise to offer insights into how Philadelphia and Neshoba County have come to reckon with their racially-charged divisive past.

Most historical narratives of Philadelphia’s racial reckoning provide a only cursory account of Philadelphia’s commemorative practices. In general, they depict the twenty-five years following the murders as “the long silence” (Ball 2006), a period where the murders remained unacknowledged in any official capacity and the local people maintained a “conspiracy of silence” even as the murders became memory. Describing the twenty-five years following the

murders, however, as “silent” is not wholly accurate. It overlooks the annual commemoration services hosted by Mt. Zion United Methodist Church, the African American church the three civil rights workers had visited just before their deaths, among other commemorative activities within Philadelphia’s African American community. For instance, on the first anniversary of the murders in 1965, a procession made up of mostly local African Americans marched in remembrance for twelve miles through town, along the highway, and on country roads culminating at Mt. Zion. A year later, the march was replicated, this time led by Martin Luther King. A decade after that, the congregants of Mt. Nebo Baptist Church in Philadelphia’s “Independence Quarters” raised over \$700 in dimes and quarters to erect a monument in front of the church to honor the three civil rights workers that still stands today (Wheeler 1977). Considering these commemorative activities, to suggest that Philadelphia was “silent” in regards to the murders is to conflate Philadelphia’s history with white history, a phenomenon by no means uncommon, but nonetheless significant (see Brundage 2005).

Recognizing the commemorative activities of Philadelphia’s African American community thus casts a new light on Philadelphia’s mnemonic practices. It reveals two parallel trajectories: one characterized by Philadelphia’s dominant white public sphere; the other representing what I refer to as Philadelphia’s mnemonic counterpublic. The community-wide commemoration services in 1989 and 2004 are, therefore, notable not only for punctuating the silence within Philadelphia’s dominant public sphere; rather, these “silence-breaking” commemorations are instances where long-silenced *countermemory* becomes part of the broader *collective memory*.

In this chapter, I analyze how countermemory became collective memory in Philadelphia, Mississippi, at two distinct moments in its history – the 25th anniversary commemoration in 1989 and the 40th anniversary commemoration in 2004. My objective is not

only to explain the emergence of both commemorations, but also to provide the reader with background on these two commemorative moments before examining their differential outcomes in the succeeding chapters. Before we can begin to understand the consequences of commemorating this difficult past, we must first explore how these “silence-breaking” commemorations came to be.

In what follows, I reconstruct and compare the event structures of the 25th and 40th anniversary commemorations to identify the underlying sociological processes that enabled both commemorations, despite different historical and political contexts, to emerge. I will argue that commemorability and mnemonic capacity, both factors known to explain the emergence of commemorations broadly, are necessary, but insufficient factors for the emergence of *silence-breaking* commemorations. Two additional criteria were necessary for commemorations that publicly acknowledged long-silenced pasts: pressure from national-level forces, and the convergence of interests between those previously opposed to and those in favor of acknowledgment.

To contextualize these findings, I begin by reviewing what has been written about silence, denial, and acknowledgement of difficult pasts; I then reconstruct and compare the event structure of both the 25th and 40th anniversary commemorations; and finally, I suggest broader theoretical implications related to deconstructing conspiracies of silence and acknowledging long silenced countermemory.

II. Acknowledging Silenced Pasts

Sociologists have long been interested in collective representations of the past (Halbwachs [1925] 1992; Olick and Robbins 1998; Zelizer 1995), the processes through which

individuals, groups, or events have been excluded from those representations (Armstrong and Cragge 2006; Irwin-Zareka 1994; Sturken 1997), and the challenge of commemorating difficult pasts (Vinitzky-Seroussi 2002; Wagner-Pacifici 1991). Thus, in addition to research on collective memory and the many vehicles through which it is represented, scholars have demonstrated a growing interest in memory's inverse — silence, denial, and social forgetting (Cohen 2001; Rivera 2008; Vinitzky-Seroussi and Teeger 2010; Zerubavel 2006). Yet, as Schudson (1997:348) reminds us, “memory is a distortion since memory is invariable and inevitably selective. A way of seeing is a way of not seeing, a way of remembering is a way of forgetting too.” Remembering and forgetting are thus intimately intertwined, and social forgetting is rarely benign. Often social forgetting is the product of voluntary, conscious efforts to silence particular pasts (Vinitzky-Seroussi and Teeger 2010:1107). At its extreme, this form of silence represents a “conspiracy of silence,” that is, “when a group of people tacitly agree to outwardly ignore something of which they are all personally aware” (Zerubavel 2006:2, see also Cohen 2001). This particularly pernicious form of silence undermines social solidarity by impeding the development of open communication and trust that forms the basis of democratic political culture (Zerubavel 2006:85; on democratic political culture, see Alexander and Smith 1993; Berezin 1997; Somers 1995).

Several book length studies of silence and denial as a social (as opposed to merely psychological) phenomenon have identified a number of factors contributing to the emergence and maintenance of conspiracies of silence. For both Zerubavel (2006) and Cohen (2001), the concept of mutual denial is key for understanding “how one can actually be aware and (at least publicly) unaware of something at the same time” (Zerubavel 2006:3). According to these authors, collective denial, like its psychological variant, is the result of pain, fear, shame, and embarrassment — all emotions surrounding difficult pasts. It is not surprising, then, that

perpetrators as well as their families and communities, whether consciously or unconsciously, would suppress difficult pasts (Giesen 2004; Smelser 2004; Tsutsui 2009).

Most significantly, a sociological perspective on silence and denial, explains that collective memory is structured and maintained by asymmetrical social relations. Those occupying dominant social position are able to advance a particular “official” version of the past by controlling access to information, the means of its dissemination, and the very terms of discussion (Boyarin 1994; Zerubavel 2006). Agents of official public memory, moreover, control and advance their agenda by flooding public space with their version of the past, often at the expense of “vernacular” countermemory—a phenomenon well documented by historians of the American South (Berrey 2015; Blight 2001; Bodnar 1992; Brundage 2005; McLaurin 2000).

Considering the power asymmetry characteristic of southern history, the challenges facing agents of countermemory in Philadelphia, Mississippi, were considerable. While conspiracies of silence become more difficult to dismantle as time passes, the passage of time also creates more opportunities to break the silence (Zerubavel 2006:61). Mnemonic dominance, even in totalitarian societies, is never total (Irwin-Zareka 1994; Olick and Robbins 1998:127), and in such circumstances, vernacular or countermemory can survive, and even thrive, both under and against mnemonic hegemony (Bodnar 1992; Zerubavel 1995). In her study of Israeli national memory, Yael Zerubavel (1995) observes that collective memory can and often does successfully suppress oppositional memory, but countermemory may also gain enough momentum ultimately break out of its oppositional status and become official memory. Exactly how countermemory becomes collective memory, however, remains an underexplored topic in memory studies. Relatively few empirical case studies have explicitly examined the process through which countermemory becomes collective memory, and those that have tend to

examine cases of national memory (Barkan 2001, Cohen 2001; Davis 2005; Torpey 2006; Tsutsui 2006, 2009).

One way local communities acknowledge silenced pasts is through public commemoration. The effort to create a commemoration is as much constrained as it is enabled by a number of sociological factors. Scholars who examine the conditions under which commemoration emerge have identified two critical factors: commemorability and mnemonic capacity. While commemorability refers to a particular event's ability to be characterized and defined as worthy of commemoration (Irwin-Zareka 1994), mnemonic capacity represents the ability of agents of memory to construct a commemorative vehicle (Armstrong and Cragge 2006). First, then, agents of memory must be able to define in the eyes of the public an event as commemorable. Events that are disruptive, violent, or large scale tend most readily to be perceived as commemorable (Pennebaker and Basanik 1997; Oliver and Meyers 1999; Schudson 1989; Wagner Pacifici 1996), as are events where victims are particularly sympathetic (Spillman 1998; Wagner-Pacifici 1996). The 1964 murders meet all of these criteria, however, but remained unacknowledged and uncommemorated within Philadelphia's dominant public sphere. Thus while these explanations may account for the commemoration of many difficult pasts, they tend not to address situations where the power of resistance to a particular historical episode is so powerful and pervasive as to prevent public discussion of that event for decades. The challenges to commemorating silenced pasts are therefore formidable and arguably more difficult to overcome than commemorations of merely "difficult" pasts.

To understand when and how such deeply unspoken events can become openly recognized within the dominant public sphere, commemorability and mnemonic capacity are both necessary, but insufficient factors by themselves. The analysis in this chapter suggests that two additional criteria are necessary for long-silenced pasts to be publicly commemorated.

First, national forces must place pressure on local communities to acknowledge the events. At the same time, to achieve that acknowledgment the opposing forces for and against recognition must now converge.¹¹

III. Comparing the 25th and 40th Anniversary Commemorations

Event Structure of the 1989 Commemoration

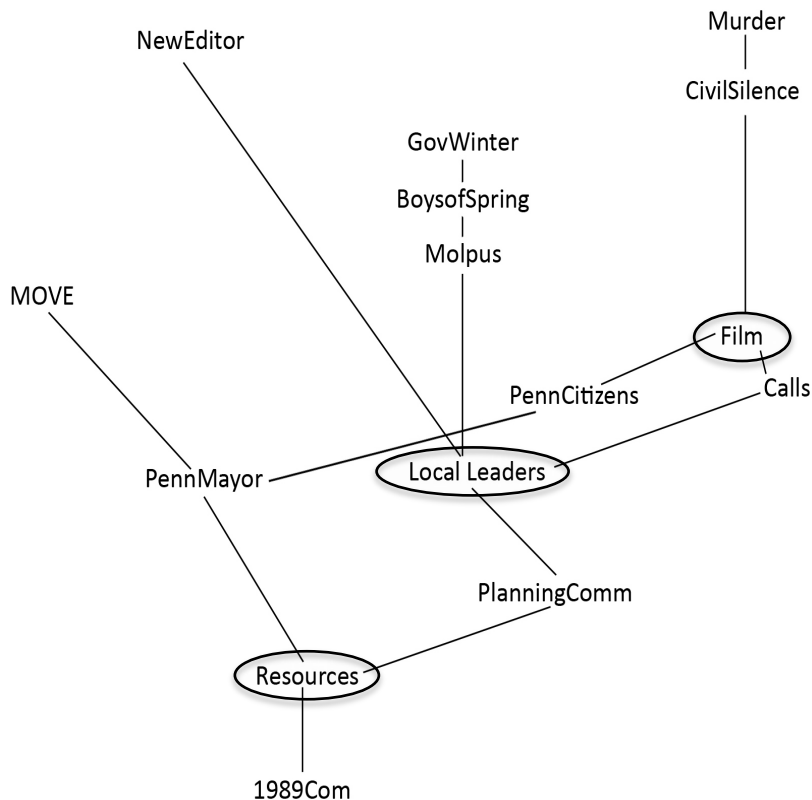
Figure 2.1 depicts the event structure of the first community-wide commemoration in 1989. In other words, this illustrates sequence of actions that had particular significance in the commemoration that notably broke a nearly twenty-five-year-long civic silence. Based on my inductive analysis of this event structure, I have identified three critical junctures that helped catalyze the commemoration: the national release of the film *Mississippi Burning* (Film), which reinvigorated the national collective memory of the murders; the mobilization and organization of local agents of memory (LocalLeaders); and finally, the availability of outside financial support via the Philadelphia, *Pennsylvania* mayor's office (Resources). In the following section I elaborate how and with what affect each critical juncture channeled the effects of prior occurrences.

"Mississippi Burning" reinvigorates national collective memory

Philadelphia's conspiracy of silence began to be dismantled on the eve of the twenty-fifth anniversary when Alan Parker's film, *Mississippi Burning*, was released on December 9, 1988.

¹¹ Here, I draw on the concept of "interest convergence" developed by critical race theorist Derrick Bell (1980).

Figure 2.1. ESA of 1989 Commemoration



Abbreviation	Date	Description of Action
Murder	Jun 1964	Klansmen murder Chaney, Schwerner, and Goodman
CivilSilence	Jun 1964	Discussion of murders excluded from Philadelphia's civil sphere
NewEditor	1966	Dearman takes over as editor/owner of <i>Neshoba Democrat</i>
GovWinter	1980	William Winter elected Governor of the State of Mississippi
BoysofSpring	1982	Molpus among young Winter staffers referred to as the "Boys of Spring"
Molpus	1983	Molpus elected Secretary of State of Mississippi
MOVE	1985	Philadelphia, PA Mayor scarred by fatal confrontation with MOVE
Film	Jan 1989	The film, <i>Mississippi Burning</i> , released nation-wide
Calls	Jan 1989	Editor receives calls indicating thousands could arrive for the 25 th anniversary
LocalLeaders	Jan 1989	Dearman writes Molpus about planning a city-wide commemoration
PennCitizens	Jan 1989	Philadelphia, PA natives urge mayor to support Mississippi commemoration
PlanningComm	Feb 1989	Local agents of memory organize a planning committee
PennMayor	Feb 1989	Philadelphia, PA mayor's office offers financial and organizational assistance
Resources	Feb 1989	Commemoration planning committee accepts Pennsylvania mayor's assistance
1989Com	Jun 1989	Commemoration planning committee holds 1989 city-wide commemoration

The film, which is roughly based on the 1964 murders, was largely responsible for reinvigorating national awareness of this watershed moment in American history, one largely unknown to a post-civil rights movement generation. Initially, the film's screenwriter, Chris Gerolmo, faced resistance from young studio executives who had never heard of the case and thought of it as an isolated instance of southern violence with little national appeal (Toplin 2009). After four years re-working the script, however, Orion Productions decided to finance the project. The film went on to receive critical acclaim through seven academy award nominations, but is arguably better known for having sparked a national debate on the responsibility of filmmakers to accurately portray historical events (ibid). Critics charged that the film obscured the importance of blacks in the civil rights movement, misportrayed FBI intimidation tactics, and depicted white southerners as bigoted, while others defended the filmmakers' creative freedom. The film's director, Alan Parker, has spoken candidly on this issue arguing that he was "trying to reach an entire generation who knows nothing of that historical event" (Toplin 2009:42). He was attempting to captivate a generation not likely to watch *Eyes on the Prize* or any of a number of documentaries that illuminated this particular story. "That's enough a justification," Parker reasoned, "for the fictionalizing" (ibid). Regardless of the film's historical inaccuracies, *Mississippi Burning* reignited national interest in the 1964 murders, which turned the national spotlight once again on Philadelphia, Mississippi.

The film's release did more than reinvigorate national awareness of the 1964 murders; it renewed national interest in the case, which ultimately placed pressure on the local community to acknowledge the murders. Stanley Dearman, the owner and editor of the local weekly paper, *The Neshoba Democrat*, was keenly aware of the newly awakened national interest. Since 1966 when he became the paper's managing editor, Dearman had fielded questions from eager newspaper reporters interested in tracking Philadelphia's racial "progress." Each anniversary,

especially “big” anniversaries such as the twentieth or twenty-fifth, unearthed a new cohort of inquisitors. And the release of *Mississippi Burning* just months before the twenty-fifth anniversary intensified this effect (on the periodic nature of commemorations, see Olick 1999; Zerubavel 2003). Figure 2.2 shows the number of articles mentioning the murders in *The New York Times* from 1964 until the thirtieth anniversary in 1994. The coverage exploded in 1989 following the release of *Mississippi Burning*. It is unclear from Figure 2.2, however, whether the news coverage preceded the 1989 commemoration or was a result of the 1989 commemoration. Breaking down the newspaper coverage by month, Figure 2.3 demonstrates that the surge in coverage occurred between January and April, just after the film’s release but months before the June 21st anniversary.

Figure 2.2. Number of Articles Mentioning the Murders in the *New York Times*, 1964–2009

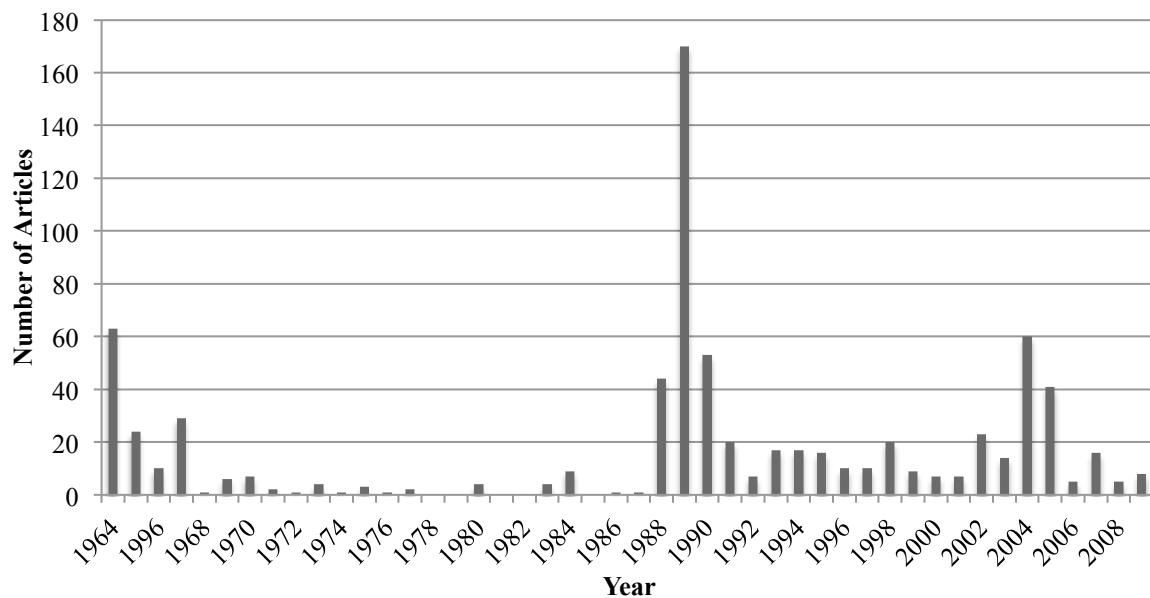
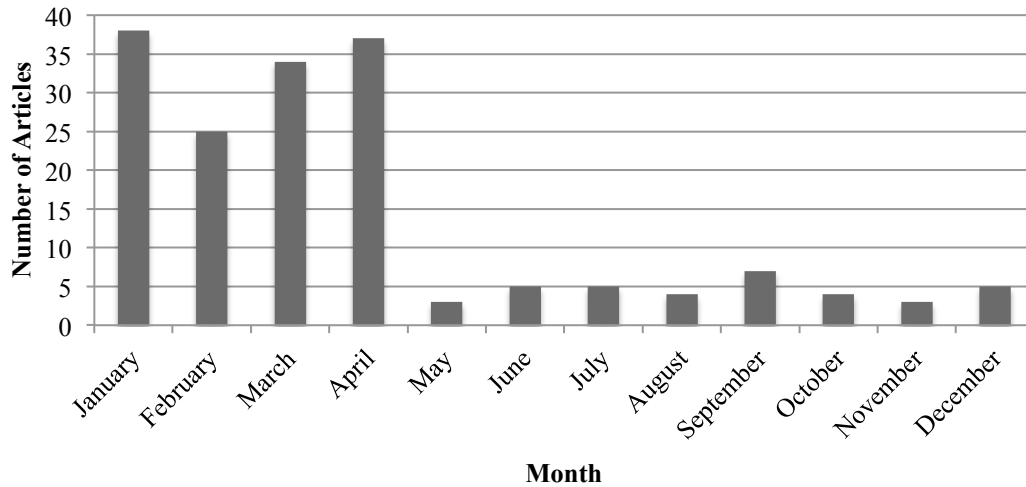


Figure 2.3. Number of Articles on “Mississippi Burning” Murders in New York Times, 1989



A staff reporter from the *Neshoba Democrat* in 1989 recalls Dearman’s reaction to the movie’s release: “Mississippi Burning was coming out and [Dearman] knew all the media had come and he knew with the movie and the 25th they were really going to come so he got some people together and said, you know, we’ve really got to put our best foot forward” (interview, April 10, 2013). This quotation reveals the complicated motivations of local citizens for acknowledging the murders. It indicates that individuals, at least those connected with the newspaper, were concerned that large crowds that would likely be descending on Philadelphia to mark the 25th anniversary and suggests that locals assumed they would be under national scrutiny via the national media.

Potential media scrutiny was not the only motivation for Philadelphian’s to publicly acknowledge the murders. For decades, tourists had been making the pilgrimage to Philadelphia on the June anniversary of the murders, but in 1989 Dearman was receiving more phone calls than usual and sensed the number of students and civil rights groups planning to

visit for the twenty-fifth anniversary would be larger than the town had yet experienced. This posed significant organizational challenges. With a population of roughly 7,000, Philadelphia was not equipped to host thousands of potential visitors. How this many visitors would be housed, fed, and transported was a potential logistical nightmare that required attention. Without preparation, Philadelphia leaders worried their town might be ridiculed on a national stage once again. With the potential arrival of thousands of visitors and a large media presence, organizing a public acknowledgment also provided a public relations opportunity. Organizing a community-wide commemoration would thus enable Philadelphians to challenge the Mississippi Burning narrative that had plagued the city's reputation for decades.

Mobilization and organization of local agents of memory.

The second critical factor in creating the 1989 event sequence represents the mobilization and organization of powerful local agents of memory (LocalLeaders) and marks the confluence of three separate developments: Philadelphia native, Dick Molpus, emerging as a political leader (Molpus); Stanley Dearman's ascendancy as editor/owner of the local newspaper (NewEditor); and the surge in national interest in the 1964 murders as a result of *Mississippi Burning's* national release (Calls). While this last sequence was set into motion just months before the anniversary, the first two sequences indicate long-term processes precipitating the 1989 commemoration.

That Dick Molpus and Stanley Dearman would emerge as powerful agents of countermemory was consequential, but not inevitable. Over time, and as a result of deeply personal experiences, both men developed the opinion that the murders had been wrong and the community of Philadelphia ought to own its "corporate responsibility" (interview, March 26th 2013). From a contemporary vantage point this might seem unsurprising, but it is

important to remember that in 1989, many locals ardently opposed such opinions and that these sentiments had never been expressed in a public forum. By suppressing these opinions publicly, both men came to occupy positions of power and moral authority, Dearman as editor/owner of the local weekly newspaper, and Molpus as the Secretary of State of Mississippi, the second highest elected position in the state.

As the editor/owner of local rural weekly, Dearman possessed unrivaled control over local public discourse (Garfrerick 2010). He single handedly decided what was printed, and ultimately read, by the majority of Philadelphians—both white and African American. Dearman took over the *Neshoba Democrat* in 1966 from editor, Jack Tannehill, who had been largely criticized for his coverage of the 1964 murders. Throughout the first two decades of his tenure, Dearman began writing stories about, and including pictures of, local African Americans who had previously been excluded. In this small, yet significant, way, Dearman primed Philadelphia for change while also maintaining his stellar reputation. More importantly, Dearman's position as the newspaper's editor/owner afforded him control over essential silence-breaking technology. The local newspaper could—and would—be used to promote the 1989 commemoration, and later reinforced the event's import by reprinting the exact transcript of the ceremony in the next week's issue.

Dearman, however, could not have organized a community-wide commemoration on his own. While he had lived in Philadelphia for years, he was not born in Neshoba County, and thus not a “native son.” Dick Molpus, on the other hand, *was* born in Neshoba County and hailed from one of the county's most prominent families. In the ten years preceding the 25th anniversary, Molpus had risen in the ranks of state politics, first as an advisor to Governor William Winter helping to pass the 1982 Education Reform, and then later as the Secretary of State, which was the position Molpus held when Dearman wrote to him about the upcoming

25th anniversary. Dearman had known Molpus since he was a child and knew Molpus would be a willing ally: “There will be a lot of people in Philadelphia [for the 25th anniversary],” Dearman recalled writing to Molpus, “and we need to start thinking about what we can do about it” (interview, March 26, 2013) Molpus agreed, and offered to help organize a commemoration planning committee (PlanningComm), despite the warning some of his key advisors that such an act would be political suicide.¹²

Once Dearman and Molpus decided to move forward with the idea, they convened a planning committee made up of local leaders, and though efforts were made to engage African American members of Mt. Zion church, the group was largely dominated by local white businessmen (interview, April 23, 2004).

Philadelphia, Pennsylvania provides necessary resources

As a local organizational infrastructure took shape, an unexpected ally emerged bolstering the group’s mnemonic capacity. After viewing *Mississippi Burning*, several prominent residents of Philadelphia, *Pennsylvania* envisioned a “Philadelphia to Philadelphia” project whereby citizens of Philadelphia, Pennsylvania would assist some sort of commemoration in Philadelphia, Mississippi, and urged Mayor Wilson Goode to support the idea (PennCitizens). Under most circumstances, it would be difficult to imagine a mayor from a large Northern city allocating significant financial resources to commemorative efforts in a small southern town,

¹² In the Governor’s race six years later, Dick Molpus (Dem.) was defeated by Kirk Fordice (Rep.) who won the election with 55.4 percent of the vote—and even carried Molpus’s home county (Nash and Taggart 2009:254). Some have speculated that Molpus’s involvement in the 1989 commemoration played a role in his defeat (Sokol 2006:328).

but Mayor Goode had some reputational management issues of his own (Fine 2001). Several members of the 1989 commemoration committee speculated that Philadelphia, Pennsylvania's mayor desired positive press in the wake of an embarrassing incident where city police dropped a bomb on occupied row houses attempting to end an armed impasse with MOVE, a black liberation organization, killing eleven and destroying sixty-five homes (MOVE).

Several months before the 25th anniversary, representatives from Goode's office reached out to the Neshoba County NAACP President, Pete Talley, offering their services to support a citywide commemoration (PennMayor). While at first suspicious of the Pennsylvanian's motivations, Mississippi-based planning committee members came to find their institutional support, including a substantial financial investment, advantageous. "We were out of our league," according to one 1989 planning committee member, but "we had the mayor's office from Philadelphia, Pennsylvania from a major city in the United States who knew about public presentations and these kinds of things and had people on staff who were professionals doing that kind of stuff, particularly getting the word out." The "Philadelphia to Philadelphia Project" was formalized, and as a result, two representatives from Philadelphia, Pennsylvania, made regular trips to Mississippi in preparation for the commemoration service providing their professional services and access to the resources of Mayor Goode's office. Thus, with access to sufficient resources, an organizational infrastructure to channel those resources, and the motivation to acknowledge the town's violent history, the first community-wide commemoration of the 1964 commemoration came to fruition.

25th anniversary commemoration and return to silence.

On June 21, 1989, over 1,000 people from around the country descended upon Philadelphia to participate in the first citywide commemoration service marking the 25th

anniversary of the murders. Of the many speeches delivered that day, the statement delivered by Dick Molpus is particularly notable. The first Mississippi elected official (and native Philadelphian) to publicly apologize for the murder, Molpus spoke directly to the victim's family members sitting in the audience: "We deeply regret what happened here twenty-five years ago," Molpus lamented, "[w]e wish we could undo it. We are profoundly sorry that they are gone" (Molpus 1989). In light of decades of silence and denial in Philadelphia's public sphere, this acknowledgement was a radical, and arguably, courageous act.

The event appeared to signal that the city had reached a turning point, and Philadelphians—both black and white—hoped that was the case. Most Philadelphians were well aware of their city's stigmatized reputation having heard countless stories about businesses choosing not to invest in Philadelphia, or travelers continuing their journey on to the next town for fear of staying in Philadelphia over night. For many locals, especially those with significant political or economic stature, the 25th anniversary commemoration presented an opportunity to articulate the city's positive change. This "conversion narrative" – in which a long dominant narrative is purposely converted into its opposite -- is exemplified by Molpus' remarks at the commemoration service:

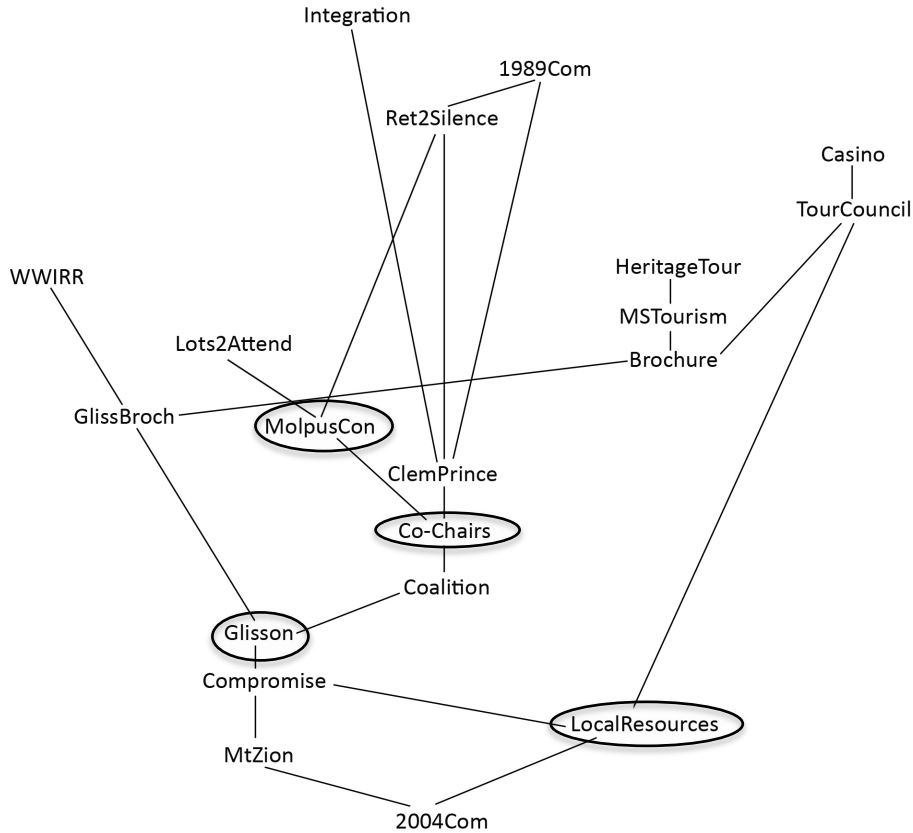
I mean it when I say it, that this is a new day in Philadelphia, this is a new day in Mississippi. No one is saying that this corner of the earth is perfect, and of course it isn't. There are shortcomings that we see everyday, but we are working, we are struggling, we are trying to create the kind of community and state that can be a beacon to the nation and to the world... We've come through a tough, a sad chapter in our states history, but we've learned this lesson. We've learned that our real enemies are not each other (Molpus 1989; on conversion narratives, see Hobson 1999; Somers and Block 2005: 273-275; Zerubavel 2003:19).

Despite this optimism, the reality of Philadelphia's moral redemption was challenged the following morning when employees of the local newspaper arrived to see the white columns flanking the entry to their office defaced with red spray paint spelling "K-K-K." Likewise, Dick Molpus received twenty-six death threats within three days (interview, July 14, 2009). Outside the dedication of a state-sponsored historical marker at Mount Zion immediately following the 1989 commemoration, city-wide commemorative activity reverted back to its previous limits within the African-American community, which continued to commemorate the event annually at relatively small church services. The broader interracial civic engagement with this difficult past returned to its pre-1989 state.

Event Structure of the 2004 Commemoration

Fifteen years would pass before Philadelphia would once again confront the 1964 murders. Leading up to the 40th anniversary in 2004 a number of sequences converged resulting in a second community-wide commemoration service (Figure 2.4). Based on my analysis of the event structure, four actions appear to be particularly notable: the mobilization of agents of memory (MolpusCon); the consolidation of an organizational infrastructure (CoChairs); access to institutional expertise (Glisson), and acquisition of local financial and political resources (LocalResources). In many ways, these critical junctures resemble those leading up to the 1989 commemoration with one important difference: the existence of a prior "silence-breaking" commemoration (1989Com).

Figure 2.4 ESA of 2004 Commemoration



Abbreviation	Date	Description of Action
Integration	1970	Mississippi public schools integrated
1989Com	June 1989	Commemoration planning committee holds 1989 commemoration.
Ret2Silence	June 1989	Philadelphia returns to broad civic silence
Casino	1994	Mississippi Band of Choctaw Indians builds nearby casino
TourCouncil	2000	State grants Philadelphia permission to establish a Tourism Council
WWIRR	Nov 2002	Glisson appointed direction of Winter Institute
HeritagTour	Dec 2002	Mississippi Development Authority (MDA) begins heritage tourism
ClemPrince	Fall 2003	Clemons and Prince discuss need for the city-wide commemoration
MSTourism	Feb 2004	Tourism Council seeks assistance from MDA
Brochure	Feb 2004	Tourism Council decides to compile African American Heritage brochure
GlissBroch	Mar 2004	Molpus invites WWIRR to assist brochure committee
Lots2Attend	Mar 2004	Molpus receives call indicating thousands could visit town for 40 th anniv.
MolpusCon	Mar 15 2004	Molpus convenes steering committee to discuss commemoration
CoChairs	Mar 15 2004	Clemons and Prince appointed Co-Chairs of task force
Coalition	Mar 22 2004	Clemons and Prince convene task force (i.e. Philadelphia Coalition)
Glisson	Mar 2004	Clemons and Prince invite Glisson to assist Philadelphia Coalition
Compromise	May 2004	Glisson brokers compromise between agents of memory
MtZion	May 2004	Mt. Zion leadership decide to support Philadelphia Coalition
LocalResources	May 2004	Philadelphia Coalition secure resources from city, county, and tribe
2004Com	June 2004	Philadelphia Coalition hosts 2004 city-wide commemoration

Agents of countermemory mobilize once again

As in 1989, the approach of a “big” anniversary precipitated efforts to organize a citywide commemoration. Those involved in the 25th anniversary commemoration had anticipated that the 40th anniversary might also draw large crowds. That expectation was confirmed when Dick Molpus received a phone call from an organizer associated with Mt. Zion and working with a national civil rights group claiming that forty bus loads of visitors were planning to attend. Following the precedent established by the 1989 commemoration, Molpus convened a meeting of city leaders, many of whom had participated in the 1989 commemoration, to discuss the possibility of hosting a second community-wide commemoration (MolpusCon).

While the 1989 commemoration influenced how organizers thought about the form and content of the 2004 commemoration, it was not determinative (Olick 1999). Much had changed in the preceding years to encourage communities to acknowledge violent pasts, most notably, the successful prosecution of civil rights era crimes (Gill 2007; Romano 2006). Furthermore, a new generation of mnemonic agents had emerged in the preceding years with their own ideas about how a community-wide commemoration acknowledging the murders should take shape.

At a March 15th meeting of city leaders organized by Molpus, two members of this younger generation emerged as powerful agents of memory and were appointed Co-Chairs of a newly formed commemoration task force (CoChairs).

Agents of countermemory consolidate and organize

When Leroy Clemons, the recently elected president of the local chapter of the NAACP, and Jim Prince, the successor to Dearman as the editor/owner of the *Neshoba Democrat*, were appointed Co-Chairs of a new commemoration task force, the proverbial torch was passed to a new generation of mnemonic leadership. Both Leroy Clemons and Jim Prince were born during

the time period some have dubbed “the long silence” (Ball 2006). Between 1964 and 1989 there was little if any public discussion of the murders in Philadelphia’s dominant public sphere leaving each Philadelphia child to “discover” this history on their own.

That Clemons and Prince would emerge in 2004 leaders of a new generation of mnemonic activists and co-chairs of an interracial commemoration task force, however, is not only the product of personal discoveries, but also of broader historical developments. Between 1964 and 2004 there was much change in Mississippi, in particular, the forced integration of public schools in 1970 (Integration). For the first time in the history of the state of Mississippi, large numbers of white and African-American children attended school together. Leroy Clemons recalls how attending Philadelphia’s integrated public school as an African American affected his relationship with white students.

Well, now, when they integrated schools I was in the third grade... We didn’t see each other as black and white and that we needed to be segregated because the history wasn’t passed down to us ... it allowed us the time to develop relationships where we could get to the point now where we can handle the past and that baggage that came along with it.

Here, Clemons notes the importance of the passage of time for cultivating relationships unbound by the strictures of the Jim Crow South. Integration had not only enabled Prince and Clemons to interact in school but also at work. As high school students, Clemons and Prince had become friends working for Stanley Dearman at the local newspaper. Without having established this relationship in their youth, it is unlikely that Clemons and Prince would have stopped to catch up with each other in the fall of 2003—a conversation where both shared their concerns about the upcoming 40th anniversary. By 2003, both men had risen to prominent positions in the local community.

Standing outside City Hall, they began to talk about the anniversary and realized they were thinking along the same lines. The commemoration, argued Clemons, “does not need to come from just the black community,” referring to the annual commemoration held by African Americans at Mt. Zion, “[i]t needs to be a *community-wide* approach to doing something” declared Clemons (interview, May 15, 2013, my emphasis). Prince concurred based on his experience of the 1989 commemoration. “So here I am,” recalls Prince, “It’s 2004 and I know the 40th is coming and I’m right where Stanley Dearman was [in 1989]. I knew when I bought the paper I was inheriting that burden...so it was kind of natural for me to say let’s model this after what we did in ’89” (interview, April 10, 2013). As in 1989, two powerful agents of memory recognized a joint objective and joined forces to organize a citywide 40th anniversary commemoration service. Their leadership, however, suggested that the murders affected future generations and addressing past wrongdoing the responsibility of all Philadelphians, not merely those directly involved in the crime.

Once Prince and Clemons were ordained co-chairs of the newly formed commemoration task force (CoChairs), they invited others to participate thus consolidating the organization efforts of local agents of countermemory in what ultimately became a thirty-member multi-racial coalition called the Philadelphia Coalition (Coalition).

Winter Institute provides resources and expertise

Another critical development (Glisson) links institutional support for racial reconciliation efforts at the state level (WWIRR) with the local organizational infrastructure (Coalition). In 2002, Susan Glisson, a Georgia-native who had received her master’s degree in Southern Studies at the University of Mississippi, was appointed director of the newly created William Winter Institute for Racial Reconciliation at the University of Mississippi, an

organization founded to follow up on work begun when Winter helped bring the only deep-South public forum to the University of Mississippi as part of President Clinton's "One America" Initiative (Lawson 2009). Two years after Winter Institute was founded, Dick Molpus asked Glisson to come to advise Philadelphia's Community Development Partnership (CDP) on their effort to develop a brochure highlighting Philadelphia's African American heritage. As a protégé of former Mississippi Governor William Winter, Molpus served on the Board of the Winter Institute and was familiar with the Institute's work (Nash and Taggart 2009:144). In 2000, the state of Mississippi had granted Philadelphia's request to create a Tourism Council, which is significant because the Tourism Council could collect a three percent bed tax at city hotels, thus creating a new source of revenue for promotional materials such as heritage brochures. The request to establish a Tourism Council was a response to a surge in local tourism as a result of Pearl River Resort and Casino constructed on nearby Choctaw land in 1994. This new source of funding bolstered the city's capacity to organize and promote commemorative activities, without which the 2004 commemoration might not have occurred.

This local source of funding, however, was insufficient to support the creation and management of the commemoration service being planned. With Glisson already in town supporting heritage tourism efforts, Clemons and Prince invited Glisson to consult with the Philadelphia Coalition. Glisson's experience facilitating conversations on racial issues proved critical as she assisted the multi-racial, multi-generational Philadelphia Coalition in navigating sensitive and often conflictual conversations. Without the Coalition making it through these difficult conversations, their efforts to organize a community-wide commemoration would have likely fragmented (Vinitzky-Seroussi 2002). The thoughts of one Coalition member reflect a common sentiment regarding Glisson's involvement. "Well, you know, having Susan Glisson involved, it probably couldn't have happened without her help and expertise... (interview, April

3, 2013). Without having engaged in thoughtful dialogue, this interracial Coalition's efforts to organize the commemoration may well have stalled. In this way Glisson's institutional support was crucial for maintaining the local organizational infrastructure.

Glisson was also influential in facilitating compromises between the Philadelphia Coalition and local government bodies (city, county, and tribe) that were initially resistant to supporting the commemoration (Compromise). For instance, representatives from the Mississippi Band of Choctaw Indians were reluctant to endorse the Coalition's "Call for Justice," which they planned to present at the commemoration, not because they denied the local community's collusion in the crime, but out of fear that with this new knowledge Choctaw children might "learn to hate." Glisson served as a key broker working closely with representatives from the tribe to secure a compromise: the Chief would offer a letter of support and contribute financial resources while not actually signing the resolution (Local Resources).

Finally, Glisson's access to the resources of the University of Mississippi also proved to be a critical asset. "We invited all the top officials," one Coalition member recalls, "And that's the sort of thing...where Ole Miss helped us." The Coalition did not have the ability to do media relations so the University of Mississippi's Public Relations Office provided assistance inviting statewide officials and coordinating with the media. "We couldn't have done it without the Winter Institute" (interview, March 22, 2013).

Breaking the silence...again

On Sunday, June 20th 2004, thousands of visitors once again descended upon Philadelphia, this time to mark the 40th anniversary of the infamous 1964 murders. The program titled, "Recognition, Resolution, Redemption: Uniting for Justice" was more explicitly social justice-oriented than the 1989 commemoration. Several weeks before the commemoration, the

Philadelphia Coalition held a press conference calling for justice in the case. Exactly what type of justice the Coalition had in mind remained vague, even amongst Coalition members. This ambiguity allowed for multiple interpretations of the call for justice and the commemoration itself (on multivocal commemorations, see Wagner-Pacifici and Schwartz 1991). While some were vocal about pursuing legal justice, others argued that the call for justice and commemoration would be good for business. Jim Prince, the editor of the *Neshoba Democrat*, articulated this position in a June 9th article, “As an economic development issues, we could not be able to pay in a lifetime for the type of positive coverage for our county” (Prince 2004a). The commemoration, thus offered an opportunity “to show the world this community has changed” *and* the editorial continued, “the world will be watching” (Prince 2004b).

The program began at 2pm with an hour-long service at the Neshoba County Coliseum, the only venue large enough to accommodate the number of visitors. Here, a diverse set of speakers flanked the stage perhaps best exemplified in an Associated Press photograph capturing Mississippi’s conservative governor, Haley Barbour, shaking hands with civil rights veteran, activists, and congressman, John Lewis. The Community Development Partnership integrated itself into the commemoration by passing out a number of promotional materials including round cardboard fans with the caption, “I’m a fan of Philadelphia Tourism” and civil rights tourism brochures highlighting a number of civil rights related sites (e.g. the jail where Chaney, Schwerner and Goodman were held, the former COFO offices, and the funeral home once owned by Charles Evers where he helped register black residents to vote). Driving tours visiting these sites ran at regular intervals from the Coliseum, each narrated by a white and African American Philadelphia native. Finally, the day’s events concluded with a smaller church service at Mt. Zion. Dick Molpus, once again, took the stage but he went further than in 1989 where he was the first Mississippi elected official to publicly apologize for the murders.

In 2004, Molpus reminded his fellow Philadelphians of their complicity in allowing impunity to reign and urged those with “local roots” to support efforts the State Attorney General and local District Attorney who sought to prosecute the case (Ladd 2004).

The reverberations of the 2004 commemoration didn’t end there. A year later on June 21st, 2005, “Preacher” Edgar Ray Killen was convicted in the case on three cases of manslaughter thereby institutionalizing acknowledgment of Philadelphia’s difficult past.

IV. Theorizing Silence-breaking Commemoration

As the event structure analysis demonstrates, the 25th and 40th anniversaries resulted from the confluence of factors, including a number of contingent historical developments. Despite the particularities of each commemoration, comparing the event structure analyses of both commemorations reveals significant commonalities. The analysis suggests that, in addition to commemorability and mnemonic capacity, which are characteristic of commemorations broadly, commemorations that incorporate previously excluded discourse within the dominant public sphere also require pressures from outside the locality and a convergence of once opposing interests.

National Pressure

Both the 25th and 40th anniversaries were preceded by national developments that placed pressure on the local community to acknowledge the 1964 murders. The first and most significant of these developments was the national release of the film, *Mississippi Burning*. The film reinvigorated national interest in the case and led a number of individuals, including representatives from the national media, to visit Philadelphia, Mississippi, for the upcoming 25th

anniversary. This interest, moreover, preceded any local efforts to organize a community-wide commemoration; rather, it was the primary impetus motivating local agents of countermemory to mobilize.

Likewise, in 2004 national interest pressured local citizens to plan a 40th anniversary commemoration. This time, however, the impact of national interest was intensified through another mechanism—the memory of commemoration (Olick 1999). As in 1989, local leaders in 2004 began to receive an increased number of phone calls regarding the commemoration of the 1964 murders in the months preceding the 40th anniversary. And like in 1989, it became clear that potentially thousands of visitors could descend on Philadelphia to mark the anniversary. This came after a number of 40th anniversary celebrations commemorating various civil rights milestones such as the Freedom Rides ([1960]2000), and the murder of Jackson-based NAACP Field Secretary, Medgar Evers ([1963]2003). Thus, the national civil rights community was prepared to travel to Philadelphia in June of 2004, whether the local community was prepared for them or not.

Furthermore, despite the fifteen-year hiatus, the 25th anniversary commemoration in Philadelphia in 1989 had set a precedent for local agents of memory. Having witnessed the 25th anniversary commemoration as young adults, a new generation of mnemonic activists felt pressure to hold another commemoration service. Some in this new generation felt that the 1989 commemoration had been a missed opportunity as it had not been transformative in the way many had hoped when Philadelphia's dominant public sphere returned to broad civil silence on the issue of the murders. The 25th anniversary clearly affected the form, content, and very conditions of possibility for a 40th anniversary commemoration.

Interest Convergence

In addition to national pressure on the local community, the interests of those opposed to and those in favor of acknowledgment needed to converge (Bell 1980). With the release of *Mississippi Burning* just six months before the 25th anniversary of the murders, the national spotlight was once again turned on the small community of Philadelphia, Mississippi. Aware that the national media would be in town covering the 25 anniversary, local leaders seized the opportunity to challenge the “Mississippi Burning narrative” that portrayed Philadelphia’s white community as ignorant and deeply racist. While restoring Philadelphia’s damaged reputation was motivation enough, many local business owners hoped that such an event would stimulate the local economy. Thus, those who had previously condoned the public silence, whether explicitly or implicitly, had sufficient motivation for publicly acknowledging the murders.

The same reputational and economic motivations for acknowledging the murders were present in 2004, arguably even more so. By the early 2000s, a number of political and economic developments on both the state and local level shifted conditions of possibility for local community-wide commemoration. On the state level the Mississippi Development Authority had developed an infrastructure to support African American heritage tourism statewide. This was part of broader regional efforts to cultivate African American Tourism (Carrier 2004; Dwyer and Alderman 2008). Locally, a burgeoning tourism industry had grown alongside the Pearl River Resort and Casino, enabling Philadelphia’s Community Development Partnership to create a Tourism Council who could provide support for commemorative activities, but also channel profits back into the city. Thus in both 1989 and 2004, reputational concerns and economic opportunities reduced resistance from those who had previously opposed public acknowledgement.

Commemorability and Mnemonic Capacity

Lastly, the commemorability of the 1964 murders and the mnemonic capacity of local agents of memory to construct a compelling commemorative vehicle were crucial components of both the 1989 and 2004 commemoration. While the commemorability of the 1964 murders was never in question, the mnemonic capacity of local agents of memory was not assured. The 25th anniversary commemoration may not have occurred were it not for the organizational support and financial resources provided by the Philadelphia, Pennsylvania's mayor's office. No one on the 1989 commemoration planning committee had organized an event of this scale or import, with the exception, perhaps, of Dick Molpus. But as demonstrated above, Molpus's staff was not entirely supportive of his involvement in these commemorative efforts going so far as to describe his participation as "political suicide." Without resources available within the state of Mississippi, the resources provided by national-level allies were essential.

By 2004, resources to support racial reconciliation efforts had developed within Mississippi. In many ways the William Winter Institute for Racial Reconciliation under the stewardship of Susan Glisson, served the same role as the Philadelphia, Pennsylvania's mayor's office had fifteen years previously. Members of 40th anniversary commemoration task force, or Philadelphia Coalition as it was later called, were all volunteers most of whom held full time jobs. The Winter Institute provided the Coalition with a consultant (Glisson) who could essentially work full time on commemoration planning. Furthermore, Glisson's experience mediating racial dialogues ultimately proved crucial as divisions within the Coalition and challenges from outside threatened the group's viability and thus the commemoration's emergence.

In both cases, it is important to note that the local communities mnemonic capacity was buttressed by institutional support from outside the local community. It appears, then, that

national forces are not only critical for creating pressure on the local community, which provides incentives for the local community to commemoration; national or state-level institutional actors also provide necessary financial, organizational, and political support, without which less-well resourced agents of memory might not be able to construct a commemorative vehicle. The extent to which this is generalizable is unclear. As one of the few events to alter the trajectory of the civil rights movement, the national importance of the 1964 murders was never in question. Local agents of countermemory in other contexts, however, might have to more actively work to frame their silenced pasts as relevant to a broader audience, should they wish to bolster their mnemonic capacity.

V. Conclusion

By reconstructing and comparing the event structure of the 25th and 40th anniversary commemorations of the “Mississippi Burning” murders, this chapter illuminates the factors contributing to the emergence of commemorations that acknowledge long-silenced pasts. While the circumstances surrounding each commemoration were unique, both represent distinct moments of public acknowledgment in the mnemonic trajectory of Philadelphia’s official public memory. While Philadelphia’s African American community had hosted annual commemorations since 1964, Philadelphia’s white community remained shrouded in silence. Not until the 25th anniversary, did local elected officials publicly acknowledge the murders as part of community-wide commemoration service. Despite this momentous acknowledgment, Philadelphia’s dominant discourse on the murders returned to silence for another fifteen years. Only after a second community-wide commemoration in 2004 would Philadelphia’s conspiracy of silence be fully dismantled, a process described in greater detail in Chapters 3, 4, and 5.

Despite the historical particularities and the interdependence of the two commemorations,

I conceptualized and compared each as a case of silence breaking. Four factors were necessary for silence-breaking commemorations to emerge in this case. In addition to commemorability and mnemonic capacity, silence-breaking commemorations require the additional developments of national pressure and interest convergence. The analysis presented above suggests that national pressure can motivate local agents of countermemory to challenge the status quo. Silence breaking, however, also required that the interests of those opposed to and those in favor of commemoration find common ground.

These findings suggest broader implications for understanding when and how conspiracies of silence are deconstructed. First, it appears that deconstructing conspiracies of silence takes time. While this point may seem simplistic, it suggests important theoretical and practical implications. While the passage of time is not an explanatory factor in its own right, it enables necessary political, economic, and normative shifts to take root. Furthermore, just as the cumulative accretion of memory makes silence more difficult to dismantle over time, countermemory is characterized by that same cumulative effect. Thus, the passage of time can enable agents of countermemory to develop a robust oppositional infrastructure. Secondly, this analysis of the 1989 and 2004 commemorations indicates that singular episodes of silence breaking do not necessarily dismantle a conspiracy of silence. The 1989 commemoration, while notable as the first moment of acknowledgement within Philadelphia's dominant public sphere, could not sustain open public discourse regarding the 1964 murders. Finally, it appears that national pressure and national resources are critical for creating conditions of possibility for acknowledgment in cases where local resistance is considerable.

While no one constellation of factors can account for successful silence-breaking commemorations, by examining and comparing the 1989 and 2004 commemoration in Philadelphia, Mississippi, it is possible to distill those conditions most salient for the case at

hand. A more extensive comparative project would be necessary to test the conclusions presented here and such a project is beyond the scope of this dissertation. Future work might consider the consequences of such silence-breaking vehicles. Why, for example, do some instances of silence breaking have long lasting effects, while others represent only momentary fractures in the status quo? Additionally, further explanatory potential could be harnessed through cross-case comparative analysis of failed and successful attempts to break silences, and comparisons of such processes across levels of analysis (local, national, and international).

Chapter 3

From Commemoration to Conviction: Prosecuting Edgar Ray Killen

I. Introduction

In the previous chapter I examined how – despite the prevailing conspiracy of silence in Philadelphia’s dominant public sphere – the community-wide 25th and 40th anniversary commemorations successfully emerged in 1989 and 2004. Having established these two commemorative moments as cases of “silence-breaking” commemorations unique within the longstanding history of Philadelphia’s dominant “official” silence on the murders, the remaining chapters examine the consequences of these commemorations. In particular, I explore the differential outcomes of these two community-wide commemorations, which appear at first glance to be remarkably similar. Both were multi-day, community wide commemoration services, organized by an interracial coalition of local citizens. In stark contrast to the 25th anniversary commemoration, the 40th anniversary commemoration in 2004 appeared to have provoked a number of notable racially significant institutional transformations. Whether and how these transformations are causally related to the 2004 commemorations, however, is an empirical question. In this chapter, I examine one such transformation – the murder trial of Edgar Ray Killen – to explore the question of whether the pathways connecting this particular legal outcome to the 2004 commemoration can be identified as causal.

Doing so is a counterfactual endeavor. To ascertain whether the 2004 commemoration can be said to have *caused* the Killen trial, is also to ask: If the 2004 commemoration had *not* taken place, would the Killen trial have occurred. Based on the evidence I will present in this chapter, my answer to this question is no. Using event structure analysis (ESA), I find that the key to understanding the 2005 Killen trial lies in the 40th anniversary commemoration in 2004. In what follows, I tease out the multiple and overlapping processes that were set in motion by the 2004 commemoration and that appear to be causally connected to the trial. I will argue that the commemoration created the conditions of possibility for the trial by mobilizing a new generation of local mnemonic entrepreneurs; by strengthening the community's mnemonic capacity to create a commemorative vehicles; by shifting opportunity structures as it unfolded; and by transforming the local political culture through the "memory of commemoration" (Olick 1999) in the community from where members of the jury would be drawn.

II. Previous Efforts to Prosecute the "Mississippi Burning" Case

In addition to being one of three hypothesized outcomes of the 2004 commemoration in this study, the prosecution of Edgar Ray Killen is worthy of explanation in its own right. Despite evidence suggesting that Edgar Ray Killen had organized the Klansmen the night of the murders of the three civil rights workers, directed them on how to dispose of the bodies, and arranged for the use of a bulldozer to "disappear" the bodies, he had escaped justice for decades. When seven of his co-conspirators were convicted in the 1967 federal trial for having denied Chaney, Schwerner, and Goodman their civil rights, Killen narrowly avoided conviction when a lone hold out juror of an all white jury refused to convict him on the grounds that "she could never convict a preacher" (Cagin and Dray [1988]2006: xiii). Outside of this federal trial

after which seven men served brief jail sentences, no one was held accountable for the murders – a state charge, which no Mississippi District Attorney saw fit to prosecute. That is, until 2005, when the confluence of historical and more contemporary developments culminated in the murder trial of Edgar Ray Killen.

In the interim period, there had been a number of concerted efforts to reopen the case, despite considerable resistance from local people and state officials. The first was in 1989. After seeing the movie, *Mississippi Burning* (1988), the Attorney General of the state of Mississippi, Mike Moore, decided to investigate reopening the case and asked Assistant Attorneys General Jack Lacy and John Henry to investigate and compile a report. After extensive research, Lacy and Henry concluded in their report that, in fact, “enough vital evidence was available” to move forward with the case (Mitchell 1999, “Crimes of the Past”). The Attorney General’s office never intended for the investigation to become public, referring to the investigation in code as the “Saladin Project.”¹³ After a February 15th meeting with FBI agents who had worked the case in 1964, however, information about the existence of the “Saladin Project” was leaked.

When asked about the investigation in 1989, Moore responded:

What I’m doing is taking a preliminary look into this case by reading the transcript and attempting to talk to some of the witnesses to make a determination if it is in the best interest of this state to prosecute. The first hurdle we have to jump is whether the evidence is enough to successfully prosecute. Second, is it in the best interest of the people of this state? (ibid).

A decade later when the existence of the Saladin Project was once again unearthed, Deputy Attorney General Robert Gibbs recalled having wanted to take on the challenge in

¹³ “Saladin” was the name after a character from Salmon Rushdie’s novel, *The Satanic Versus* (1988).

1989. “I would have loved to have gotten involved in it,” remembers Gibbs. Moore, however, declined to take action in 1989 and again in 1999 when family members of the victims called for a trial once again.

Attitudes regarding Civil Rights cold cases began to shift in the 1990s. A Texas-born and Mississippi-based investigative reporter for the Jackson *Clarion Ledger* began to look into a number of civil rights era cold cases tracking down aging witnesses and suspects as well as unearthing new material that would prove crucial for convictions in a number of cases. Most notably, Mitchell gained access to over 2,500 pages of Mississippi Sovereignty Commission documents that were at the time supposed to remain sealed until 2027. By 1999, authorities had looked into twenty-one civil rights era killings, leading to twenty-four arrests, seven convictions, one mistrial, and one acquittal (Mitchell 1999, “1963 Alabama church bombing”).

In line with this regional trend, in 1999 there was a second major attempt to re-open the “Mississippi Burning” case. In an interview conducted nearly a decade before by state archives officials, Sam Bowers, the former Imperial Wizard of the Mississippi Klan, had boasted that he had “obstructed justice” in the FBI probe of the Neshoba murders and was “quite delighted to be convicted and have the main instigator of the entire affair walk out of the courtroom a free man” (Mitchell 1999, “Crimes of the Past”). Even though Bowers did not name the “main instigator,” two confessions made by Klansmen in 1964 corroborated that Killen had organized the murders. In light of this testimony, the family members of Chaney, Schwerner, and Goodman made public demands for the case to be reopened.

Two months after the Bowers admission, Attorney General Moore met with the Neshoba County District Attorney Ken Turner to open up a dialogue and assign investigators to the case and ultimately decided to reopen the case on February 25th 1999. (Mitchell 2000, “44 Days: State considers pursuing murder charges in case”). Moore and Turner quickly turned their

attention towards potential living witnesses but had difficulty unearthing new information. Only two potential witnesses emerged: former deputy sheriff Cecil Price who had been convicted in the 1967 trial and Bob Stringer who worked for Klansman Sam Bowers in the 1960s as a teenager.

In 2001, however, a seemingly fatal blow struck the prosecutions case when Cecil Price died at the age of sixty-three after falling from a cherry picker. “If he had been a defendant, he would have been a principal defendant,” Mr. Moore told *The Clarion-Ledger*. “If he had been a witness, he would have been our best witness... his death is a tragic blow to our case” (Stout 2001). Within days of Price’s death, the Attorney General indicated that they were winding down the investigation. “We've still got the zeal to do it,” reported Moore in May of 2001, “but there's no sense in doing it if you can't make a strong case.” (Mitchell, May 3, 2001, “64 killings probe nears end”). Upon hearing the news that the investigation was coming to a close, Schwerner’s widow, Rita Bender, pointed out that “[p]rosecutions don’t get easier with time” (ibid). Bender had long been a proponent of prosecuting the case for murder. “The importance of these cases is the acceptance of responsibility by the state for the atmosphere that created violence” according to Bender. “One way to accept responsibility is to finally go forward with a prosecution” – regardless of the expected outcome (ibid).

By 2002, Attorney General Mike Moore indicated that there was a “slim chance” of the murder charges being brought by the state. Effectively, the case was closed. That is, until an interracial group of local citizens began to plan the 40th anniversary commemoration. After a nearly three year hiatus—and without having uncovered any additional evidence—the newly elected Mississippi Attorney General and Neshoba County District Attorney presented the case before a Neshoba County Grand Jury. That this seemingly intractable case moved forward without any new evidence is puzzling. What could have occurred between 2002 and 2005 to

propel this case forward?

III. Pursuing Legal Justice for Crimes Long Passed

Re-opening Civil Rights Era Cold Cases

Despite the growing number of civil rights era cold cases brought to trial, there has been surprisingly little social scientific research on the phenomenon of cold cases. What has been written comes primarily from historians, legal scholars, and journalists, but this work does suggest a number of sociological factors that may explain why and when a civil rights era cold case is prosecuted. Family members of the victims' often play a crucial role in pressuring local and state law enforcement to consider re-opening a case. As Gill (2007:26) notes, "family members can give the victims of decades old crimes a fresh "face" for prosecutors to visualize rather than faded black and white photographs from the 1960s." Family members may also unknowingly have in their possession new evidence to turn it over, or be able to persuade those who do.¹⁴

New witnesses or new evidence has also proven crucial to issuing indictments and securing convictions in these trials, as have changing political opportunities.¹⁵ The conviction

¹⁴ For example, Myrlie Evers, the widow of Medgar Evers, a civil rights activist assassinated in Jackson, Mississippi in 1963, had the only surviving copy of the original 1964 trial transcript. This was ultimately used in the 1998 Beckwith trial, which resulted in his conviction for the murder.

¹⁵ Investigative reporters such as Jerry Mitchell from the Jackson-based *Clarion Ledger*, have played a key role in unearthing new witnesses and testimony used to influence prosecutors to reinvestigate for themselves (McDonald, 2008). Likewise, filmmakers Stanley Nelson and Keith

in 1994 of Byron de la Beckwith for the murder of Medgar Evers fundamentally changed the future likelihood for civil rights era cold cases to be reopened by demonstrating that they could be prosecuted successfully (Romano 2014). Since the mid 2000s, a number of institutional resources have emerged to support these efforts, such as the Emmett Till Unsolved Crime Act (2007/8), which provided the Justice Department with the mandate and funding to investigate civil rights era crimes; university-sponsored efforts like the Cold Case Justice Initiative (Syracuse University Law School) and the Civil Rights Restorative Justice Project (Northeastern University); and the journalist-driven Civil Rights Cold Case Project established in 2008 to coordinate efforts of journalists and others who had been working on these cases individually (Romano 2014: 98-100).

None of these factors, however, can entirely explain why the “Mississippi Burning” case was finally put before a grand jury in 2005, less than three years after the Mississippi Attorney General ruled the case effectively closed. Family members of the victims in the 1964 murders had pressured state and local authorities to prosecute the case since the 1960s, making the mobilization of victims’ families after 2002 neither new, nor particularly notable. After the prosecutor’s chief witness passed away in 2001, no new witnesses or evidence were uncovered. No additional civil rights era cold cases can be seen to have shifted the conditions of possibility during the 2002-2005 time frame, and resources such as the “Till Bill” were not available until several years after the Killen trial.

In *Justice in Mississippi*, the only book-length account of the Killen trial, Howard Ball (2006) suggests that the Philadelphia Coalition, an interracial group of Philadelphia citizens formed in 2004, is the reason Killen was ultimately brought to justice in 2005. While Ball’s

Beauchamp, both separately identified new eyewitnesses while making documentaries on the 1954 murder of Emmett Till (Russell, 2005, pp. 2103-2104).

insight that the Philadelphia Coalition is important for understanding the 2005 indictment is apt, his explanation treats it as a singular event, and overlooks the historical circumstances out of which the Philadelphia Coalition emerged. The group that eventually became the Philadelphia Coalition was originally formed as a commemoration planning task force for the upcoming 40th anniversary, and its work in the planning and implementing the 2004 commemoration is key to unlocking this empirical puzzle.

Collective Memory, Law, and Social Change

While the consequences of commemorating violent pasts remains largely unexplored by social scientists (Ghoshal 2013), a small and rather diffuse interdisciplinary literature examines the reciprocal relationship between collective memory and law (see Savelsberg and King, 2007). Studies have explored how law shapes collective memory suggesting that legal institutions and legal proceedings are sites that narrate responsibility and guilt through the presentation of evidence, ritual practice, and public discourse (Landsman 2005; Osiel 1995). In her study of civil rights era cold cases, Renee Romano (2014) argues that these trials have generated a “narrative of redemption” whereby white individuals (prosecutors, journalists, and FBI agents) are portrayed as positive agents of change; racism is depicted as an individual phenomenon that can be overcome by personal repentance; and that the trials themselves represent powerful acts of atonement. Such a narrative, she argues, downplays black activism, government culpability, and institutional dimensions of racism. Consequently, the belated trials of civil rights era crimes are constructing a particular (and partial) collective memory of the civil rights movement and its legacy (see also Romano 2006), and so can be seen as detrimental to broader truth-seeking processes (Booth 2001; Cunningham 2008; Minow 2002; Romano 2014; Russell 2005).

Studies have also explored how collective memory can shape legal outcomes and institutions. This work examines how “carrier groups,” as bearers of collective memory, evoke particular memories to justify legal claims (Weber 1976; Kalberg 1994: 58-62), a process described in the memory literature as “mnemonic entrepreneurship” (Conway 2010; Olick and Robbins 1998; Wagner-Pacifci & Schwartz 1991). Mnemonic entrepreneurs are thus conceptualized as strategic actors who advocate particular understandings of the past in order to advance personal or political interests. In the Philadelphia case representatives from the victims’ families had long served as mnemonic entrepreneurs, albeit without achieving their ultimate objective of legal justice. In many ways, the efforts of such mnemonic entrepreneurs resemble the work of social movement activists who are pursuing change to laws and legal institutions.

To better understand the social and legal consequences of community-based efforts to commemorate difficult pasts, I draw insight from a growing literature on the memory-movement nexus, which applies social movement frameworks (political process, resource mobilization, and framing) to the study of commemorative projects (Armstrong and Cragge 2006; Ghoshal 2013; Jansen, 2007; Kubal 2008). This work conceptualizes efforts to atone for difficult pasts as “memory movements.” According to Ghoshal (2010:11), “[m]emory movements are sustained collective efforts to bring increased attention to, seek redress for, and/or commemorate incidents or individuals from the past.” In other words, they are collective challenges to dominant understandings of the past. In their effort to alter dominant understandings of the past, memory movements construct commemorative vehicles (marches, memorial, commemorations, etc.), which are the result of mnemonic entrepreneurship or “activism.” But those commemorative vehicles only come to fruition under some conditions. Those that do are the result of “mnemonic capacity” – a concept Armstrong and Cragge (2006)

use to describe when mnemonic entrepreneurs (1) develop the skills and resources to frame an event as commemorable and (2) utilize resources to convince others to support, fund, and participate in the commemoration. Mnemonic capacity is thus a critical resource for mnemonic entrepreneurs attempting to advance particular understandings of the past, often to achieve present political goals.

Recently, there has been some effort to evaluate the impact of these memory movements and commemorative vehicles, but the focus has been on the degree to which commemorations “imprint” past racial violence into the broader collective memory (Ghoshal 2010, 2013; see also Corning and Schuman 2013). Structural factors, such as an *environment’s* mnemonic capacity, the ascribed significance of the commemorated event, and the moral valence of relevant actors, comprise mnemonic opportunity structures that determine an event’s impact on the collective memory at large (Ghoshal 2013).

While this work provides significant insights on the causes and consequences of commemorative vehicles within the realm of collective memory, I am interested in whether and how commemorative projects facilitate broader institutional change *beyond* memory itself. To do so, I draw on a number of social movement concepts in my analysis, in particular, political opportunity structures and political culture. I argue that the 40th anniversary both shifted political opportunities as it unfolded and altered the political culture out which jury members would be drawn. My understanding of political opportunities is captured by Tarrow’s (2011: 32) definition of political opportunities as “consistent – but not necessarily formal, permanent, or national – sets of clues that encourage people to engage in contentious politics.” And by political culture, I refer to “a configuration of representations and practices that exists as a contentious structural phenomenon in its own right... [that] when *acted upon*, will shape the very course of political action and social processes” (Somers 1995: 134, italics in original; see

also Berezin 1997). In the following data analysis, I suggest that commemorative activities are not only the result of mobilizing structures and political opportunities, but can be causal forces in their own right—thus providing a crucial link between collective memory, law, and social change.

IV. Event Structure Analysis: The Killen Trial

The event structure depicted in Figure 3.1 and Table 3.1 reveals four sequences that represent significant sociological processes, which I argue, together enabled the Killen trial to emerge. In this section, I demonstrate how the 40th anniversary commemoration in 2004: mobilized a new generation of local mnemonic entrepreneurs; strengthened the community's mnemonic capacity; shifted political opportunity structures; and transformed the local political culture through the “memory of commemoration.” By reconstructing and analyzing the event structure of the Killen trial, I will show how these four sequences channeled the effects of a number of temporally prior occurrences to result in the indictment – and ultimately – conviction of Edgar Ray Killen forty-one years after the murders were committed.

Mobilizing a New Generation of Local Mnemonic Entrepreneurs

Numerous studies in the memory literature have confirmed Mannheim's ([1928]1952) theory of generational effect finding that the political and social events that occur during one's youth shape what individuals recall as important (Schuman and Scott 1989), how they think about race (Griffin and Bollen 2009), and whether they participate in future activism (Harris 2007).

Figure 3.1. Event Structure Analysis of Killen Trial

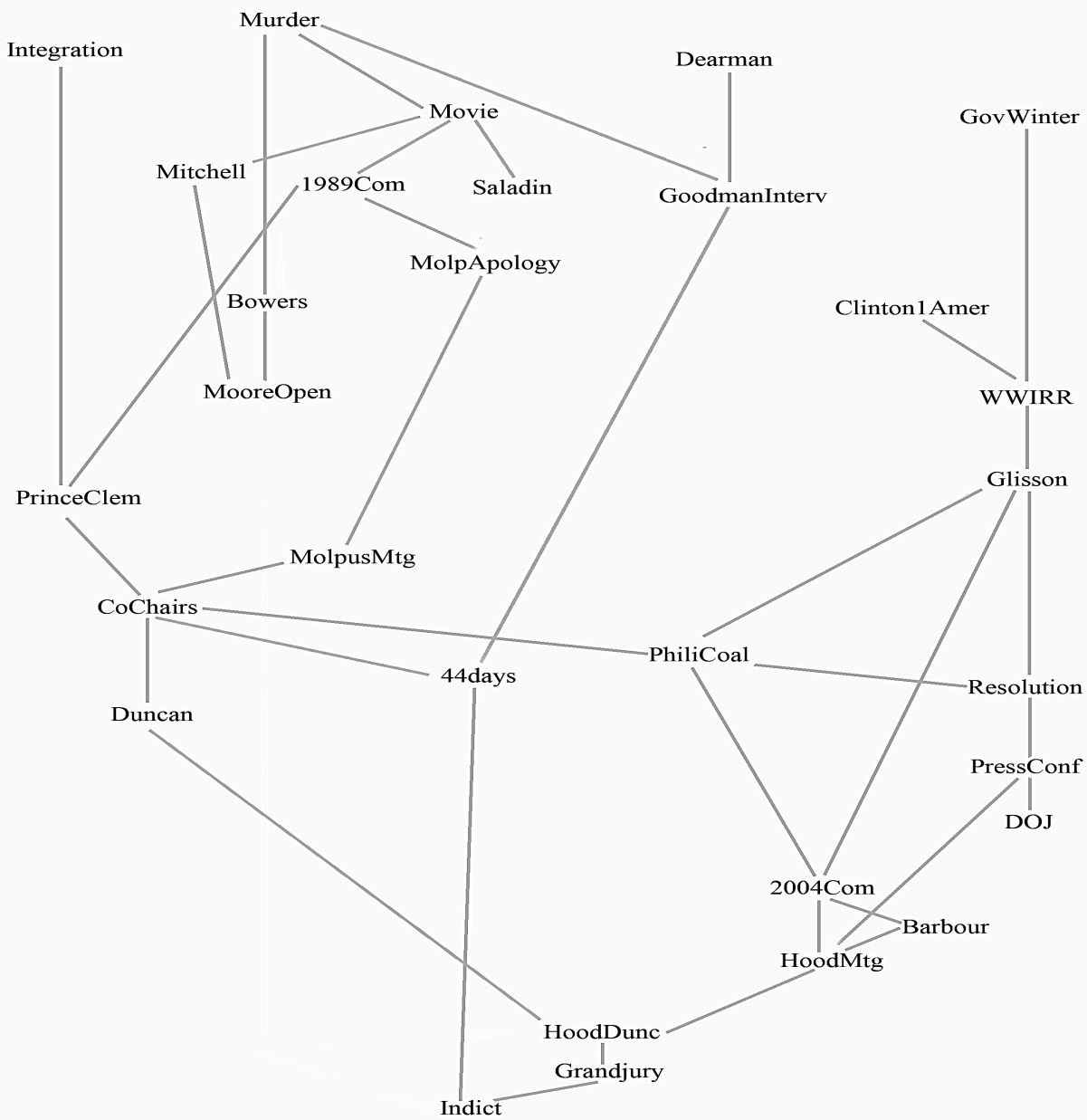


Table 3.1. Chronology of Killen Trial

Abbreviation	Date	Description of Action
Murder	Jun. 21, 1964	Klansmen kill Chaney, Schwerner, and Goodman
Dearman	1966	Dearman takes over the <i>Neshoba Democrat</i>
Integration	1970	Mississippi public schools are integrated
GovWinter	1980	William Winter is elected Governor
Movie	Jan. 1989	The film, <i>Mississippi Burning</i> , is released nation-wide
Saladin	1989	Mississippi State Attorney General begins to investigate case
Mitchell	1989	Investigative reporter, Jerry Mitchell, begins investigation
GoodmanInterv	Apr. 1989	Dearman prints interview with Carolyn Goodman
1989Com	Jun. 21, 1989	Planning committee holds first “city-wide” commemoration
MolpApology	Jun. 21, 1989	Dick Molpus apologizes for the murders
Clinton1Amer	1998	Clinton’s Initiative hosts a dialogue at the Univ. of Mississippi
Bowers	1999	Sam Bowers implicates Killen
MooreOpen	1999	Mississippi State Attorney General officially reopens case
WWIRR	2002	Glisson named Director of William Winter Institute
PrinceClem	Fall 2003	Clemons and Prince discuss need for the commemoration
MolpusMtg	Mar. 15, 2004	Molpus convenes a steering committee
CoChairs	Mar. 15, 2004	Clemons and Prince are appointed Co-Chairs of task force
44Days	Mar. 2004	<i>Neshoba Democrat</i> prints retrospective series on murders
Duncan	Mar. 2004	Clemons and Prince speak with local District Attorney Duncan
Glisson	Mar. 22, 2004	Clemons and Prince invite Glisson to assist task force
PhiliCoal	Mar. 22, 2004	Task force (Philadelphia Coalition) holds first meeting
Resolution	May 3, 2004	Coalition passes resolution calling for justice
PressConf	May 26, 2004	Press conference on “Call for Justice”
DOJ	May 28, 2004	Attorney General Hood asks DOJ for help
2004Com	Jun. 20, 2004	Coalition hosts 2004 “city-wide” commemoration
Barbour	Jun. 20, 2004	Governor Barbour attends the 2004 commemoration
JuryPrime	Spring 2004	Potential grand jury members primed by local media efforts
HoodMtg	Sep. 14, 2004	Mississippi State Attorney General meets with Coalition
HoodDunc	Fall 2004	Attorney General and District Attorney decide to pursue case
GrandJury	Jan. 6, 2005	Attorney General and District Attorney present case
Indict	Jan. 6, 2005	Grand Jury indicts Edgar Ray Killen.

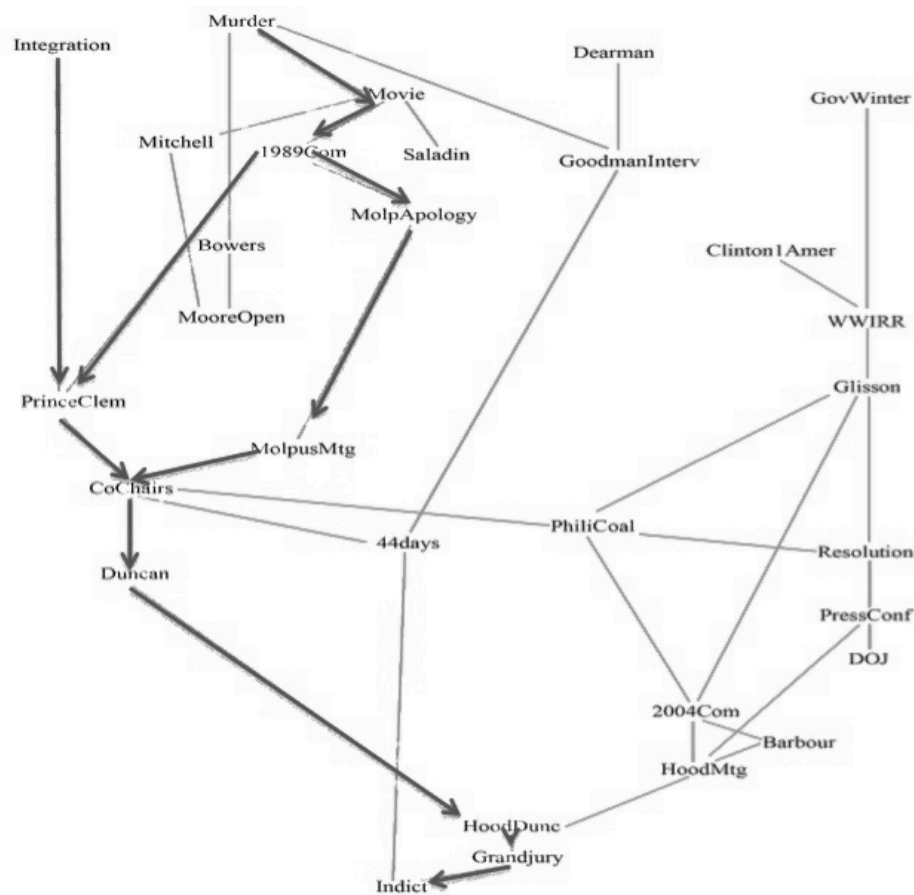
Studies have also shown, however, that in post-trauma circumstances like Philadelphia's, generations are affected, often powerfully so, by events that preceded their births (on postmemory, see Hirsch 2008). But in a town notorious for its silence and denial surrounding a brutal act of racial violence, the mobilization of a new generation of local mnemonic entrepreneurs was not inevitable. In Philadelphia, the murders had not been addressed in the dominant public sphere since the 25th anniversary in 1989, after which the local newspaper's building had been vandalized with red spray paint reading "K-K-K." As a result of this act of symbolic violence and a continuing reign of fear, Philadelphia's dominant approach to the murders returned to silence.

My analysis suggests that the mobilization of a new generation of mnemonic entrepreneurs fifteen years later required a number of developments to take place. First, the memory of the racial violence had to be salient to a degree that it not only shaped the identities of those in the younger generation, but also continued to be politically pertinent in the present. This alone, would still not have been enough to propel a new generation into mnemonic entrepreneurship. A precipitating event was necessary to create a sense of urgency and this came in the form of the upcoming 40th anniversary. As with previous "big" anniversaries of the murders (particularly, the 25th) local leaders knew that the national spotlight would be on Philadelphia, Mississippi, once again. With this awareness came concern over the town's reputation and a frustration that, decades later, Philadelphia had not shed its reputation as a dangerous, hate-filled place. The 40th anniversary presented an opportunity for a younger generation of emerging community leaders to challenge the "Mississippi Burning" narrative and—once and for all—transform their community's reputation.

By 2004, Philadelphia did look remarkably different than in 1964. The schools had been integrated since 1970 and since then, African Americans had gained prominent positions within

city government and local business. On the eve of the 40th anniversary, two local leaders of the post-civil rights generation and longtime residents of Philadelphia, Leroy Clemons, the recently elected president of the local chapter of the NAACP, and Jim Prince, the new the editor/owner of the *Neshoba Democrat*, were each beginning to think that another community-wide commemoration might be necessary. In the fall of 2003, Prince and Clemons met in front of City Hall and after speaking about the upcoming anniversary, realized their shared sense that it was time for another community-wide commemoration (PrinceClem).

Figure 3.2. Mobilizing Mnemonic Entrepreneurs Sequence



Both Leroy Clemons and Jim Prince who emerged in 2004 as strong mnemonic entrepreneurs were born during the time period some have dubbed “the long silence” (Ball, 2006). Between 1964 and 1989 there was little if any public discussion of the murders in Philadelphia’s dominant public sphere leaving each Philadelphia child to “discover” this history on their own. Many, like Leroy Clemons, only learned about their town’s violent legacy when interacting with those who grew up outside of Philadelphia. “Everywhere I would go outside of Philadelphia,” recalls Clemons, “when they as you ask[ed] you where you’re from and you tell them Philadelphia, Mississippi... they would give you this look. It was almost as if you had just cussed” (interview with Clemons, May 15, 2013). It was these types of verbal and non-verbal cues that introduced Philadelphia’s post-civil rights generation to the stigma surrounding their town.

The 25th anniversary commemoration in 1989 was the first opportunity for many in town to learn more about the events of 1964, and for some, this made a deep impact. In preparation for the 1989 commemoration, the editor of the local newspaper, Stanley Dearman, had interviewed Carolyn Goodman, Andy Goodman’s mother, and printed the entire interview in the local newspaper. Jim Prince recalls reading the interview for the first time as a college student in 1989 and the effect it had on him:

I sat down and read that and was just captivated because here was this doctor in New York talking about her then-eighteen-year-old son... Whew, this could have been one of my friends. It could’ve been me... There was the wanted poster, the missing poster. And that’s all I ever knew of them. Nothing of their personal lives. If I knew anything about them it was negative because they had come down here to stir up trouble (J. Prince, interview, April 10, 2013).

For Prince, Dearman’s interview with Carolyn Goodman was a powerful moment of

realization; it humanized Andy Goodman, Michael Schwerner, and James Chaney and gave voice to the victim's family members for the first time. While deeply personal, both Clemons' and Prince's recollections of "discovery" reveal how the memory of the murders continued to shape the identity of the post-civil rights generation in Philadelphia. When Clemons and Prince met in front of City Hall in the spring of 2004, despite their many differences, they shared a common concern: "We're tired of living under this cloud, these stereotypes and misconceptions about Philadelphia" (Clemons quoted in Jacobs 2004).

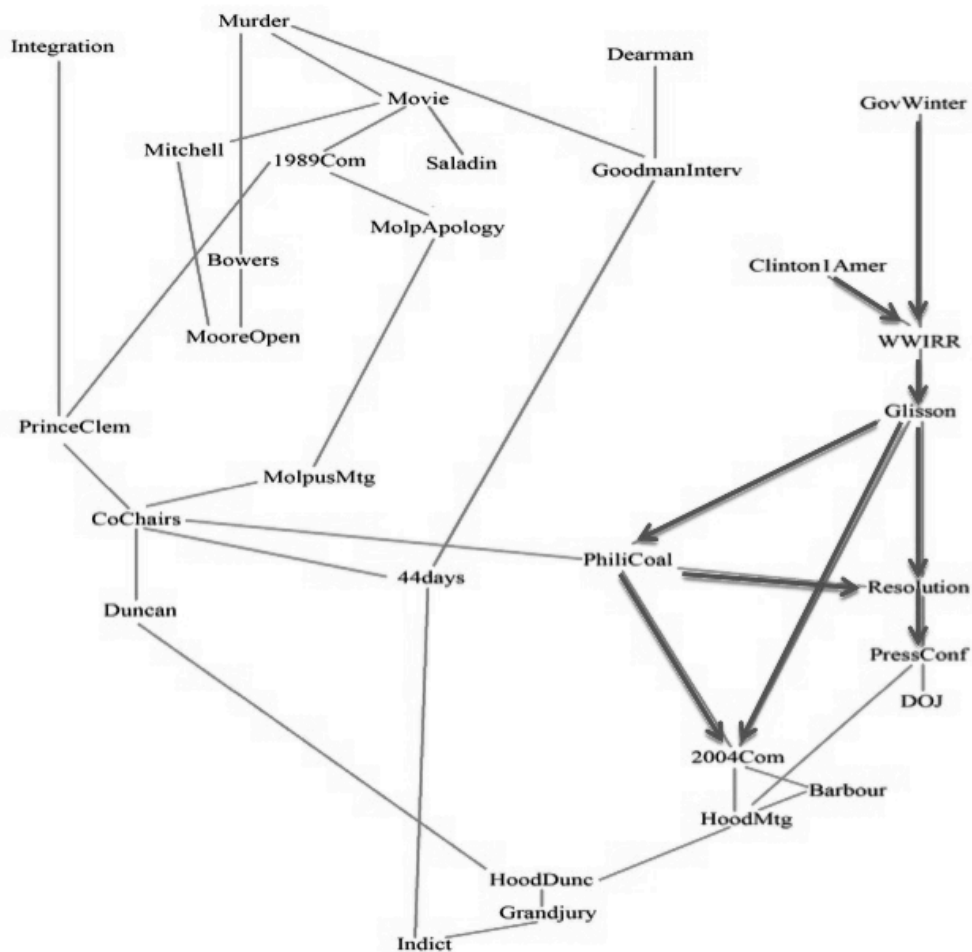
At about that same time, a group of community leaders who had been teenagers in 1964, the majority of whom had been involved with the 25th anniversary commemoration in 1989, were having similar thoughts. Then on March 15, Dick Molpus, who was known for having delivered the first public apology to the victim's families in 1989 and who continued to exert considerable moral authority in the Philadelphia community, convened a meeting of city, county, and tribal leaders (including Prince and Clemons) (MolpusMtg). Expecting as many as 3,000 visitors and 300 media representatives, the group decided to organize a 40th anniversary commemoration task force and placed representatives of the new generation of mnemonic entrepreneurs at its helm. By appointing Clemons and Prince co-chairs of the 40th anniversary commemoration task force (CoChairs), the proverbial torch had been passed. A new generation of mnemonic entrepreneurs was not only mobilized but empowered by communities political and moral authorities.

Building Mnemonic Capacity: The Formation of the Philadelphia Coalition

Having leadership in place was critical, but a two-member task force could not enact a commemoration on its own. As the task force co-chairs, Clemons and Prince needed to cultivate broad support for the commemoration, recruit others to help organize, and locate essential

resources if the commemoration were to come to fruition. In other words, they had to build the community's mnemonic capacity.

Figure 3.3. Building Mnemonic Capacity Sequence



The commemoration task force, which ultimately became known as the Philadelphia Coalition, provided the organizational infrastructure through which planning would take place. Shortly after the March 15th meeting where the task force was first conceptualized, the co-chairs decided to open the group to the general public. Over the next several weeks, editorials in the local newspaper advertised the group and called for greater participation. One of the first

to support the task force was Jewell McDonald, a longtime member of Mt. Zion Church. In a March 31st article in *The Neshoba Democrat* McDonald is quoted as saying that the organizers want to “try and show Neshoba County proud. I think it’s going quite well. We just have to get a little more organized,” she said, noting that the group is looking to add additional members. “It’s not an all black committee. We’re trying to get more ladies, more white ladies that are willing to help. We can work together. We can do things together. We don’t want all this history lost. Whether it’s good or bad, it’s history.”

By May, the now thirty-member task force was deep into planning the commemoration, as well as discussing the possibility of calling for justice in the case. Early on in the group’s conversation, the former editor of the local newspaper, Stanley Dearman, shifted the conversation towards justice. One task force member recalls that formative meeting:

You can imagine people sitting in a room and talking about what we’re gonna do and then [Dearman] just said: wait a minute...folks, we really can’t go any further. We aren’t party planners here. There is a soul and heart issue that needs to be dealt with...He didn’t quite say there was an elephant in the room but he says, you know, we’ve never really dealt with this situation as we ought and before we go any further we need to have a call for justice in some sense.

Exactly what form that “call for justice” should take broke down along racial lines. When black participants recommended a march, “whites in the room shrank visibly in their seats” (ibid). When white participants alternatively suggested a community declaration, black participants decried a resolution as merely “words on a page” (ibid).

The debate over whether to hold a march or issue a declaration was just one of many times the task force would disagree over tactics. At these moments of conflict, the institutional expertise of the William Winter Institute for Racial Reconciliation proved crucial. On Dick

Molpus' recommendation, the leaders of the newly formed commemoration task force invited the Director of the Winter Institute, Susan Glisson, to consult with the group. As a protégé of former Mississippi Governor William Winter, (Nash and Taggert 2009:144), Molpus served on the Board of the Winter Institute and was familiar with the Institute, which had emerged out of Winter's service on the advisory board of President Clinton's "One America" initiative on race (Lawson, 2009). "It was clear," the director of the Winter Institute says recalling the march versus resolution debate, "that one of our difficulties would be communication...without a common language, which could only come with a common understanding of past events, we would not be able to move forward together" (S. Glisson, interview, September 18, 2013). Facilitating this discussion was just one of the many times the Winter Institute would be called upon to mediate disagreements within the group.

The organizational identity of the Philadelphia Coalition members was further solidified by challenges from critics dissatisfied with how the commemoration was taking shape. While some advocated that the commemoration would be more inclusive if held at the Neshoba County Coliseum, a venue that could accommodate a larger group, others argued that the commemoration should be held at Mt. Zion, the African American church that had hosted the commemoration every year since 1964. Again, the Winter Institute served as a neutral broker able to diffuse these conflicts and coordinate compromise. As a result of this mediation, a compromise was reached. Preceding a smaller ceremony at Mt. Zion, the Philadelphia Coalition would host a larger event at the Coliseum, and provide a live broadcast of the Mt. Zion ceremony for the overflow crowd still at the Coliseum. In this regard, the Winter Institute's expertise was invaluable for had it not been able to assuage critics of the Coalition, the commemoration would have fragmented (Vinitzky-Seroussi 2002). And without a successful commemoration to buoy the Coalition, the group's mnemonic capacity to advocate for legal

justice would have been severely diminished.

In addition to mediating conflicts, the Winter Institute provided the financial resources and institutional expertise to help the Coalition organize a press conference that would call on state legal authorities to pursue justice in the case. On May 3rd 2004, just five weeks after the Philadelphia Coalition began meeting, members of the Coalition passed a resolution calling on state and local legal authorities to investigate possibilities for justice (Resolution). Again with assistance of the Winter Institute, the Philadelphia Coalition made this resolution public at a press conference on May 26th, 2004, nearly a month before the commemoration (PressConf). When asked why the Coalition presented the resolution at a press conference prior to the commemoration, the Director of the Winter Institute revealed that the press conference was part of a strategy to challenge the “Mississippi Burning” narrative and to begin educating the community.

We knew that if there was going to be a trial it was unlikely that there would be a change of venue. Only the defendant can request a change of venue and we didn't believe that Edgar Ray Killen was going to ask to have the trial moved somewhere else because why would he—he had been protected in that community for 40 years. So there was a strategy to have a press conference to first really educate the people in the community and then ... to begin to change the narrative nationally and internationally of what Philadelphia's story is (S. Glisson, interview, June 30 2013).

With a strategy in place, gaining the support for the resolution from local government (city, county, Choctaw) posed yet another challenge. Representatives from each of these governmental units had been recruited to participate in the Philadelphia Coalition, but resistance to a formal resolution calling for justice was considerable. Some argued that the past was better left alone; others suggested that prosecuting an old man would be cruel and unjust;

still others worried that their children, upon learning this history, would learn to hate. The Winter Institute again served as a key broker working closely with government representatives to secure a compromise. For instance, resistance from the Choctaws was allayed when a compromise enabled the Chief to offer a letter of support and contribute financial resources while not actually signing the resolution.

The morning of the press conference, the letter from the tribal council had not yet arrived and the County Board of Supervisors had not yet voted on the resolution. Despite these setbacks the Coalition moved forward with their announcement. Amidst a multitude of cameras and reporters that had assembled inside City Hall, the Philadelphia Coalition gathered on the stage and Mayor Rayburn Waddell read an abbreviated version of the Coalition's call for justice.

Forty years ago on June 21st, 1964, three young men, James Chaney, Andrew Goodman, and Michael Schwerner were murdered in Neshoba County. The state of Mississippi has never brought criminal indictment against anybody for these murders. There is for good and obvious reason no statute of limitations on murder. This principle of law holds that anyone who takes the life of another person for any reason not provided by law is never immune to prosecution however remote the time. With firm resolve and strong belief in the rule of law, we call on the appropriate authorities to make every effort to seek justice in this case.¹⁶

Much to the surprise of Philadelphia Coalition members, their call for justice was answered just two days later. On May 28th, the Attorney General of the state of Mississippi, Jim Hood, announced that he had asked the U.S. Department of Justice for help in the investigation of the 1964 murders.

¹⁶ A full version of the 2004 resolution can be found at the Coalition's website (<http://www.neshobajustice.com/pages/2004mem.htm>)

Shifting Political Opportunities: Governor Barbour Attends the Commemoration

The resolution and press conference were necessary for drawing attention to the case and initiating discussions with Attorney General Hood, but those actions were not enough on their own. After all, for the Attorney General of the state of Mississippi to pursue such a controversial high-profile case could have jeopardized the Attorney General's political capital, and consequently, his electability (Bender 2007). For the state's legal authorities to act, the 2004 commemoration itself also proved necessary by shifting the political opportunities surrounding the case enabling the Attorney General to move forward.

The Philadelphia Coalition had been divided on whether to invite then-governor Haley Barbour, a conservative Republican not known for his support of civil rights issues. It wasn't until the day of the commemoration that the Coalition received word Barbour would be attending, and the revelation received mixed reviews. Some felt that Barbour's participation in the event was not only hypocritical, but also insulting. Others, like Donna Ladd, a Philadelphia native and editor of the progressive *Jackson Free Press*, interpreted Barbour's appearance as a "chink," however small, in the "armor" of the "Southern Strategy" referring to Republican's efforts to use thinly veiled racial references to win votes (Ladd 2004).

Nothing, perhaps, provides more evidence to suggest shifting political opportunities in Mississippi than Haley Barbour shaking hands with civil rights activist and congressman John Lewis as he entered the stage (Figure 3.2). The image, with members of the Philadelphia Coalition representing Philadelphia's tri-racial heritage in the background, was re-printed in hundreds of newspapers across the country, indicating a dramatic shift in the Governor's stance on the commemoration of civil rights era-violence, or at the very least, an understanding that supporting the commemoration was the politically "correct" thing to do.

Barbour's attendance at the commemoration not only indicated the shifting political tenor,

but also created conditions of possibility for the Attorney General and District Attorney to move forward with the case (Barbour). One member of the Philadelphia Coalition summarized the significance of the Barbour/Lewis photograph:



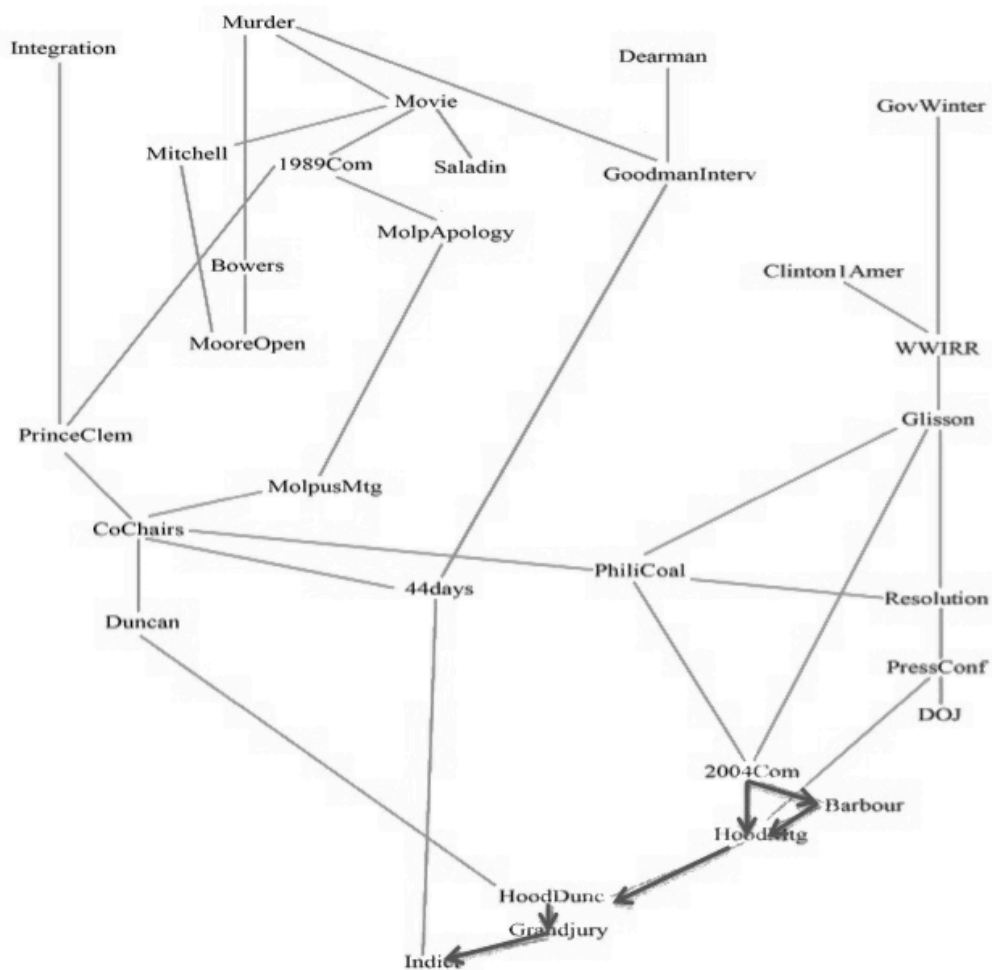
Figure 3.4. U.S. Representative John Lewis in 2004 shaking hands with then-Governor Hayley Barbour at the 40th anniversary commemoration in Philadelphia, Mississippi.

We knew [the Philadelphia Coalition] had opposition in the state down in Jackson against what we were trying to do. We knew that Jim Hood had opposition, people against him reopening the case. After that memorial service, and the Governor, and that picture [with John Lewis] surfaced all over the place. That went away...and at that point Jim Hood was able to move on freely without getting those calls late at night saying: “What you doing? Politically you need to leave this alone...When that opposition went away, he was able to move freely (interview, April 10, 2013).

On September 14, 2004, Attorney General Hood met with the Coalition and members of the victims’ families, most notably, Carolyn Goodman, to discuss the possibility of re-opening

the case. Attuned to the political risk of pursuing the case and the pressure Hood must have been facing, the Coalition intended to put a human face on the suffering by introducing Hood to the victims' family members and members of the Coalition who represented local support for legal justice. Coalition members suspected that the September 14th meeting with Hood had been significant in his decision to move forward with the case, and after the indictment Hood himself confessed to reporter Jerry Mitchell that his conversation with Carolyn Goodman at the September 14th meeting was "incredibly moving" and influential in his decision (Mitchell, 2005, p. A7).

Figure 3.5. Shifting Opportunity Structure Sequence



While the Attorney General may have felt an obligation to prosecute the case, he did not have the sole legal authority to bring the case before a grand jury. In none of the previous reopened civil rights era cold cases had the state Attorney General led the prosecution. The Neshoba County District Attorney also had to be convinced and, as it turns out, efforts to mobilize Neshoba County District Attorney Mark Duncan had been underway for some time. In early March 2004, Leroy Clemons and Jim Prince, recently empowered as the newly appointed commemoration task-force (Co-Chairs), met with Duncan to gauge his feelings on the case (Duncan).

Like the leaders of the Philadelphia Coalition, the District Attorney was frustrated by his hometown's dubious reputation. But also like the state Attorney General, the District Attorney was elected and therefore taking on the case was not without personal and professional risk. District Attorney Duncan lived in Philadelphia and sent his children to Philadelphia public schools. Taking on this case not only threatened his job security, but potentially the well-being of his family. Despite these potential risks, Duncan approached his position as District Attorney with a no-nonsense attitude. "I am just a prosecutor," responded Duncan in an interview with Sid Salter of the *Clarion Ledger*, "My job in this case was to hold a man accountable for his role in these killings. That is the only reason the case was pursued. It was not done for any social cause" (Salter 2003:G2). And yet in that same interview, Duncan describes his efforts to present a more positive image of Philadelphia: "I knew from having lived here for so long, that the rest of the world had a negative view of Neshoba County and Mississippi. I just did not know how bad it was. [The trial] gave me a chance to say something good about us" (ibid).

Without any new evidence or "magic bullet," state and local legal authorities were mobilized and on January 6th, 2005, just six months after the 40th anniversary commemoration,

Hood and Duncan presented the case before a Neshoba County Grand Jury.

Transforming the Local Political Culture: Priming the Potential Jury Pool

Presenting the case before a Neshoba County Grand Jury was a crucial step in the event structure of the Killen indictment (GrandJury). That a grand jury of Philadelphia, Mississippi, citizens would decide to issue an indictment, however, was not assured. Serving on this particular grand jury was not a civic duty most Philadelphia citizens were enthused to fulfill. The close-knit nature of this small community made it especially concerning when the names of those serving on the grand jury were printed in the local newspaper. A long-time resident of Neshoba County and member of the grand jury recalls her trepidation after the names were published:

It alarmed me because ... there were a lot of people related to Edgar Ray Killen...He was not an isolated person and there were a lot of people who worked with him or had connections with him over the years... those names were not supposed to be made public and I didn't really expect anything, but I knew that once my name was known it was a possibility (Beam 2006).

Nothing is known to have happened to a juror, but the fear that something *could* happen was tangible. With concerns about safety, resistance to the very idea of prosecuting an elderly man for a crime committed so long ago, and no “smoking gun,” the jurors’ decision to issue an indictment requires explanation. It is possible that the legal arguments presented by Hood and Duncan were enough to convince jurors to issue an indictment, but the reflections of one grand juror indicate that other factors were significant.

The conversation [between jurors] actually surprised me because there were some in there [that said]... he was an old man, that it shouldn't go any further, that there was

Being aware of their community's stigmatized reputation was significant, but became even more so as a new generation of mnemonic entrepreneurs articulated the moral imperative of acknowledging the community's difficult past. In a rural community like Philadelphia, the weekly local newspaper is the primary source of community news and as a result, the editor of the paper wields significant power to affect public discourse. Stanley Dearman had set the precedent by publishing an interview with Carolyn Goodman in 1989, printing the full transcript of speeches delivered at the 1989 commemoration, and writing his farewell editorial in 2000 on the need "for an accounting" in the case (GoodmanInterv). Following Dearman's lead, Prince published a series titled "44 Days" in the lead up to the 2004 commemoration (44Days). "44 Days" refers to the amount of time Chaney, Schwerner, and Goodman were missing before their bodies were discovered in Neshoba County. In this series, Prince reprinted articles from 1964 in hopes of providing Philadelphia residents, especially young residents, with the historical context for understanding the 2004 commemoration and call for justice. These intentional editorial efforts did affect their readers, including members of the Grand Jury. One task force member articulates the effect of how these articles unintentionally conditioned the grand jury.

What I'm trying to tell you is that the people on that grand jury are a product of forty years of reading the *Neshoba Democrat* and certainly all the stuff Stan [Dearman] had done...All these little things that over time began to become a part of the psyche of Neshoba Countians... It was this preparation. None of us probably knew it but we were preparing a jury pool. (Interview, April 10, 2013)

This echoes similar sentiments expressed by the Director of the Winter Institute in regards to the May 26th press conference. Both the press conference and the "44 Days" series were part of a strategy to educate Neshoba County citizens who would be a part of the jury

pool, should a grand jury be called. Prior to the 2004 commemoration, the formation of the Philadelphia Coalition, and the support of the Winter Institute, the so-called “preparation of the jury pool” was almost certainly unintentional. Efforts to infuse the collective memory of the 1964 murders with a different moral valence through media coverage did, however, become a strategy beginning in May of 2004, despite some members of the Coalition being unaware.

With the political culture having shifted towards acknowledgment, on January 5th, 2005 a Grand Jury composed of Philadelphia citizens issued an indictment against Edgar Ray Killen for the murder of James Chaney, Andrew Goodman, and Michael Schwerner. Six months later on June 21st 2005—exactly forty-one years after the murders—Killen was found guilty.

V. Theorizing Contingencies: Cold Case Trials

Despite this thicket of contingencies we can nonetheless tease out what is known to be characteristic of successful social movement mobilization. Much like social movement activists, a new generation of mnemonic entrepreneurs were mobilized by the upcoming 40th anniversary and by concerns for the reputation and well being of their community. These mnemonic entrepreneurs then cultivated their mnemonic capacity to organize a commemorative event by drawing on outside resources (the William Winter Institute) and developing a community-level organizational infrastructure (the Philadelphia Coalition). The 40th anniversary provided them with a platform to challenge and re-frame the “Mississippi Burning” narrative by calling for justice and shifted political opportunities and political culture surrounding the case. But this is not merely a social movement story; collective memory also played a crucial role. The “memory of commemoration” and by extension, the “memory of memory” was not only a mobilizing impetus, they also primed the potential jury pool.

This analysis suggests a number of important insights concerning the relationship between collective action, commemoration, and the law. First, commemorations are moments where history and memory are particularly dense (Zerubavel 2003). As such, commemorations provide unique opportunities for mobilizing mnemonic entrepreneurs, cultivating resources, and framing legal claims. Secondly, a commemoration's periodicity appears to contribute to its cumulative effect (Olick 1999; Zerubavel 2003). Each year, anniversaries of "commemorable" events present opportunities for mobilization, but different anniversaries vary in their cultural salience. These anniversaries provide communities with the opportunity to reflect on the past, present, and future, and when coupled with other cultural and political developments, can facilitate transformative environment. The periodicity of commemorations is also relevant because earlier commemorations shape future commemorations in both form and function. Prior commemorations not only shape the discourse of future commemorations but also the capacity of mnemonic entrepreneurs to achieve broader institutional change. The path-dependent and cumulative nature of commemorations creates a repository of expertise within communities, thus strengthening their mnemonic capacity as years pass. This is evident in the Philadelphia case when mnemonic entrepreneurs in 2004 intentionally drew on the collective knowledge and experience of those who had helped organize the commemoration in 1989. Those with prior experience either organizing or participating in earlier commemorations were able to identify potential problems and to highlight the areas for improvement--thus increasing the odds of a successful legal outcome.

Furthermore, this "memory of commemoration" helped transform the political culture out of which the jury was ultimately drawn. This occurred implicitly through the sometimes-subtle ways the 1989 commemoration shaped how the Philadelphia conceived their mandate and what form the 2004 commemoration took. This memory of commemoration was also made more

explicit through the editorials that urged for broader participation in the Philadelphia Coalition, and which frequently suggested that the Coalition was “modeled” after the 1989 commemoration task force. The memory of *memory* was also at play. Concern over the city’s reputation is a form of the “memory of memory” (Olick 1999) that when paired with material sanctions or benefits had to the power to change the calculus of whether to support the pursuit of legal justice in the case.

Third, by consolidating resources, commemorations can further strengthen a community’s capacity to translate legal claims into tangible outcomes. This occurred in Philadelphia with the guidance of the William Winter Institute for Racial Reconciliation. As a neutral broker, the Winter Institute mediated conflicts between the task force and outside groups, as well as between members of the task force. While not without challenges, her facilitation helped solidify relationships among task force members transforming the identity of Philadelphia Coalition members in the process. Presenting a united front, the Philadelphia Coalition was able to draw attention and legal resources to the case that would have been difficult, if not impossible, had the group fragmented.

Finally, this analysis suggests that commemorations can fundamentally shift political opportunities. By providing a platform for powerful political and cultural actors to engage, commemorations can facilitate unique interactions that might not occur otherwise. We can see this in the photograph taken of John Lewis and Haley Barbour, which shifted political opportunities and in turn altered the conditions of possibility for legal efforts to move forward.

VI. Conclusion

By analyzing the event structure leading up to the 2005 indictment of Edgar Ray Killen, this chapter uncovers the long and short-term factors contributing to this outcome.

Additionally, it also indicates that the 2004 commemoration was crucial to secure an indictment for murder in a forty-year-old crime. This suggests that commemorations can serve as mechanisms connecting commemorations with broader social change by catalyzing mnemonic entrepreneurship and by cultivating organizational structures and resources necessary to achieve positive legal outcomes. Based on this case study, however, such outcomes can only occur when political opportunities are favorable and potential jurors have been primed through the “memory of commemoration.”

These conclusions draw from disparate literatures on social movements, law, and collective memory. But work remains to be done. In the following chapter, I investigate whether and how a second racially significant institutional transformation, this time in the domain of education, can be causally attributed to the 40th anniversary commemoration in Philadelphia, Mississippi.

Chapter 4

Legal Justice to Social Justice: The Civil Rights Education Bill

There is no such thing as a neutral educational process. Education either functions as an instrument which is used to facilitate the integration of the younger generation into the logic of the present system and bring conformity to it, or it becomes the practice of freedom—the means by which men and women deal critically and creatively with reality and discover how to participate in the transformation of their world. — Richard Shull (2000:34)

I must confess indignation that the recorded history of Mississippi has changed more slowly than the state itself. — James W. Silver (1975)

I. Introduction

Justice is, according to social theorists, “a central moral standard in human affairs that involves the necessity of ‘assuring that each person receives what she or he is due’” (Alwin 2006:2696; see also Cohen 1986:1). In Philadelphia, Mississippi, the pursuit of justice first appeared in its legal form when the Philadelphia Coalition urged legal authorities to pursue an indictment in the case. The prosecution and conviction of Edgar Ray Killen, however, did not satiate appetites for justice. On the contrary, it provoked calls for a more comprehensive racial reckoning, which coalesced around the domain of education.

The absence of slavery, Jim Crow, and the civil rights movement in Mississippi textbooks has been well documented, as have the struggles to incorporate these historical

events within Mississippi history and social studies curricula (see especially Loewen (1995) and Davis (2010)). Teaching history is, after all, not only about what knowledge is of most worth, but also, argues educational scholar William Pinar (1993:60), “who we perceive ourselves to be and how we represent that identity, including what remains as ‘left over,’ as ‘different.’” As a result, classrooms are important locations of “mnemonic socialization” where children are introduced to traditions, ideals, and identities (Zerubavel 1996; see also Smith 1991; Callan 2004). This process of socialization becomes particularly challenging when historical events reveal a past, which has come to be understood as shameful or which contradicts a society’s most cherished values. When, how, and to what extent such difficult pasts are integrated within history and social studies curricula thus remains a perennial debate amongst educators, parents, and politicians (Gitlin 1995; Nash, Crabtree, and Dunn 1997).

In this chapter I examine how, after decades of resistance, the state of Mississippi came to mandate civil and human rights education at all grade levels in Mississippi schools through Senate Bill 2718 (SB2718)—an unprecedented piece of legislation signed by Governor Barbour in 2006. After providing background on the history of race and racism in Mississippi history curricula, I investigate how SB2718 emerged and explore whether and how the education bill might be connected to the 2004 commemoration in Philadelphia, Mississippi.

II. Background: Race and Education in Mississippi

In the United States, slavery, racism, and civil rights era violence has continued to challenge the United States’ democratic ethos of justice, fairness, and equality. As a result, these topics have been elided, and in some cases, omitted from American history textbooks throughout the twentieth century in favor of a more unified national narrative (Moreau 2003). In 1967, an assessment of American history textbooks found that, “among the perversions

committed in the name of education, few equal the schoolbook's treatment of the Negro and his history." (Black 1967:106). African Americans, the report continued, were "presented to millions of children, both black and white, as sub-human, incapable of achieving culture, happy in servitude, a passive outsider" (ibid). These distortions were especially egregious in the states constituting the former Confederacy, which had propagated white supremacy as official state policy for nearly two centuries.

After the momentous 1954 Supreme Court decision in *Brown v. Board of Education* mandating the desegregation of public schools, the Mississippi Department of Education began to contrive ways to resist the court order. In addition to passing legislation that would abolish public schools should integration occur, the state began requiring all 9th graders to take a course in Mississippi history in 1956.¹⁷ By furnishing these classrooms with pro-white, anti-integration textbooks, according to historian Rebecca Davis (2010:6), the Mississippi Department of Education, "established a way to reinforce not only the existence of a segregated society, but the belief in it." In 1960, the power to authorize textbooks for use in Mississippi history classes fell to one man: Governor Ross Barnett. Responding to protests from Mississippi's Society of the Daughters of the American Revolution (DAR) over "subversive" texts promoting progressive causes such as integration, the Mississippi Senate passed a bill giving Governor Barnett full control over textbook selection, an unprecedented legislative move even in the Deep South. Revealing the logic underlying his textbook selections, Barnett

¹⁷ Efforts to resist *Brown* came to a halt in 1969 when in *Alexander v. Holmes* the Supreme Court ruled, "all deliberate speed' for desegregation is no longer permissible... The obligation of every school district is to terminate dual school systems at once and to operate unitary schools" (quoted in Bolton 2005:169). By the end of 1970, Mississippi's dual education system had been eliminated in all school districts.

argued, “all of us ought to be against anything in our textbooks that would teach subversion or integration. Our children must be properly informed about the Southern and true American way of life” (quoted in Moreau 2003:280).

True to his anti-integrationist stance, during his tenure as the sole gatekeeper of Mississippi history textbooks Barnett approved only one text, John K. Bettersworth’s *Mississippi: A History* -- a book later described by historians as “stuck in the...Old South and Lost Cause mentality” (Davis 2010:9). In one notable example, the 1975 version of the Bettersworth text ignored the contemporary historiography on slavery arguing that slavery was so expensive “planters often neglected their own families to care for their costly slaves” (Davis 2010:16 quoting from Bettersworth 1975). Such distortions were not uncommon in textbooks across the Deep South. In *Lies My Teacher Told Me* (1995), Mississippi educator and textbook author James Loewen contends that southern states continued to write “white history” despite changes in the historiography. “For years,” argued Loewen, “any textbook sold in Dixie had to call the Civil War ‘the War Between the States,’” or even the more pro-Confederate term, “the War for Southern Independence” (ibid:312). This terminology persisted not only as the result of prevailing ideological positions, but also the calculus of textbook publishers convinced that changing this terminology would render their products unmarketable.

Following the civil rights movement in the 1960s, textbook companies could no longer exclude black history in American history textbooks (Moreau 2003). “[W]hat created the possibility of a broader, more inclusive, more accurate approach to the past than magnolias and the Lost Cause,” recalled historian C. Vann Woodward, “[was] a revolution in consciousness about rights, democracy, race, culture, class, and our region” (Green 1984:86). But the level of resistance to this “revolution in consciousness” varied across states, as did resistance to this history in contemporary history textbooks. Mississippi remained a long hold out on both fronts

prompting James Silver, author of *Mississippi: The Closed Society* (1964), to reflect in 1975 that, “the recorded history of Mississippi has changed more slowly than the state itself” (Silver 1975).

It was not until 1980 that Mississippi schools were able to select a state-authorized Mississippi history textbook that covered the civil rights movement with any depth – and only as a result of a court order. In 1974, sociologist James Loewen at Tougaloo College and historian Charles Sallis at Millsaps College had edited the first revisionist textbook of Mississippi history, *Mississippi: Conflict and Change*, which scholars lauded as “groundbreaking” (Moore 1976). Despite this acclaim, Mississippi’s textbook selection committee – a body created in 1970 to take over textbook selection from the Governor – rejected the book.¹⁸ Loewen and Sallis appealed the decision resulting in a suit against the textbook committee. The suit claimed that the failure to approve *Mississippi: Conflict and Change* was a violation of 13th and 14th amendment rights. It charged that the textbook committee consistently adopted texts that “minimize, ignore, [and] denigrate the role of blacks and other minorities in the history of the United States and of Mississippi,” and “present historical events in a manner sympathetic to principles of racial segregation and discrimination, black inferiority, and ‘white supremacy’” (“Mississippi is Sued on History Books” 1975:27). Furthermore, the plaintiffs argued that the process of textbook procurement in the state, “is and has been an instrument of state propaganda to exclude controversial viewpoints, [and] operates as a state instrument of unconstitutional state censorship” (quoted in Davis 2010:39). Five years after the suit was first filed, a Federal District judge ruled that there was no justifiable reason to reject *Mississippi: Conflict and Change* and approved the book for statewide use (Rawls 1980:6).

¹⁸ Failing to approve *Mississippi: Conflict and Change* did not prohibit the text from being used in Mississippi Schools, but did prevent schools to use state funding to purchase the book, which was prohibitive for many school districts.

Throughout the 1990s and into the 2000's, Mississippi history textbooks continued to expand their coverage of civil rights. For instance, by 1995 *Mississippi: Portrait of an American State* the 1954 covered the murder of Emmett Till in depth including three images and description of the murder and the number of prominent black civil rights leaders mentioned in the textbooks continued to broaden (Davis 2010:33-34). Given that Mississippi history textbooks were gradually giving more attention to the civil rights movement, why would Mississippi legislators be compelled in 2006 to pass a bill mandating civil and human rights education in Mississippi schools? To begin to answer this question, we must understand what the 2006 education bill enabled.

III. Mandating Civil and Human Rights Education in Mississippi

At the start of the legislative session in January of 2006, Senator Gray Tollison from Oxford introduced Senate Bill 2718 – “An act to authorize the state Board of Education to make civil rights a part of the K-12 curriculum” (SB2718-Introduced 2006, see Appendix A). Just eight weeks later—and with little resistance from opposing political forces—Governor Barbour signed the bill into law making it the first known bill mandating civil rights education. The bill affirmed the importance of teaching civil rights history in the state of Mississippi. “Understanding the important role the Civil Rights Movement had on the State of Mississippi and understanding the importance of teaching Mississippi’s children all of our history,” Article 1 of the bill read. “It is the goal of this Legislature to provide meaningful support to this most important endeavor. Mississippi’s central role in the civil rights struggle needs to be formalized and taught as a beacon of hope for all of our citizens” (SB2718-Passed 2006, see Appendix B).

The version of the bill signed by the Governor had been altered from the original bill in two ways. First, the final bill authorized civil rights *and* human rights – an addition made by

the Senate Education Committee. Whether the committee added “human rights” to expand the mandate or to dilute the focus on civil rights remains unclear. Second, the language in section two was made nonobligatory. The earlier text stated that “[t]he State Board of Education *shall* make civil rights part of the K-12 curriculum,” whereas the final text declared that “[t]he State Board of Education *may* make civil rights and human rights education a part of the K-12 curriculum (SB2718, my emphasis). Seemingly, the transition from “shall” to “may” made the bill unenforceable.

The law effectively did two things. First, it authorized the Mississippi Department of Education to implement Civil Rights/Human Rights education into the K-12 curriculum framework, and second, established a Civil Rights Education Commission to oversee the process. The 2006 Education Bill thus affected the curriculum *frameworks*, which are developed at the state level. This type of state standard and curricular framework “make a strong statement about the shared common knowledge considered essential for residents of the state,” according to the Southern Poverty Law Center’s 2011 (p. 13) report on civil rights curriculum, “Just as teachers set expectations for their students, states set expectations for their education system—their largest expenditure as well as their best investment in future prosperity.” In this way, state curriculum frameworks for history and social studies provide a guide, however broad, for how the history of Mississippi should be taught.

In contrast to prior education commissions, the Civil Rights Education Commission was granted relative autonomy. Members did not have to be appointed by the Governor. Representatives from the William Winter Institute for Racial Reconciliation at the University of Mississippi, Tougaloo College, the Oral History Project at the University of Southern Mississippi, and Jackson State University, would be permanent members of the commission and serve as the driving force behind all of the commission’s activities (i.e. assisting, coordinating,

and modifying courses or programs that include the Civil Rights Movement; acting as a liaison between the legislature and organizations that support civil rights education).

Prior to SB 2718 in 2006, the civil rights movement had not been part of Mississippi's curricular framework, but that is not to say that civil rights history was entirely excluded from schools. Any number of individual teachers may have covered the movement to varying degrees. And since 1980 when the state textbook committee approved *Mississippi: Conflict and Change*, revisionist Mississippi history texts had been widely available. In a state with a decentralized education system like Mississippi, including a topic on a statewide Subject Area Test is the only way to ensure that it is taught. To include a topic on the U.S. History Subject Area Exam (a requirement for high school graduation), the Mississippi Department of Education had to incorporate the content within the state Social Studies educational framework. In this way, SB2718 effectively mandated civil rights and human rights education in Mississippi schools even though the language of the bill was nonobligatory. Given Mississippi's historic resistance to history texts that address the state's racially divisive past, mandating that civil and human rights be added to the state curricular framework *and* creating an oversight committee dominated by professional historians represents a notable transformation.

The idea for an education bill that required Mississippi educators to teach about a "difficult past" was not without precedent in the state. The year before the Winter Institute began to draft language for what would become SB2718, the Mississippi State Legislature had passed a Holocaust education bill that created a "Commission on the Holocaust" to "survey, design, encourage and promote implementation of Holocaust education and awareness programs in Mississippi."¹⁹ Moreover, the bill declared that "all people should remember the

¹⁹ Since the mid 1990s, Holocaust education programs have become more common across the United States, including state-legislative programs like that in Mississippi (see Brabham 1997;

horrible atrocities [in 1945] and other times in human history as the result of bigotry and tyranny, and therefore should continually rededicate themselves to the principles of human rights and equal protection under the laws of a democratic society” (Mississippi HB1269 2004: 1; see Appendix C). This language struck some African American lawmakers as ironic, if not troubling, given the states failure to confront its own history of racially motivated violence. “[B]efore we deal with issues that occurred in Europe,” argued Senator John Horhn, “I think it’s unconscionable that we don’t try to get our own house together first” (WLOX 2004; see also Goodman 2004).

On the day the Governor was set to sign the Holocaust education bill, Horhn and other lawmakers submitted two amendments, the first expanding the conception of genocide to include the systematic violence against African Americans and Native Americans; the second, attempting to establish a South African style Truth Commission in Mississippi.²⁰ Ultimately, the amendments were withdrawn and the Holocaust education bill passed both houses with relative ease, but the amendments indicated that at least some Mississippi lawmakers were committed to addressing Mississippi’s difficult past more systematically.

This legal precedent, however, does not fully explain how the civil/human rights education bill emerged in 2006. Since the mid 1980s, Holocaust education bills had become a common item on state legislative agendas. As of 2006, twenty-one states had passed Holocaust

Fallace 2006. To see the current status of Holocaust education by state, see <http://www.ushmm.org/educators/beyond-our-walls-state-profiles-on-holocaust-education>).

²⁰ Senator Horhn had introduced a bill to establish a South African style truth commission in Mississippi every year since 2001 (see Appendix E).

education bills (United States Holocaust Museum n.d.).²¹ Given the historical alliance between the Jewish and African American communities in the fight for civil rights, one might also expect that same actors who had advocated for the Holocaust education bill in Mississippi were also proponents of the civil/human rights education bill. This was not the case. If co-authoring a bill is one way to measure a legislator's support for a cause, it is notable that the Holocaust and civil/human rights education bills did not share a single co-author. Additionally, Jewish civil society organizations in Mississippi such as the Goldring/Woldenberg Institute of Southern Jewish Life did not lobby on behalf of the civil rights education bill.²² Lastly, if the civil/human rights education bill was a "natural" outgrowth of the Holocaust education bill, we would expect to see civil/human rights education bills in some, if not many, of the states having passed Holocaust education bills. As of 2015, Mississippi remains the only state to have legislated civil and human rights education.

Furthermore, since Mississippi's civil/human rights education bill was the first of its kind, diffusion cannot explain SB2718, nor can the development of organizations like Teaching For Change that provide curricular support for civil rights education nationwide.

²¹ Legislative adoption of Holocaust education legislation by state: Alabama (1999), California (1985), Colorado (1995), Connecticut (1998), Florida (2004), Georgia (1986), Illinois (2005), Maryland (2005), Massachusetts (1998), Mississippi (2004), Nevada (1989), New Jersey (1994), New York (1994), North Carolina (1985), Ohio (1987), Pennsylvania (1996), Rhode Island (2000), South Carolina (1989), Tennessee (1996), Washington (1992), West Virginia (2001) (see United States Holocaust Museum n.d).

²² There are very few Jewish organizations in Mississippi. In 2001, the Jewish population of Mississippi was 1,500 out of a total of 2,849,000 Mississippi residents (Nussbaum and Rockoff 2006:364).

Organizations such as Teaching for Change had been operating long before Senator Tollison introduced SB2718 to the Mississippi legislature in 2006 and have continued to operate in the years after the bill was passed. If such organizations were solely responsible for SB2718, surely they would have achieved similar legislative success elsewhere in the nearly ten years since Mississippi first authorized civil and human rights education, but this does not appear to be the case.

If legislative precedent, diffusion, or national advocacy cannot entirely explain SB2718, what might have occurred prior to the 2006 bill that enabled it be conceived, and ultimately, enacted? In the next section, I explore whether, and if so, how the 2004 commemoration in Philadelphia, Mississippi, might have played a role in facilitating this institutional transformation.

IV. Event Structure Analysis: Senate Bill 2718

As in the previous chapter, the empirical challenge is to trace the causal pathways between the institutional transformation—in this case, the education bill—and the 2004 commemoration in Philadelphia, Mississippi. Examining the event structure of the education bill (see Figure 4.1, Table 4.1) reveals how several sequences coincided to enable the education bill. In what follows, I highlight (1) how the 2004 commemoration strengthened the Philadelphia Coalition’s mnemonic capacity by broadening their membership base to include local educators and as a result helped strengthen the state’s mnemonic capacity; (2) how the 2005 Killen trial primed the political environment in which the civil rights education bill would be introduced making it more favorable to legislative change; and (3) how the 2004

Figure 4.1. Event Structure Analysis of Civil Rights Education Bill

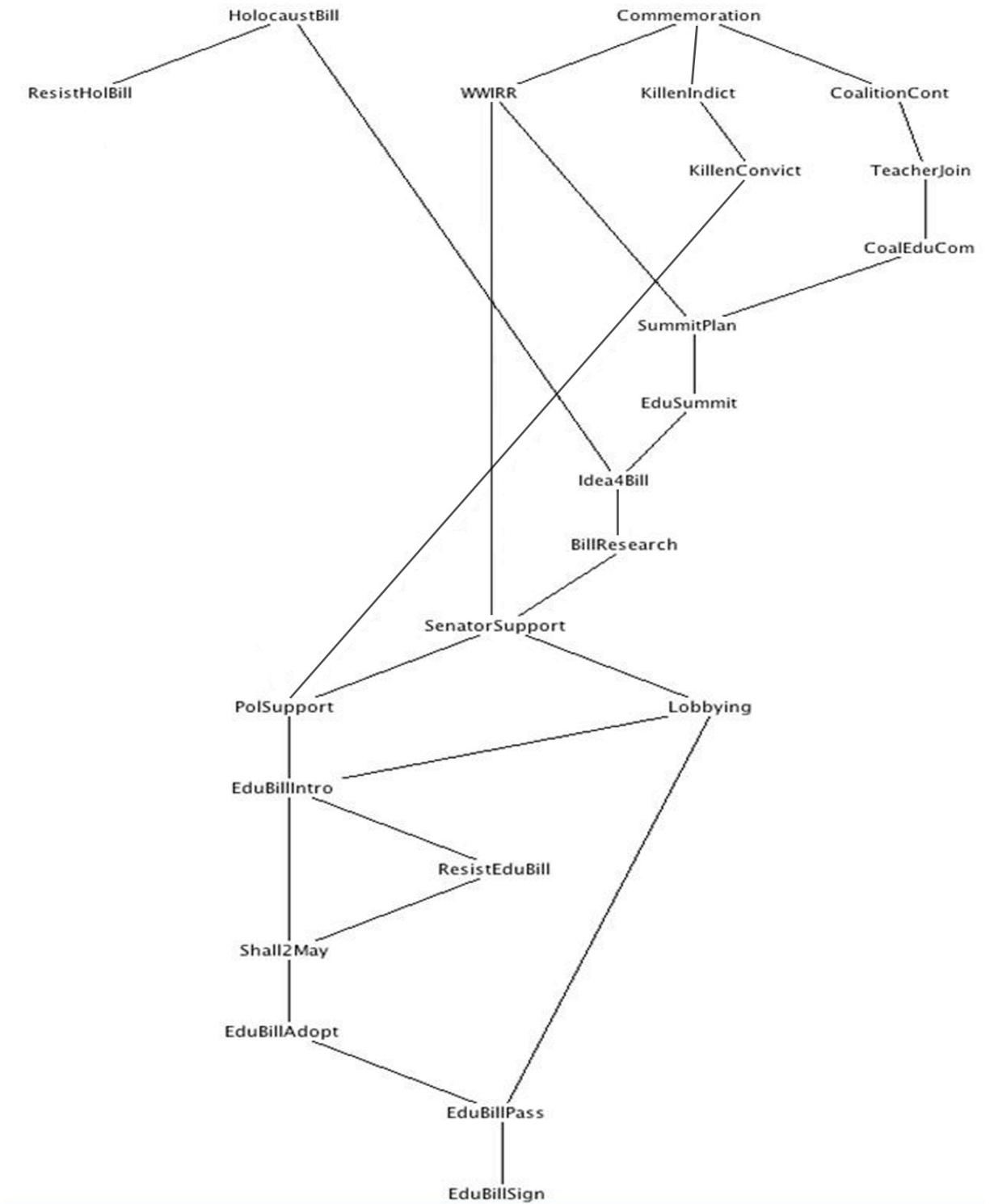


Table 4.1. Chronology of Education Bill

Abbreviation	Date	Description of Action
HolocaustBill	Spring 2004	Governor signs Holocaust Education Bill into law
ResistHolBill	Spring 2004	State Senators add civil rights amendment to Holocaust Bill
Commemoration	Jun. 20, 2004	Philadelphia Coalition hosts 40 th anniversary commemoration
WWIRR	Summer 2004	WWIRR continues to work in Philadelphia
CoalitionCont	July 2004	Philadelphia Coalition continues meeting
TeacherJoin	Summer 2004	Local teacher joins coalition
CoalEduCom	Aug 2004	Coalition appoints teacher to chair education committee
SummitPlan	Fall 2004 to Spring 2005	Coalition plans education summit with Winter Institute
KillenIndict	Jan 6, 2005	Edgar Ray Killen indicted for murder
KillenConvict	Jun 21, 2005	Killen convicted of manslaughter
EduSummit	Jun 22-24, 2005	Education summit held in Philadelphia, MS
Idea4Bill	June 24, 2005	Idea for a state mandate on civil rights education
BillResearch	Fall 2005	WWIRR researches CR education bills and crafts bill language
SentatorSupport	Fall 2005	Senator agrees to introduce CR education bill
Lobbying	Fall '05 to Winter '06	WWIRR lobbies State Senators to support bill
PolSupport	Fall 2005	CR education bill gains support of Black Caucus
EduBillIntro	Jan 16, 2006	CR education bill introduced in Senate
Shall2May	Jan 2006	Language shifts from “shall” to “may” in bill
EduBillAdopt	Feb 1, 2006	Senate adopts bill with “non-mandatory” language
EducBillPass	Mar 14, 2006	House and Senate pass CR education bill
EducBillsign	Mar 20, 2006	Governor Barbour signs CR education bill

commemoration and Killen trial provided legitimacy to the Winter Institute enabling its organizational resources to be used at the state level.

Broadening Mnemonic Capacity: The Philadelphia Coalition Turns to Education

Many of the same mechanisms connecting the 2004 commemoration and the Killen trial also contributed to the event structure of the civil rights education bill (see Chapter 3). The commemoration mobilized a new generation of mnemonic entrepreneurs in Philadelphia, which created a local organizational infrastructure (i.e. the Philadelphia Coalition) that when coupled with institutional resources (i.e. the William Winter Institute for Racial Reconciliation) strengthened Philadelphia's mnemonic capacity not only to organize the fortieth anniversary commemoration but also to pursue legal justice (i.e. the Killen trial).

But legal justice was insufficient to Philadelphia Coalition members. “[I]f all they ever did was get a trial,” recalls Susan Glisson, “they would have considered it a failure” (interview June 30, 2013). The group also wanted to institutionalize the memory of the 1964 murders in local schools. As they began to meet to plan the 40th anniversary commemoration in the spring of 2004, discussions turned towards the past and how each coalition member first learned of Philadelphia's violent history. With this history having been silenced in Philadelphia's dominant public sphere—including the local school—those that did learn about the 1964 murders did so on their own. One African American member of the coalition recalls his personal discovery of these events.

“In eighth grade I had an African American history teacher and we were discussing the Civil War and we talked about the emancipation proclamation and the freeing of the slaves and then we went to 20 years later and we're talking about Jim Crow. That part about the emancipation proclamation was all about how the slaves were freed and how

we had so many African American elected officials in Mississippi and all these black legislators and I thought, wow we had it going on. What happened that reversed all this? So we got to talking and she started telling us a little about our own history here in Philadelphia and it was fascinating to me so I asked where I could find more information so she told me to go get the book *Witness in Philadelphia*. She actually took me to the library and checked it out and told me to go read it. And I read that book and ever since its been sort of been the driving force behind everything I do. And I was thinking how many children just like me don't have a clue" (interview, May 15, 2013).

Forty years after the murders, this history remained largely excluded from Philadelphia's schools. "I mean, I'm telling you," insisted one coalition member, "if you came to Philadelphia you could have gone into any of the public schools and you could have took \$1000 into that school and said, 'I'll give this thousand dollars to the five kids that can name all three of the civil rights workers.' You would have left that school with your money in tact. Most of them probably couldn't name one" (interview, May 15, 2013).

The education community's resistance to this history is further evident by the fact that not a single local educator had joined the Philadelphia Coalition—at least not until *after* the 2004 commemoration. After the 2004 event, local middle school teacher Deborah Owens decided to join the coalition knowing that doing so posed some personal and professional risk. Having lived in Philadelphia fourteen years, Owens still felt like an "outsider" and was hesitant to join the coalition. Early members of the group, who had been listed in the newspaper, she noted, were from "old Mississippi families" and she worried that there "wouldn't be a place" for her (interview, June 19, 2006). But when Owens attended the commemoration, she noticed that local educators were not involved. "It was as if the education community had not embraced [the commemoration]," she observed (ibid). Feeling that the education community needed to

be represented in the coalition and encouraged by what she had seen at the 2004 commemoration, Owens attended the next coalition meeting and offered insight as a local educator. “You know, one thing I’ve noticed since I’ve been [in Philadelphia],” Owens shared with the coalition, “is that none of the kids know anything about this history. They know Mississippi Burning but its not talked about and... I think just in my sense of the civil rights workers and of freedom summer...I think the best way you can memorialize their legacy is by ensuring that kids in Mississippi know their history (interview, June 19, 2013).

With a local teacher on the coalition, the community’s mnemonic capacity was further strengthened, and the coalition appointed Deborah Owens the chair of a committee to explore possible educational initiatives. After investigating several possibilities, Owens proposed that Philadelphia host a conference that would bring together teachers and civil rights workers to discuss teaching civil rights history (CoalEduCom). The Winter Institute had facilitated similar interactions through the organization’s “Welcome Table” program and could provide the necessary institutional and personal connections to bring such a conference to fruition (SummitPlan). Thus, with a member of the local education community and the institutional resources of the Winter Institute, the Philadelphia Coalition expanded their effort to institutionalize the memory of the 1964 murders into the domain of education.

Efforts to organize the education summit were not without resistance. Not long after the June commemorations “cracks in the coalition” emerged when participants disagreed about whether and how to pursue an education initiative. Philadelphia Coalition co-chair Jim Prince was one of the major critics of the education summit, which he described as “sensitivity training” partially funded by the United Nations. Prince was also concerned about the timing of the education summit, which was set to coincide with the Killen Trial. “Wise timing?” Prince wrote in the *Neshoba Democrat*, “Hardly. ... We are heading into some tenuous days” (Prince 2005:

n.p.).²³ Members of the local education community also expressed concern. Philadelphia was, after all, a small town and a number of students were related to the men involved in the 1964 murders. Local teachers were concerned for their safety and well being. None of this opposition, however, gained enough traction to derail the education summit.

On the weekend of June 22, 2005—the 41st anniversary of the murders—over one hundred educators and civil rights workers gathered in Philadelphia for the three-day “Chaney, Schwerner, and Goodman Living Memorial Civil Rights Education Summit.” Conference-goers attended a variety of sessions ranging from “using archived media to teach civil rights” to “strategies for teaching civil rights in junior high and middle school,” many of which were moderated by members of the Philadelphia Coalition. In the final plenary session on “building a regional network,” the idea for a civil rights education bill took root as discussions broadened to the state level.

The education summit, which was a commemorative vehicle in its own right, had revealed significant challenges to teaching civil rights history in Mississippi. First, many teachers felt unprepared to teach about the civil rights movement. The solution to this was clear. Organizations such as Teaching for Change were already providing support to school districts interested in providing their teachers with resources and training on civil rights education (Menkart, Murray, and View 2004). The second challenge was more difficult to address. Teachers felt constrained by having to “teach to the test.” In 2000, under State Board of Education Policy IHF-1, the Subject Area Testing Program (SATP) became a requirement for high school graduation—including an exam on United States History—which constrained

²³ The education summit was Co-sponsored by the United Nations Educational Scientific and Cultural Organization, along with the Winter Institute, Philadelphia coalition, Philadelphia High School and Neshoba Education Foundation.

teachers' instructional practices (Vogler 2008). In an educational climate where testing formed the basis for the state to assess the "success" of schools, only a state mandate authorizing civil rights education would create the conditions under which teachers would integrate civil rights into their lesson plans. Deborah Owens recalls these conversations at the education summit in 2004, "the big thing [teachers] wanted to see happen was something more momentous and more institutionalized like a curriculum in the state" (interview, June 19, 2013) (Idea4Bill).

What began as an effort by the Philadelphia Coalition to build on the 2004 commemoration and facilitate discussion about civil rights education had transformed into a statewide effort for curricular reform.

Priming the Political Environment: The Killen Trial Further Shifts Opportunity Structures in the State

No one could have foreseen the confluence of events that would occur in Philadelphia, Mississippi, the week of June 21, 2005. Due to a number of delays, the Killen trial began the week before the education summit was to be held in Philadelphia. The day after Edgar Ray Killen was convicted at the Neshoba County Courthouse, over one hundred educators and activists were gathered just blocks away at Philadelphia High School poised to discuss the trial and its implications for civil rights education. According to one observer, the trial imbued the education summit with "a contagious buzz" that "circulated the large gathering of Mississippi educators in the cafeteria of Philadelphia High School" (Hollowell 2005:4). Philadelphia Coalition members who helped plan the education summit had hoped that the summit would inspire more dialogue on race around the state but the timing could not have been more advantageous. "When history comes alive in the form of an internationally publicized civil rights trial in a small Mississippi town," observed Donna Ladd, editor of the *Jackson Free Press*, "the time is ripe to tackle the dearth of civil rights curriculum available in American Schools"

(Ladd 2005:n.p.). That the education summit coincided with the verdict in the Killen trial thus created a unique political opening in which the Winter Institute could leverage the experience in Philadelphia to pursue institutional change at the state level.

In the aftermath of the Killen trial, state and national media constructed Neshoba County as a metonym for the Mississippi as a whole. If Neshoba County's failings were Mississippi's failings, this comparison suggested, Neshoba County's redemption could be Mississippi's. After the verdict in an interview with Robert Clark, the former speaker pro tem of the Mississippi House of Representatives and the first African American to serve in that body since Reconstruction, reveals the symbolic significance of the trial within the state: "This is the kind of Mississippi I have been living to see," said Robert Clark...[the verdict in the Killen trial] will make people look at us and realize we are real people...This is a new day in Mississippi." Reflecting representative Clark's enthusiasm, the Jackson *Clarion Ledger* wrote, "[w]hatever anyone thinks, the people of Neshoba County spoke clearly through the judge and jury. *They also spoke for the state*" (Hampton 2005:G1, my emphasis). These comments reflect how the Killen trial had implications for the state as a whole. While the education summit in Philadelphia had highlighted some of the institutional challenges to civil rights education, the Killen trial opened up the space to start having conversations about curricular reform at the state level (interview with Glisson, June 30, 2013).

But while reactions to the Killen verdict may have shifted opportunity structures in the state, the event structure analysis suggests that 40th anniversary commemoration also proved influential. When asked if the Philadelphia Coalition would have pursued an educational initiative without the relative "success" of the 2004 commemoration, Philadelphia Coalition Co-Chair Leroy Clemons' answer was a definitive "no." "[W]hen we were together," Clemons recalls his conversation with fellow Co-Chair Jim Prince, "we would jokingly say to each other

that if we messed this up we were going to set race relations back by at least 50 years in this community....We used the analogy that [organizing the commemoration] was like carrying a crate full of nitroglycerin through a mine field. I mean, that's how delicate we had to move in this because we knew if we made one mistake we were going to destroy race relations in this community" (interview, May 15, 2013). That the commemoration was successful—or at least perceived as successful—was essential for enabling future efforts to institutionalize civil rights memory. Without such a commemoration the Philadelphia Coalition would not likely have continued to meet (CoalitionCont), nor would the education summit in Philadelphia have been planned.

Mobilizing Resources at the State Level: the Winter Institute Lobbies the Legislature

With the idea of statewide mandate for civil rights education in place, and the political opening created by the Killen trial, the William Winter Institute set to work generating language for a civil rights education bill. The recently passed Holocaust education bill (in 2004) served as a rubric for the Winter Institute. For instance, the Holocaust education bill empowered the Governor to appoint all members of the Holocaust Education Commission, but a year after the bill had been signed Governor Barbour had yet to appoint a single person to the commission. If the civil rights education bill were to be effective, the Winter Institute knew it would require more autonomy and they crafted the language accordingly. As a result, the proposed Civil Rights Education Commission would have four permanent members selected from four institutions (the William Winter Institute at the University of Mississippi, Tougaloo College, the Oral History Project at the University of Southern Mississippi and Jackson State University) thus reducing the control of the Governor.

With the language for a civil rights education bill under way, the Winter Institute sought a Mississippi legislator willing to sponsor it. The Director of the Winter Institute, Susan Glisson, approached her local senator, Gray Tollison, who agreed to introduce the bill in the next session without hesitation (SenatorSupport) (interview with Tollison, April 23, 2003). By that time, Susan Glisson and the Winter Institute were well respected in the Oxford community. The 2004 commemoration in Philadelphia and the 2005 Killen trial had provided the organization with newfound legitimacy across the state.

To gain a sense of the Winter Institute's significance in the getting the civil rights education bill introduced, it is helpful to examine which senators cosponsored the bill. Co-sponsorship of bills is one way to measure commitment to a political issue (Pinney and Serra 2002). The original sponsors of the SB2718 reveal the significance of the Winter Institute in this political process. Of the bill's original eight co-sponsors, all but one represented districts where the Winter Institute was active while all but two were members of Mississippi's Legislative Black Caucus, a significant political force within the state (Shaffer 2005; see Table 4.2). Also notably, the only other white co-sponsor in addition to Gray Tollison of Oxford, was Gloria Williamson of Philadelphia.

Once the civil rights education bill was introduced on January 6, 2006, it faced resistance in committee as I discuss above (ResistEduBill). Once the language no longer made civil rights education obligatory (Shall2May) the bill passed with near unanimous support in both the Senate and House of Representatives (EduBillAdopt). Conservative legislators may have expected that this change in language would weaken the bill thus making the bill merely symbolic, but that did not prove to be the case. After Governor Barbour signed SB2718 into law on March 20, 2006—just eight weeks after the bill was first introduced—Mississippi became the first state to legislate civil rights education (EduBillSign).

Table 4.2. Mississippi Senators who Initiated Education Bill (SB 2718)

Senator	District Office	Winter Institute Active in District	Member of Black Caucus
Gray Tollison*	Oxford	✓	
John Horhn	Jackson	✓	✓
Gloria Williamson	Philadelphia	✓	
Alice Harden	Jackson	✓	✓
David Jordan	Greenwood	✓	✓
Hillman Frazier	Jackson	✓	✓
Sampson Jackson	Preston		✓
Kelvin Butler	McComb	✓	✓

* Primary author of bill

V. Theorizing Contingencies: Legislating Curriculum

Despite the fact that, in 2006, Mississippi had recently experienced curricular reform related to a “difficult” past (i.e. the Holocaust education bill) and that civil rights education materials were becoming more readily available from national civil society organizations like Teaching for Change, neither of these developments can fully explain why and how SB2718 came to be. This event structure analysis suggests that the 2004 commemoration in Philadelphia and the 2005 Killen trial were particularly influential generating the conditions that enabled SB2718 to emerge.

From this analysis we can see that the impetus for the state mandate that would become SB2718 emerged, in part, out of the 2004 commemoration in Philadelphia, Mississippi. The 40th anniversary commemoration mobilized a new generation of local mnemonic entrepreneurs in Philadelphia, Mississippi, which helped established a local organizational infrastructure (the

Philadelphia Coalition), that when joined with institutional resources (the Winter Institute), generated the mnemonic capacity not only to organize the 2004 commemoration but also the “The Chaney, Goodman and Schwerner Memorial Education Summit,” a commemorative vehicle in it’s own right. Hosting an education summit to discuss civil rights education at this site was an attempt to leverage the energy created by the 2004 commemoration to institutionalize civil rights memory in a more systematic way.

Without the 2004 commemoration this may not have occurred. The 2004 commemoration helped further strengthen Philadelphia’s mnemonic capacity by attracting new members to the coalition including a local teacher. With a member of the target audience among their ranks, the Philadelphia Coalition and Winter Institute were able to create a space for educators across the state to identify challenges to civil rights education and plan appropriate next steps: a state mandate. In this way, the 2004 commemoration helped launch a broader movement to reform how Mississippi educators incorporate the history of the civil rights movement into their classrooms.

This grassroots organizing around civil rights education, however, coincided with the murder trial of Edgar Ray Killen—an event that transformed the matrix of political possibilities across the state. The trial created a political opening in which these local organizing efforts broadened to the state level. The conviction of a perpetrator in a high profile civil rights era cold case suggested that the behavior and opinions of Mississippi citizens and state actors were not intractable. Additionally, the trial demonstrated to Mississippi lawmakers that their constituency might be more open to efforts attempting to confront Mississippi’s racially charged past. In this way, the Killen trial primed the political environment in which the civil rights education bill was introduced making that environment more sympathetic than it

had been even a year before when state senators had attempted to amend a Holocaust education bill to include Mississippi's history of slavery and racism.

Finally, both the commemoration and the trial provided the William Winter Institute for Racial Reconciliation with newfound legitimacy at the state level. Prior to 2004, the Winter Institute was a relatively unknown entity in Mississippi. As a result of the 2004 commemoration, and even more so after the 2005 trial, however, the Winter Institute had become a well-recognized and well-respected civil society organization in the state. This legitimacy enabled the organization to leverage the political opening created by the Killen trial and to cultivate the necessary political support for SB2718.

This analysis also reveals that the first two hypothesized institutional outcomes of the 2004 commemoration (the Killen trial and education bill) are not independent, but interrelated. While planning for the education summit in Philadelphia pre-dated the Killen trial, the Killen trial undoubtedly influenced the experience of the educators at the summit. In this way, the education bill can be understood as a "second-order outcome" with two primary causal pathways. The first can be traced directly from the education bill to the commemoration; the second is mediated by the Killen trial. Taken together, these causal pathways highlight the education bill was the result of grassroots organizing (beginning in Philadelphia) and shifting opportunities at the state level.

This raises questions about the relationship between mnemonic capacity at different levels of analysis. For instance, does strengthening mnemonic capacity to commemorate racial violence on the local level inherently strengthen mnemonic capacity to commemorate racial violence on the state level? If this is true, mnemonic capacity would have an additive effect. In this scenario, the more local communities commemorating racial violence, the more likely a state would develop the capacity—and perhaps, motivation—to do the same. Alternatively,

mnemonic capacity at lower levels of analysis might support mnemonic capacity at higher levels of analysis only under some circumstances, for example, when a local mnemonic issue has implications at the state, national, or even global level. This was the case with Philadelphia, Mississippi, where the commemoration of the 1964 murders remained politically and culturally salient in Philadelphia, Mississippi, and the United States.

VI. Conclusion

In sum, the effect of the 2004 commemoration in Philadelphia, coupled with professional advocacy at the state level, and a political environment more sympathetic to the acknowledgement of difficult pasts, SB2718 became a reality. It is also important to note that despite the non-obligatory language of the bill since 2011 civil rights education has been mandatory in practice. In 2011, for the first time in the state's history, questions about civil rights history were included in Mississippi's U.S. History Subject Area Test – a requirement for high school graduation (see The Mississippi Department of Education *Mississippi Subject Area Testing Program, Second Edition* (2011)). While the law has been challenging to implement (see Cunningham and Rondini 2014), the legislation represents a significant institutional transformation given the history of civil rights education in Mississippi. Today, SB2718 serves as a model for mnemonic activists in other states hoping to institutionalize civil rights history and memory in their educational curricula (Probst 2012). In the following chapter, I will examine the third and final hypothesized outcome of the 2004 commemoration in Philadelphia – the Mississippi Truth Commission.

Chapter 5

Legal Justice to Social Justice: The Mississippi Truth Commission

I. Introduction

In *The Human Condition* (1958:241) Hannah Arendt makes the provocative and troubling observation “that men are unable to forgive what they cannot punish and they are unable to punish what has turned out to be unforgivable.” Perhaps this is because no punishment could be equivalent to the trauma inflicted by horrific violence. Or maybe it is due to the fact that in such cases violence is so widespread that not even the most well resourced judicial system could manage the caseload. Regardless, according to Arendt, unforgivable events such as the Holocaust or slavery remain unpunishable. Over the past twenty years, truth commissions have been one mechanism through which national governments and other collectivities have sought address the “unforgivable.” Defined as ad hoc commissions of inquiry empowered to investigate systematic violence and discrimination, truth commissions have become an accepted, if not expected tool to confront unforgivable violent pasts (Parker 2007; Dancy et al. 2010). Since the mid 1990s there have been over forty national level truth commissions, and countless truth commission-like entities. In contrast to criminal trials, these bodies focus on the experience of victims by giving voice to their suffering in an effort to

understand the underlying social context that engendered patterns of institutional violence (Hayner 2011).

But like all institutional structures, truth commissions are shaped by the historical and political context out of which they first emerged. “What came to be generally known as ‘truth commissions,’” argues historian Greg Grandin (2005:46), “indexed a unique moment in Latin American history, as the decline of socialist movements crossed paths with ascendant efforts to consolidate liberal constitutional rule.”²⁴ As such, the first truth commissions served as an alternative to punishment and were designed to restore civic trust in governments that had perpetrated unthinkable crimes against its own citizens.²⁵ It was not until 1995 when South Africa initiated its own Truth and Reconciliation Commission as a component of its post-apartheid transition to democracy that truth commissions gained popular notoriety, after which the South African truth commission “model” proliferated globally. As truth commissions were

²⁴ Which truth commission ought to receive the distinction of being the first truth commission remains a subject of debate. Some scholars and practitioners cite a commission in Uganda established by President Idi Amin in 1974 as the first truth commission (Hayner 2011). While this commission included many elements common to more contemporary truth commissions such as operating under the same government under investigation, gathering victim testimony in public, documenting human rights abuses, and publishing a final report, some argue that the commission was not a genuine effort to improve the country's human rights climate (Carver 1990).

²⁵ While the early scholarly literature on truth commissions conceptualized truth commissions as an alternative to criminal trials, this is no longer the case. Current transitional justice scholarship depicts truth commissions as one of many transitional justice mechanisms that can be used in conjunction with one another (Olsen, Payne, and Reiter 2010).

initiated in varying contexts and cultures, their mandates have both deepened and expanded (Kim 2011). Truth commissions are now being implemented in long-standing democracies to examine systematic violence long past, and in some cases, are initiated, operated, and funded entirely by civil society organizations, what I refer to as civil society-based truth commissions (Dancy et al. 2010).²⁶

In 2005, Mississippi joined the “truth commission bandwagon” (Parker 2007) when private citizens began to investigate the possibility of creating a statewide truth commission. After years of planning, the Mississippi Truth Commission (MTC) officially launched its “public phase” at a ceremony in Jackson, Mississippi in 2009. Hundreds gathered to sign the “Declaration of Intent,” which called for Mississippi citizens to establish a Truth and Reconciliation Commission to investigate racial violence and discrimination in the state from 1945 to 1975 to “develop appropriate remedies and to create a culture of equity, harmony, and prosperity” (see Appendix D).

²⁶ While some scholars maintain a distinction between official (i.e. state-sponsored) truth commissions and “unofficial truth projects” (Bickford 2007), this may obviate variation within the universe of cases of truth commissions. I am of the latter opinion. For the purpose of cross-national comparison it is important to restrict the universe of cases to national-state sponsored commissions, but it is also important to understand how so-called “unofficial” truth commissions—what I prefer to call civil society-sponsored truth commissions—establish legitimacy, enact processes of truth telling, and with what effect (Androff 2012; Beitler 2013). And regardless of these definitional debates, that fact that it is becoming more common for national governments and other collectivities to investigate patterns of violence long past is further evidence of a growing international norm of truth-seeking.

This wasn't the first time there had been efforts to create a truth commission in Mississippi. Beginning in 2001, Mississippi State Senator John Horhn (Dem-Jackson) introduced a bill every year to create a state-sponsored truth commission that would "advise and assist the governor and the legislature in developing politics, plans and programs to increase racial diversity and enhance racial harmony in the state," among other tasks. Each time Horhn introduced the bill, however, it died in committee without ever reaching the Senate for a vote (For the full text of the bill, see Appendix E). Not until 2005 did the idea of a statewide truth commission in Mississippi begin to gain broad support.

In this chapter, I examine how the Mississippi Truth Commission (MTC) emerged and investigate if, and if so, how the MTC is causally connected to the 40th anniversary in Philadelphia, Mississippi. I will show that the MTC was a result of the local grassroots mobilization precipitated by the events in Philadelphia, which helped to construct civil society organizations capable of leveraging global norms and resources on the local level. But before turning to the Mississippi case, let us examine how scholars have explained how truth commissions emerge and review the broader universe of truth commissions and truth commission-like bodies in the United States.

II. When and How Truth Commissions Emerge

Most truth commissions have occurred in the context of national political transitions and as a result scholars studying how truth commissions emerge have focused on national-level variables. For example, studies have found that truth commissions are more likely to emerge when human rights violations have been severe and long-lasting (Snyder and Vinjamuri 2004; Roper and Barria 2009), outgoing regimes are strong (Skaar 1999; Sieff and Wright 1999; Chapman and Ball 2001; Sikkink and Walling 2005; Roper and Barria 2009) and the Gross

Domestic Products (GDP) is substantial (Elster 2006; Boettke and Coyne 2007; Olsen, Payne, Reiter 2010; Wiebelhaus-Brahm 2010).

Scholars have also identified a number of exogenous factors that explain when and how truth commissions emerge. States may be more inclined to create a truth commission with pressure from civil society (Skaar 1999; Kim 2012), assistance from international non-governmental organizations such as the United Nations (Crocker 2000; Weibelhaus-Brahm 2010), and when neighboring countries have held truth commissions (i.e. the neighborhood effect; Elster 1998; Dancy and Poe 2006). Finnemore and Sikkink (1998:902), for example, argue that global human rights norms impact domestic politics through a regional or contagion effect in which “critical states” influence the adoption of norms through a socialization process “intended to induce norm breakers to become norm followers” (e.g. South Africa and Argentina).

Given that most studies of truth commissions focus on those sponsored by national governments in immediate post-conflict settings, it is unclear whether and how these factors explain truth commissions investigating violence from the distant past. Hun Joon Kim’s study of the South Korean Truth Commission is one notable exception. In 2012 the South Korean government initiated a truth commission to examine a series of armed uprisings that occurred between 1947 and 1954 (e.g. the Jeju Massacres). Kim (2012:792) notes that “strong and persistent local activism...was the single most important factor in the establishment of the commission” (p. 792), but while noting that organizing an annual commemoration service had helped create “a common identity for social movement groups and enhanced further collaboration and communication among groups” who later called for a truth commission, the role of commemorations and collective memory does not figure into his explanation (p. 732-733). The process of creating a truth commission that examines violence long past, however,

cannot be explained without understanding the efforts to mobilize collective memory and organize mnemonic activists.

III. Truth Commissions in the United States

Efforts to mobilize memory have been central to truth commissions and truth commission-like processes in the United States. Since the late 1980s, government and non-governmental organizations have created bodies of inquiry into past episodes of racial violence that resemble truth commissions in both form and function. In 1980, for instance, the United States Congress established the Commission on Wartime Relocation and Internment of Civilians (CWRIC), which held public hearings across the country to collect testimony from Japanese Americans affected by the World War II internment. The CWRIC's final report concluded that the relocation and internment was a "grave injustice" and recommended compensation for survivors. By 1992, the United States Government had paid over \$1.2 billion in reparations to Japanese Americans affected by the wartime policy (Miller 1983; Yamamoto 1999:53).

Commissions investigating patterns of racial violence have also taken place at the state level. In 1993, the Florida state legislature commissioned a report on the 1923 race riot in Rosewood, Florida where white vigilantes attacked an African American community after hearing allegations that a white woman had been raped by a black man from Rosewood. The mob left 8-17 African Americans dead and the town abandoned. The following year, Florida became the first state to compensate victims for racial violence when it passed the Rosewood Compensation Bill providing over \$2 million to surviving victims (Magarrell and Gutierrez 2006). Likewise in 1996, the Oklahoma state legislature commissioned a report on the 1921 Tulsa Race Riot, an event that left an estimated 10,000 black residents homeless. In 2001, the

Oklahoma legislature passed the Tulsa Race Riot Reconciliation Act, which established scholarships for the descendants of survivors, provided economic development to the neighborhoods affected, and created a memorial park for the victims. Following the lead of Florida and Oklahoma, in 2000 the North Carolina legislature authorized a commission to investigate the 1898 Wilmington Race Riots where a white mob violently overthrew a democratically elected black government. In 2007, the North Carolina state senate passed a resolution expressing “profound regret” for the riot, and the commission’s final report resulted in a number of resources for educators (see <http://core.ecu.edu/umc/wilmington/>; <http://www.learnnc.org/lp/editions/nchist-newsouth/4360>).

In addition to these government-sponsored initiatives, universities have created truth commission-like entities. In 1994, the University of Virginia hosted a symposium on the Tuskegee Syphilis Study – the infamous study where the United States Public Health Service infected over 200 African American men with syphilis without their knowledge or consent – which resulted in the Tuskegee Syphilis Study Legacy Committee. The committee later issued a final report calling for President Clinton to issue a formal apology, which he did in 1996 (Harter et al 2010). In 2003, the President of Brown University appointed a Steering Committee on Slavery and Justice to investigate and compile a report on the university’s historical relationship to slavery (Clarke and Fine 2010). The committee issued their final report in 2006 recommending that the university, among other things, “[t]ell the truth in all its complexity,” “[c]reate a center for continuing research on slavery and justice, and “[e]xpand opportunities at Brown for those disadvantaged by the legacies of slavery and the slave trade” (*Slavery and Justice Report* 2006: 83-87) .

Each of the examples above resembles a truth commission, but did not incorporate “truth commission” in their titles. The first self-proclaimed truth commission in the United

States occurred in 2004 when a group of citizens from Greensboro, North Carolina initiated the Greensboro Truth and Reconciliation Commission. This commission was intended to investigate the circumstances surrounding the violence on November, 3 1979 when five members of the Communist Workers Party were killed by members of the Ku Klux Klan and the American Nazi Party (Magarrell and Wesley 2008). When local activists and survivors organized an event commemorating the 20th anniversary of the killings, it was clear that was no consensus about what had happened on November 3, 1979, and that the community might benefit from a historical inquiry (Magarrell and Gutierrez 2006). Again, despite the fact that the Greensboro Truth Commission appears to have been motivated, at least in part, by the 20th anniversary commemoration, scholars studying the Greensboro Truth Commission give little attention to the relationship between the commemoration and the truth commission.

In my analysis of the Mississippi Truth Commission, I illuminate these linkages by bridging the sociological literatures on commemorations of difficult pasts with the literature on the impact of globalization on local social movements (see Tsutsui, Whitlinger, and Lim 2012 for a review of this literature). The Mississippi Truth Commission is an example of an increasingly pervasive global norm (i.e. truth-seeking) being applied on the local level through the efforts of civil society actors. The literature on the impact of globalization on social movements thus provides important insights such as how globalization can create new political opportunities, enhance flows of resources, and provide vocabularies for framing movements in new ways.

IV. Mississippi Truth Commission versus Mississippi Truth Project: Defining the Scope of Inquiry

What cases “count” as truth commissions can be a challenging ontological question. Scholars and transitional justice practitioners have long debated what criteria to delineate truth

commissions from other investigation bodies (ombudsman, human rights committees, commissions of inquiry, etc.), but in general scholars agree that truth commissions are temporary bodies that investigate patterns of violence that occurred within a particular time frame. Establishing when and how the *idea* of a truth commission becomes a truth commission *in practice* can be an equally, if not more, difficult endeavor. For instance, is a Declaration of Intent sufficient evidence to suggest that a truth commission exists or does the commission mandate have to be signed? While these distinctions may seem trivial at first glance, they have important consequences for social scientific research. Such “inclusion criteria” defines what cases constitute the study population, which is especially important for large-N comparisons. For large-N cross-national comparisons, strict inclusion criteria (such as having a formal mandate or issuing a final report) can be helpful, but tends to exclude less well-resourced commissions or those that stop operating mid-stream. One might consider these “failed” truth commissions and thus not worthy of inclusion, but I argue that these partially formed truth commissions are also important to include within the broader population of truth commissions. Only then can we begin to understand full range of truth commission processes and outcomes.

The Mississippi Truth Commission falls into this definitional gray area. Shortly after the MTC entered its “public stage,” the MTC changed directions. Instead of seating commissioners and drafting an official mandate as the Declaration of Intent called for, the organizers turned towards collecting oral histories across the state. The William Winter Institute for Racial Reconciliation (Winter Institute) considered the oral history project and the MTC part of a the Mississippi Truth Project (MTP) an effort to create a culture of truth-telling in Mississippi. Why the MTC did not go further than issuing a Declaration of Intent, especially given the significant financial resources already allocated to the project, is an important question but falls outside the scope of this dissertation.

I am interested in whether the Mississippi Truth Commission can be understood as a significant institutional transformation in the context of Mississippi's racial reckoning, and if so, how might it be related to the events that occurred in Philadelphia in 2004 and 2005. I concur with legal scholar Patryk Labuda (2011:21) who has argued that it is "perhaps noteworthy that the [Mississippi Truth Commission] has even gotten this far." If resistance to Senator Horhn's efforts to establish a truth commission are any indication, Mississippi's elected officials have resisted every effort to establish a state sponsored commission. Given this entrenched opposition, the fact that civil society organizations were able to develop a truth commission to the point where it seated a statewide steering committee is certainly notable and worthy of study within the universe of truth commissions. For the purpose of this study, I focus my analysis on the efforts of civil society actors to establish the Mississippi Truth Commission (MTC) between the summer of 2005 and January of 2009.

V. Event Structure Analysis: The Mississippi Truth Commission

The idea of establishing a truth commission in Mississippi had been circulating in the state since 2001, but it was not until after the Killen trial in 2005 that the idea began to gain traction. Exactly how the Mississippi Truth Commission is causally connected to the Killen trial, and by extension the 2004 commemoration, will be analyzed in the section below, which will elaborate how grassroots mobilization, precipitated by the events in Philadelphia, interacted with global norms and resources to enable the Mississippi Truth Commission to emerge (see Figure 5.1; Table 5.1).

Shifting Local Political Opportunities: The Killen Trial Generates Public Discussion on Mississippi's Racial Reckoning

Despite previous efforts to establish a statewide truth commission in Mississippi (Senator4TC), the idea did not gain widespread support until after the Killen Trial in 2005 sparked a public debate on how best to confront Mississippi's difficult past. Shortly after Edgar Ray Killen's conviction, the Philadelphia Coalition – an interracial coalition of citizens from Philadelphia, Mississippi, who had been influential in bringing the case to trial – issued a statement to the press. In addition to praising the verdict, the statement revealed the coalition's aspiration that the conviction was merely a first step on a long road towards racial justice. In doing so, the statement draws attention to the state's culpability.

While a vigilante group may have fired the gun, *the state of Mississippi loaded and aimed the weapon*. The Mississippi State Sovereignty Commission monitored and intimidated civil rights activists to prevent black voter representation. The White Citizens' Councils enforced white supremacy through economic oppression. And decent people remained silent while evil was done in their name. These shameful acts have been little understood by Mississippi citizens... We must all understand how and why these murders and thousands of others occurred. We must understand the system that encouraged it to happen so that we can dismantle it. We must never allow it to happen again. We have the power to fulfill the promise of democracy. Join us in that struggle.... (Statement of Philadelphia Coalition 2005, my emphasis).

Governor Barbour, in contrast, articulated a more conservative response to the Killen verdict (BarbourClose). Within a week of the conviction, Barbour had declared "closure" for Mississippi's racial past, which came as no surprise to those aware of his national political ambitions (Brattain 2011). Barbour's declaration provoked Rita Bender, Michael Schwerner's

Figure 5.1. Event Structure Analysis of Mississippi Truth Commission

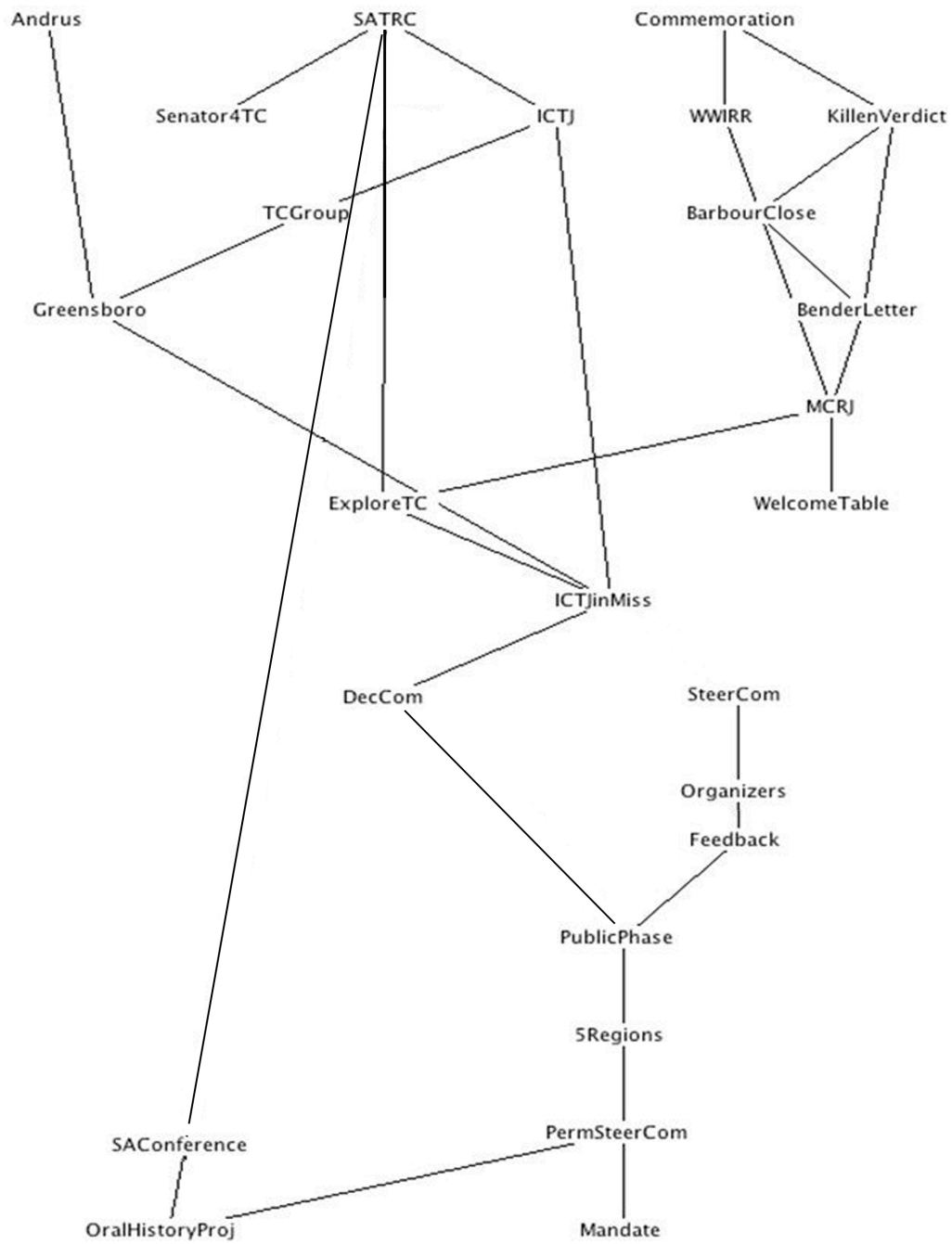


Table 5.1 Chronology of Mississippi Truth Commission

Abbreviation	Date	Description of Action
SATRC	1995	South African Truth and Reconciliation Commission begins
Senator4TC	2001	Senator first introduced TC bill to Mississippi Senate
ICTJ	2001	International Center for Transitional Justice founded
TCCGroup	2002	ICTJ initiates Managing Truth Commissions Affinity Group
Andrus	2003	Andrus Family Fund funds US Truth Commissions
Greensboro	Jun. 12, 2004	Greensboro Truth Commission begins
Commemoration	Jun. 20, 2004	Philadelphia Coalition hosts 40 th anniversary commemoration
WWIRR	2004	WWIRR gains statewide notoriety
KillenVerdict	Jun. 21, 2005	Killen convicted on three counts of manslaughter.
BarbourClose	Jun. 2005	Barbour comments on close the books
BenderLetter	Jun, 27, 2005	Bender writes open letter to Governor Barbour
MCRJ	July 2005	Mississippi Coalition for Racial Justice established
WelcomeTable	2007	MCRJ initiates “The Welcome Table” year-long project
ExploreTC	Winter 2008	WWIRR organizes TC meetings throughout the state
ICTJinMiss	Apr 26, 2008	Meeting with MCRJ, Reps from Greensboro TC, and ICTJ.
SteerCom	April 2008	Create Steering Committee to hire organizers
DecCom	April 2008	Create Declaration Committee to draft Declaration of Intent
Organizers	July 2008	MTC hires professional organizes
Feedback	Fall 2008	Organizers hold meetings across the state to gather feedback
PublicPhase	Jan 31, 2009	Declaration of Intent signed initiating public phase of MTC
5Regions	Winter 2009	MTC participants create 5 regions
PermSteerCom	Winter 2009	Regions elect representatives to permanent steering committee
Mandate	Spring 2009	Steering Committee begins to draft mandate
SAConference	Dec. 2009	WWIRR attends Conference in South Africa
OralHistoryProj	2010	MTP shifts focus from MTC to oral history project

widow who was living in Seattle and working as an attorney, to draft an open letter to the Governor calling for further reflection on Mississippi’s past. In addition to detailing the systematic abuses committed by the Mississippi Sovereignty Commission during the 1960s, as well as more recent instances where Mississippi’s elected officials have encouraged racism, Bender argued (BenderLetter):

Restorative justice can only come with recognition of the past, acknowledgement of wrongdoing, and acceptance of responsibility in the present by government and individuals to ameliorate the harm done. People in positions of public trust...must take the lead in opening the window upon the many years of criminal conduct in which the State, and its officials, engaged. Only with such acknowledgement will the present generation understand how these many terrible crimes occurred, and the responsibility which present official, voters, and indeed, all citizens, have to each other to move forward.

Taken together, the public statements from the Philadelphia Coalition and Rita Bender reveal how the Killen trial emboldened calls for further efforts towards racial reckoning in Mississippi. For a state that had long nurtured a culture of impunity surrounding civil rights era violence, the Killen trial had created a political opening, however small, that local activists sought to exploit. While neither public statement explicitly mention a truth commission, they articulate a compelling argument that the state acknowledge wrongdoing and accept of responsibility – tasks for which a truth commission is particularly well-suited.

Organizing Mnemonic Activism Across Mississippi: The Winter Institute Takes Charge

Inspired by Rita Bender's letter, and the positive momentum created by the Killen trial, the Winter Institute mobilized civil rights veterans, progressive activists, and religious leaders to explore how to best leverage the current political climate to further advance social justice in the state (Glisson 2015:3). This ad hoc group became known as the Mississippi Coalition for Racial Justice (MCRJ), and would later provided the organizational structure for what would become the Mississippi Truth Commission. By the mid 2000s, truth commissions had become an accepted, if not expected, approach to address violent pasts. With the notoriety of the South

African truth commission and perceived similarities between apartheid South Africa and the Jim Crow South, the MCRJ began to discuss the possibility of a truth commission.

Just months after the MCRJ began to discuss the possibility of establishing a truth commission, they had to suspend their work after Hurricane Katrina ravaged Mississippi's Gulf Coast diverting attention and resources to recovery efforts. But while the hurricane temporarily halted the MCRJ's discussions about a truth commission, it also emboldened their cause. Hurricane Katrina, according to one MCRJ participant, "became a very important condition of possibility for thinking through the stakes of systemic injustice as a historical phenomenon that still has historical effects" (interview May 14, 2013). In 2006, the MCRJ issued a statement on Hurricane Katrina making connections between lessons learned from the 2004 commemoration in Philadelphia, Mississippi, and hopes for recovery in the Gulf.

We offer as our touchstone the experience of Philadelphia. In order to rebuild we must first engage all citizens. We must be mindful of racial and economic dynamics that have both disproportionately handicapped many people in dealing with this catastrophe and which, if not attended to, will render them invisible in the rebuilding process, thus re-entrenching inequities we would all like to erase...We hope that the Governor's Commission for Recovery, Rebuilding, and Renewal and its subcommittees will reflect these concerns in their personnel and operations" ("Mississippi Coalition Calls for New Vision for the State" 2006, my emphasis)

The state's approach to recovery, however, fell short of this idealized vision. As state funds for low income survivors were rerouted towards business development on the coast, it became clear to the Winter Institute and the MCRJ that a statewide truth commission would not be supported by state officials (Glisson 2015).

Two years after the storm, in the winter of 2007, the Winter Institute and the MCRJ

resumed its focus on “truth-telling” by hosting a series of meetings at Millsaps College in Jackson to initiate “The Welcome Table: A Year of Dialogue on Race” – an initiative also inspired by Philadelphia, Mississippi (WelcomeTable). According to WWIRR staff member Patrick Weems, the Philadelphia Coalition’s “Call for Justice” had “showed that a multiracial and multicultural group could work together for progress” (Straight 2007). Attempting to replicate the experience in Philadelphia across the state, the Winter Institute intended the Welcome Table to be a yearlong dialogue process that would inform a more comprehensive, long-term truth-telling project.

Around the same time, the Winter Institute met with civil rights veterans and scholars engaged in examining Mississippi’s racial past. These connections introduced the Winter Institute to the Andrus Family Fund, which had provided supported the civil society-based truth commission in Greensboro, North Carolina. With seed money from Andrus, the Winter Institute was able to hire a part time organizer to host meetings across the state in order to gauge interest in the truth commission (ExploreTC). Thus, having leveraged the political opening created by the Killen trial to mobilize activists across the state and secure seed funding, efforts to establish a truth commission were able to move forward.

Leveraging Global Norms and Resources: Learning from Greensboro

Like many social phenomena, approaches to historical justice have trends and approaches that are “in fashion” and others that fall out of favor. By 2008 when the MCRJ renewed their efforts to craft a truth commission, there had been over thirty truth commissions worldwide, including one in Greensboro, North Carolina. On April 26, 2008, the MCRJ hosted a statewide meeting in Jackson to gather community partners from exploratory meetings throughout the state, as well as representatives from Greensboro North Carolina’s Truth

Commission and the International Center for Transitional Justice (ICTJinMiss). Without support from the state of Mississippi, the Winter Institute had looked for a truth seeking model elsewhere and found it in the Greensboro Truth and Reconciliation Commission. Greensboro's truth commission was the first in the United States and had spearheaded a new approach to truth commissions rooted in civil society. "We had learned from the Greensboro model," reflected the Director of the Winter Institute, "that collective community will could potentially create the authority to call for a commission. By outlining our intentions and then inviting Mississippians to endorse the document, we could try to legitimize ourselves through grassroots endorsement" (Glisson 2015:4-5).

Thus by seeking guidance from representatives of the Greensboro Truth Commission, the MCRJ and Winter Institute became connected with a vibrant international network of truth commission practitioners, most notably the International Center For Transitional Justice (ICTJ). Citizens of Greensboro, North Carolina had first become involved with the ICTJ in 2003 on the request of their funder, the Andrus Family Fund (Magarrell and Gutierrez 2006). Founded in 2000 to support countries seeking accountability after mass atrocity, the ICTJ was one of the first organizations to explicitly focus on transitional justice, still a relatively new concept at the time. Consequently, the ICTJ helped constitute the field of transitional justice while becoming one of its major players. Given the organization's prominence in the field, the ICTJ not only provides legitimacy to nascent efforts to establish truth commissions, but also serves as gatekeepers to the essential resources necessary for to create a truth commission (e.g. financial resources and field-specific expertise).

In December of 2002, the ICTJ initiated the Managing Truth Commissions Affinity Group (TCGroup), a group of experts whose objective is to exchange ideas and strategies amongst representatives from past, existing, and future truth commissions (Magarrell and

Gutierrez 2006). Since its inception, the MTCAG has met in Lima (Peru), Bellagio (Italy), Freetown (Sierra Leone), Rabat (Morocco), Asuncion (Paraguay), Jakarta (Indonesia), New Haven, Connecticut (US), and Monrovia (Liberia) to discuss best practices for truth commissions. Citizens from Greensboro, North Carolina had attended the MTCAG meeting in Peru on the invitation of the ICTJ to learn about truth commissions from those with experience (Magarrell and Gutierrez 2006). In 2008, Mississippi activists became connected with this network via Greensboro.

By 2008 the Greensboro truth commission had completed its mandate, issued its final report. The truth commission's participants also had time to reflect on the unique nature of a civil society-based truth commission. They shared this insight with the MCRJ at a meeting in Jackson, after which the Winter Institute helped established two committees: a steering committee charged with calling future meetings, recruiting and hiring three-part time organizers (SteerCom), and a declaration committee responsible for drafting a declaration of intent (DecCom). At this time, the Winter Institute also created a website for the Mississippi Truth Commission with resources on truth commissions provided by the ICTJ. Within a month, three part time organizers had been hired with funding from the Andrus Family Fund (Organizers) and began to travel throughout the state distributing a draft declaration of intent and collecting feedback (Feedback).

These efforts culminated with another statewide meeting in Jackson on January 31, 2009 where partners from all stages of the Mississippi Truth Commission met to officially endorse the Declaration of Intent, a document outlining the motivation for the truth commission and calling for its establishment (see Appendix D for full text of Declaration). Over a 130 Mississippi citizens signed the declaration officially launching the public stage of the truth commission (PublicPhase).

After this momentous ceremony, truth commission planning began in earnest. In planning meetings after the ceremony, participants devised a five-region structure (Gulf Coast; central Mississippi, The Delta; The Pine Belt; and the Hills) where each district would elect representatives to serve on a permanent statewide steering committee that would direct the next phase of the project (5Regions). By the summer of 2009, three of the five districts had elected representatives to the steering committee and planning for the Mississippi Truth Commission appeared to be well on its way (PermSteerCom) (Tucker 2009).

Truth Commission to Oral History Project

By the following summer the Winter Institute announced that the “Mississippi Truth Project enters a new phase” (Tucker 2010). In December of 2009, key staff members of the Winter Institute staff attended a conference in Cape Town, South Africa, which brought together transitional justice scholars and practitioners to assess the impact of the South African TRC and the growing field of truth commissions.²⁷ As the Winter Institute engaged in critical dialogue about truth commissions’ possibilities and limitations, a conversation with Peter Storey -- a member of the South African TRC -- proved especially influential. Storey cautioned the Mississippi contingent from getting “distracted by the super event,” which “misses the microaggressions, the bystanderism, and the activities of everyday people to create the lived

²⁷ I attended this conference, “Beyond Reconciliation: Dealing with the Aftermath of Mass Trauma and Political Violence,” with generous support from the Weiser Center for Emerging Democracies and a Bodine Grant from the Department of Sociology at the University of Michigan. The conference corresponded with United Nation’s “International Year of Reconciliation” in 2009.

experience of a society organized around the oppression of others” (Glisson 2015:5; Tucker 2010). The Winter Institute staff returned to Mississippi with a more cautious and critical approach to their truth project so when the MTC steering committee had difficulty agreeing on substantive issues surrounding the mandate, the Winter Institute approached the project’s stakeholders to reassess. According Winter Institute’s Director (2015:6), stakeholders at that point encouraged them “to collect our stories, because no one seems to remember the history enough to understand how it shapes us today.” At this juncture, the Mississippi Truth Project refocused its efforts on collecting oral histories and conducting academic research that might later be used by a potential truth commission. Facilitated by the Winter Institute, regional organizers worked with the University of Southern Mississippi’s Center for Oral History and Cultural Heritage to provide oral history training across the state (OralHistProj).

The Winter Institute now considers all the racial reconciliation commission efforts that have occurred in Mississippi since 2004 as part of a deconstructed truth commission. “For the particular historical context of the United States,” the Director of the Winter Institute argues, “truth commissions must be deconstructed to their component parts and implemented as simultaneous tools in a truth process tool kit” (Glisson 2015:1). In other words, the Winter Institute understands their work since 2004 as the sum total of various reconciliatory practices: public rituals of atonement (i.e. memorials and commemorations), academic investigations into patterns and legacies of abuse; institutional reforms (i.e. scholarly articles, reports, and curricular development); and legal accountability (i.e. criminal trials). These efforts thus constitute what the Winter Institute refers to as the Mississippi Truth *Project* – a broader effort to facilitate a culture of accountability and truth-telling across the state.

VI. Theorizing Contingencies: Civil Society-Based Truth Commissions

So did the truth commission fail or merely transform? It depends on your point of view. That planning efforts for a South African-style truth commission in Mississippi have been abandoned (at least for the time being) suggests that the truth commission “failed,” at least in conventional understandings of truth commissions and what they are meant to accomplish. For my purposes in this dissertation, on the other hand, the effort to create a truth commission and its development into a broader truth project remains an important transformation in the context of Mississippi’s race relations.

In this chapter I examined how the Mississippi Truth Commission emerged through an in-depth analysis of its event structure. It demonstrated how the MTC resulted from the confluence of grassroots mobilization and global norms and resources. This, however, was made possible as a result of events that began in Philadelphia, Mississippi, between 2004 and 2005. In particular, the conviction of Edgar Ray Killen for his role in the 1964 murders of James Chaney, Andrew Goodman, and Michael Schwerner created a political opening within the state for civil society actors to examine the state’s relationship to its past – and future. This chapter also positioned this case within the broader universe of truth commissions, a mechanism for addressing violent pasts that has become a pervasive global norm over the past twenty-five years. Most research on truth commissions, however, focuses on national-level, state-sponsored truth commissions despite a rapidly changing field. This chapter is an attempt to extend this scholarship to civil society-based truth commissions

Despite the shifting institutional form of the Mississippi Truth Commission and Project, it is possible to evaluate the processes contributing to the Mississippi Truth Commission in its earliest incarnation (pre-2009). The Mississippi Truth Commission is unique within the broader population of truth commissions. It is a civil society-based truth commission (as

opposed to government sponsored), and was initiated decades after the violence it was mandated to investigate (as opposed to occurring within an immediate post-conflict context). Given these distinct attributes, I have found that different processes precipitated the Mississippi Truth Commission than those highlighted in the interdisciplinary literature on truth commissions.

Transitional justice scholars, for instance, have found that truth commissions are more likely to occur when an outgoing regime is strong. In the absence of a political transition, the Mississippi case suggests that the opposite might be true. A truth commission investigating violence long past may be more likely to occur when political opposition is weak. My event structure analysis suggests that the trial of Edgar Ray Killen created a political opening in the state of Mississippi enabling activists to engage in conversations never before possible. This episode was counter to the state government's historic tolerance of impunity for civil rights era violence and indicated a shifting political context where acknowledging Mississippi's violent past became acceptable, at least up to a point.

Scholars have also found that truth commissions are more likely to occur in localities with strong civil societies that are capable of putting sufficient pressure on their governments. This may be true for state-sponsored truth commissions, but requires rethinking in the context of civil society-based truth commissions. If a truth commission operates within civil society and thus excluded from state sponsorship and funding, a strong civil society is still essential -- but not for pressuring state actors. In this case, a strong civil society is necessary to create legitimacy for the truth commission, without which a truth commission could not operate with any hope of its findings being taken seriously.

Despite these many differences between the civil society-based truth commissions like the MTC and the national level, state-sponsored truth commissions that dominate the field,

some precipitating factors remain the same. For example, the MTC was modeled after the nearby Greensboro Truth and Reconciliation Commission suggesting regional diffusion. Much like the regional diffusion observed by scholars studying the global proliferation of truth commissions, regional diffusion appears to occur on a sub-national level as well. The Greensboro Truth and Reconciliation was the first of its kind in the United States and provided a model for other localities like Mississippi that had similar experiences of racial violence that continue to be salient in the present.

The Greensboro truth commission not only provided a model for Mississippi, but also connected Mississippi activists with essential resources for truth commission development, in particular, the International Center for Transitional Justice and the Andrus Family Fund. Truth commissions are costly endeavors, often totaling hundreds of thousands or even millions of dollars. If gross domestic product (GDP) can predict the likelihood that a national government will adopt a truth commission as previous scholarship has found, access to foundation dollars may well explain civil-society based truth commissions.

But just as truth commissions require access to substantial financial support, they also require institutional expertise. Depending on the size and scope of the mandate, truth commissions can operate over the course of many years with dozens or even hundreds of staff members. How best to coordinate the many aspects of a truth commission are not self-evident. The Mississippi Truth Commission required guidance from the very early stages of project conceptualization. Most Mississippians had never heard of a truth commission, including those who ultimately spearheaded the Mississippi Truth Commission. Thus in order to cultivate broad political support for a Mississippi Truth Commission, organizers first had to learn how to articulate what a truth commission is and why it matters. The International Center for Transitional Justice and the representatives of the Greensboro Truth Commissions were able

to provide valuable insight and training materials without which the Mississippi Truth Commission might not have been developed.

VII. Conclusion

While these findings shed light on the unique nature of civil-society based truth commission, they also generate further questions. For example, how are political openings generated such that mnemonic activists can leverage those political cleavages to pursue further efforts for racial reckoning? And if strong civil societies are essential for such racial reckoning, through what processes are strong civil societies created? Organized memory events offer one possible explanation to these questions. Organized memory events can help strengthen civil societies by mobilizing and consolidating mnemonic activism. Furthermore, they can create political openings by facilitating unique interactions between major political players that might not otherwise occur. As we can see in the Philadelphia, Mississippi, case, the 40th anniversary commemoration in 2004 created a unique opportunity for mnemonic activists from the city and across the state to create a collective identity, and develop common goals, which began a chain of events (including the Killen Trial) that helped cultivate stronger civil society actors with more clearly articulated aims and a political climate more favorable to change. But not all organized memory events provoke such institutional social change.

To better understand when and how commemorations have transformative consequences, in the next chapter I explore the differences between two memory events with variable outcomes – the 25th and 40th anniversary commemorations of the 1964 murders in Philadelphia, Mississippi.

Chapter 6

The Transformative Capacity of Commemorating Violent Pasts: Comparing the 1989 and 2004 Commemorations

I'm not saying we've ought to know where we've been and where we ought to be. I'm just saying we shouldn't let it stand between us, because what we are, are members of each other. All of us. Everything. And the difference isn't in who is a member and who isn't, but who knows it and who doesn't.

- Susan Glisson quoting Wendell Berrey (2004)

I. Introduction

In the previous three chapters, I have traced the pathways connecting the 2004 commemoration to three racially significant institutional transformations: the prosecution of Edgar Ray Killen, the civil rights education bill (SB2718), and the Mississippi Truth Commission. Although not the specific focus of these chapters, the underlying question driving my inquiry is this: had the 2004 commemoration in Philadelphia, Mississippi, *not* taken place, would the Killen trial, education bill, and truth commission still have occurred? At this stage, my hypothesis is that the answer to this counterfactual question is no. But examining this question carefully is the focus of this chapter. This is not to suggest that the 2004 commemoration was the only cause of these three transformations. On the contrary, each was undoubtedly the result of a confluence of factors (e.g. for the Killen trial – a history of institutional racism in the criminal justice system; for the civil rights education bill – *Brown v. Board of Education* and a history of how the civil rights movement was denied and demonized

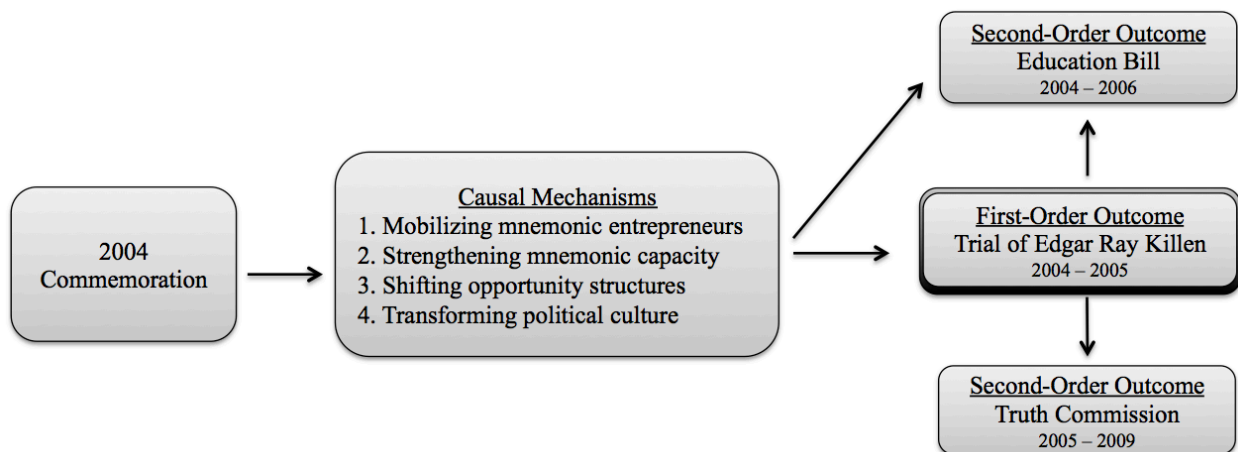
in textbooks; for the Mississippi Truth Commission – the emergence of transitional justice as a field of practice). Without the 2004 commemoration these developments may not have congealed as significant institutional transformations. In other words, I suggest that the 2004 commemoration was a necessary – albeit not sufficient by itself – cause of the Killen trial, education bill, and truth commission.

Exactly how the 2004 commemoration is causally related to each of these transformations is different in each case. In Chapter 3, I demonstrated that the 2004 commemoration enabled the Killen trial by mobilizing a new generation of mnemonic entrepreneurs, strengthening Philadelphia’s mnemonic capacity, shifting the opportunity structure, and transforming the local political culture. In Chapter 4, I illuminated how these same factors contributed to the civil rights education bill but with one notable exception. The Killen trial, in this instance, also helped to reconfigure political opportunities across the state thereby helping to generate a political environment where, what began as a local movement, could achieve institutional change on the state level. Finally in Chapter 5, I demonstrated how the Mississippi Truth Commission emerged from responses to the Killen trial in conjunction with a growing international network of transitional justice scholars and practitioners.

Given these findings, the three transformations can be understood as two types of outcomes: *first-order outcomes* where causal arrows can be drawn directly between the commemoration and the outcome of interest (i.e. the Killen trial), and *second-order outcomes*, which are mediated by first order outcomes (i.e. the education bill and truth commission). By logical extension, the mechanisms generating first-order outcomes also create the conditions of possibility for second-order outcomes. For the purpose of this chapter I focus on first-order outcomes and their causal mechanisms (i.e. mobilizing mnemonic entrepreneurs, strengthening mnemonic capacity, shifting opportunity structures, and transforming political culture) that,

when taken together, constitute a framework for understanding the transformative capacity of commemorating violent pasts (Figure 6.1). To test the robustness of this framework, I compare the 2004 anniversary commemoration to a seemingly similar community-wide commemoration in 1989 that did not engender such transformations. In doing so, I am able to explore what factors, if any, were present in 2004 -- but not in 1989 -- that enabled the 2004 commemoration to have transformative consequences.

Figure 6.1 First and Second-Order Outcomes of 2004 Commemoration



As I discuss at greater length in Chapter 2, the 25th and 40th anniversary commemorations were similarly rare moments of community-wide acknowledgment in a city characterized by silence and denial surrounding the murders. Only twice had the commemorations been acknowledged within Philadelphia’s dominant public sphere, despite annual commemoration services at Mt. Zion United Methodist Church located in Longdale, a rural African American neighborhood on the outskirts of town. This first commemoration took place in 1989 when an interracial coalition of local citizens, with assistance from Philadelphia, Pennsylvania, organized the first community-wide commemoration service acknowledging the

murders. Over one thousand visitors, including the governor of Mississippi, notable civil rights movement veterans, and representatives of the victims' families, attended the two-day event, which attracted significant national media attention. For many, the commemoration seemed to suggest that Philadelphia, Mississippi, was beginning to come to terms with its violent past.

That reckoning, however, would be short-lived. To the dismay of many who had been involved in planning the commemoration, Philadelphia returned to its pre-1989 state. Philadelphia's African American counter public continued to commemorate the murders annually while they remained largely unacknowledged in Philadelphia's dominant public sphere. It was not until 2004 that another interracial coalition of local citizens, this time with assistance from the newly formed William Winter Institute for Racial Reconciliation, organized another community-wide commemoration. Again, the governor of Mississippi attended, along with notable civil rights veterans and representatives of the victims' families; again the event received extensive national news coverage. In contrast to the earlier commemoration, the 40th anniversary appeared to transform how the city of Philadelphia – and even the state of Mississippi – reckoned with its history of racial violence.

The 1989 commemoration thus represents a “negative case.” That is, it is reasonable to consider that the 1989 commemoration could have facilitated racially significant institutional transformations but did not ultimately do so. The 25th and 40th anniversary commemorations in Philadelphia, Mississippi, thus present an interesting point of comparison. Despite the fact that both commemorations had many similarities (e.g. were organized by interracial coalitions of local citizens, supported by the city and state government, had sufficient resources, received substantial local, state, and national press coverage, and included the participation of the victims' families), the 1989 commemoration generated further silence and denial whereas the

2004 commemoration facilitated a number of significant institutional transformations (see Table 6.1).

Table 6.1 Comparing 1989 and 2004

Potential Explanatory Variables	1989	2004
Organized by interracial coalition of local citizens	✓	✓
Supported by city and state government	✓	✓
Received local, state, and national media attention	✓	✓
Had access to sufficient financial resources	✓	✓
Participation of victims' families	✓	✓
Differences?		✓
Outcomes	Silence/Denial	Racially-rooted Institutional Transformations

To structure this comparison, I employ a comparative methodology inspired by a Millian “Method of Difference.”²⁸ Whereas a strict application of a Millian method requires that both cases are independent, I recognize that these two commemorations, which took place in the city and involved some of the same actors, are sequentially related such that the former influenced the later. I thus use the Millian “Method of Difference” as a helpful heuristic to untangle critical differences between the two commemorations while also taking these complexities into consideration. But before conducting this comparison, I address some competing hypotheses, namely, shifting political environments, changing norms, and cohort replacement.

²⁸ To conduct Mill’s “Method of Difference,” researchers identify two or more cases with different outcomes and only one difference among relevant independent variables (see Mill (1970 [1888]:206; Skocpol 1976; Skocpol and Somers 1980)

II. Local, State, and National Factors: What changed and what didn't?

Changing Political Environments

The literature on social movements has long demonstrated that political environments both enable and constraint possibilities for social change. Social movements, including memory movements, are more likely to achieve their goal when sympathizers are in positions of political power, when they gain access to other elites who can help advance their goals, and when state actors are less able or willing to repress dissent to the status quo (Kubal and Becerra 2014). While one might expect that the political environment in 2004 would be more amenable to commemorations of the 1964 murders than in 1989, data suggests that the opposite is true. Between 1989 and 2004 the political environments at the local level remained relatively stable while the political environment at the state and national levels became more conservative.

Despite a fifteen-year gap between the first community-wide commemoration in 1989 and the second in 2004, the local political environment in Philadelphia remained remarkably steady. In both 1989 and 2004, Philadelphia's mayor was a conservative white Democrat -- a legacy of the one-party South (Key 1996[1949]). Moreover, the racial composition of the city and county's elected officials remained relatively unchanged, despite a growing black electorate (see Table 6.2). In 1989, Philadelphia's African American population constituted 28.5 percent of Philadelphia's total population, but by 2004, this percentage had increased to 39.5 percent. The racial distribution of voters citywide is less significant for voting outcomes than the racial distribution within voting districts. Philadelphia had no majority black voting districts until after the 1989 commemoration, which accounts for the one additional African American elected official on the County Board of Supervisors in 2004.

Table 6.2 Leadership in Philadelphia, Mississippi, by Race and Year

	1964	1989	2004
Population			
Black	1,596 (31.8%)	1,832 (28.5%)	2,930 (39.5%)
White	3,406 (67.9%)	4,447 (69.2%)	4,056 (54.7%)
Other	15 (0.3%)	155* (2.3%)	427* (5.8%)
City Governing Board			
Black	0	1	1
White	6	5	5
Other	0	0	0
County Supervisors			
Black	0	0	1
White	5	5	4
Other	0	0	0
Chamber of Commerce			
Black	N/A	1	1
White	N/A	16	16
Other	N/A	1	1
School Board			
Black	0	1	1
White	5	4	4
Other	0	0	0

*includes American Indians

** Data from 1964 and 1989 comes from an article on Philadelphia in the *Clarion Ledger* (June 18, 1989, p. 2H).

*** Data for population in 2004 comes from the 2000 census. The remainder of the data from 2004 was collected from archival documents.

In addition to the racial composition of Philadelphia's elected officials, the perception of risk for participating in certain political activities is another way to evaluate the political environment. In the absence of systematic attitudinal data from 1989 and 2004, reflections of Philadelphian citizens demonstrate a pervasive fear of retaliation in both 1989 and 2004.

R: Back to the '89... I know there's a lot of people that didn't go [to the commemoration] because...they didn't want to get involved where there might be some fights or shootings. 'Cause you get that many people in a small confined area...

CW: So people in '89 thought violence could happen?

R: Yeah... I mean, you know it was the first time the white community had come out and said we're going to in a more open way recognize 1964. And so I can just think that there were people sayin', 'y'all are crazy. Why do you all want to do that, you know?' (interview, April 3, 2013).

This same fear existed in 2004. The night before the 40th anniversary commemoration in 2004, police swept the Neshoba County Coliseum where part of the program would be held with bomb-sniffing dogs, ostensibly to ensure the safety of those participating in the commemoration. Furthermore, months after the 2004 commemoration, threats of violence in Philadelphia remained. As in 1989 when Dick Molpus, the first elected official to publicly apologize for the murders, received death threats following his public apology, in 2004 a member of the Philadelphia Coalition received similar threats and was assigned personal police protection throughout the Killen trial. During the trial, Philadelphia's courthouse lawn was inundated with reporters and other spectators who were either less aware of, or less deterred by, potential risks, again most of them from out-of-town. A Philadelphia resident recalled that during the Killen trial, "[a] lot of people were nervous so they just stayed away" (interview, April 3, 2013).

During the same time period, the political environment throughout the state grew even less sympathetic towards commemorative efforts of civil rights era violence. In 1989, the state government was awash with young, idealistic, reform-minded politicians who had been elected

to Mississippi's most powerful political offices (state auditor, secretary of state, state treasurer, and governor). Referred to as the "Boys of Spring" or "Mississippi's Camelot," these young politicians had come of age during the civil rights movement, spent a significant amount of time outside of Mississippi, and promised to "unravel the status quo" (Boyer 1988). In 1987, Mississippi elected thirty-nine year old Ray Mabus as their governor. A Harvard educated lawyer intent on reform, Mabus had been elected on a platform of "basic, drastic change." He promised Mississippi voters that he would replace the Mississippi constitution – which hadn't been changed since 1890 – and institute immediate pay raises for Mississippi's teachers. "There's a real spirit of change this time," writer Eudora Welty said in a 1988 *New York Time Magazine* cover article on "The Yuppies of Mississippi." "It's so different from I was growing up, when they said, 'We'll change, but only because we're being forced to.' This is change that is real, and intended" (Boyer 1988: n.p.).

Demonstrating his commitment to racial reconciliation efforts, Governor Mabus cancelled a trip to Paris to ensure he would be present at the 25th anniversary commemoration (Gammage 1989). At the 1989 commemoration Governor Mabus delivered a passionate speech honoring the lives and the sacrifice of James Chaney, Andrew Goodman, and Michael Schwerner. Drawing on the civil rights movement for inspiration Mabus proclaimed, "We recognize the truth of Martin Luther King's warning that injustice anywhere threatens justice everywhere. And we understand that poverty anywhere threatens prosperity everywhere and that ignorance anywhere threatens enlightenment everywhere." In closing, Mabus revealed his liberal sympathies when quoting the African American hymnal *Lift Every Voice and Sing*: "Fueled by our faith, sustained by our hope, our struggle has just begun. Facing the rising sun of a new day, just begun. Let us march on, march on until victory is won" (Mabus 1989:5-6).

The commemoration organizers received Mabus more warmly than they did Barbour in 2004. While Barbour did attend the 40th anniversary commemoration in 2004, he did not notify organizers until the day of the event. Many civil rights veterans, as well as some members of the Philadelphia Coalition, were less than enthusiastic about Barbour's participation given his dubious record on civil rights and race related issues. Following the 2004 commemoration, Ben Chaney, the brother of one of the murdered civil rights workers, criticized Barbour for wearing a confederate flag on his lapel. Barbour's response was that if Chaney didn't like it, "tough" (Fleming 2005). Additionally in 2001, Barbour had resisted efforts to remove the Confederate symbol as part of the Mississippi state flag. He had also unapologetically attended meetings of the Council of Conservative Citizens, the known successors to the White Citizens Councils that had been formed in the wake of *Brown v. Board* to resist integration across the state. If the state-level political environment had any direct bearing on a local commemorations transformative potential, 1989 would have been more favorable to reform than 2004.

The same is true for the national political environment. The 25th anniversary commemoration of the 1964 murders received more attention from national political actors in 1989 than in 2004. Most notably, in 1989 President George H. Bush released a statement calling James Chaney, Andrew Goodman, and Michael Schwerner "heroes" and describing their sacrifice as an effort "to guarantee one of democracy's most basic civil rights – the right to vote – for all Americans." "We can erect no greater monument to their memory," Bush continued, "than to ensure that the arrogance and bigotry that took their lives never again exists in America" (AP 1989, June 25). In addition, President George H.W. Bush met personally with family members of Chaney, Goodman, and Schwerner, although this turned out to be a contentious meeting when Rita Schwerner challenged the President to provide stronger federal

support for voter registration efforts and new laws to restore affirmative action politics that had been struck down by the Supreme Court (Lauter 1989).

Also in 1989, Mississippi Representative Mike Espy introduced a bill to the House of Representatives declaring “the lives and resultant deaths of James Chaney, Andrew Goodman, and Michael Schwerner have come to symbolize the dream of brotherhood and sisterhood among citizens of this nation from all races, religions, and ethnic backgrounds” and designating June 21 as “Chaney, Goodman and Schwerner Day” (Associated Press 1989, June 27). The bill easily passed the House and Senate, but both Mississippi Senators, Thad Cochran and Trent Lott, declined to endorse the bill. Mississippians opinions about their Senators failure to sign the legislation was varied, but an editorial in the *Commercial Dispatch* represents the dominant support of the senators’ abstention:

“We’re worried.

The Congress is going to have a stiff neck from looking back.

They have passed a resolution honoring the three self-appointed civil right workers who lost their lives in Philadelphia, Miss. a quarter century ago.

In the best interest of all concerned Mississippi’s two senators politely refused to endorse the resolution because it is a dead and buried chapter in the history of our state.

Everyone naturally regrets loss of life, whomever it might be.

We join in the sadness of death even if it was three trouble seekers and attention graspers who came to the state.

The incident is a dead and buried issue. Why not leave it at that?

If the Congress isn’t careful it’s going to end up with a pain the neck looking backward.

We commend our two senators for doing what is best for all of us – looking ahead to the future” (“Danger: Pain in the Neck”, July 2, 1989).

In 2004, the attitudes of Mississippi’s senators towards such initiatives had not changed. Just before the 2004 commemoration, Congress passed a bill apologizing for their failure to enact anti-lynching legislation during the 20th century. As in 1989, both Mississippi senators (still Cochran and Lott) abstained from supporting the bill. Their abstention gained the notice of national media in light of the fact that more lynchings occurred in Mississippi than any other state (581, according to *The Clarion Ledger*; see Radelat 2005). Furthermore, Senator Cochran had previously signed apologies to both Japanese-Americans for their internment during World War II and American Indians for mistreatment by the American government (“Cochran and Lott: Sign on Now” 2005).

In sum, the local, state, and national political environments in 1989 was actually more amenable to commemorative efforts of civil rights era violence than in 2004, which is to say that the local, state, and national political climates were not particularly sympathetic to such commemorative activities. Consequently, the political environment can not explain why the 2004 commemoration was able to have transformative consequences.

Changing Cohorts, Changing Norms

As the political environments at the state and national levels grew more conservative between 1989 and 2004, other changes occurred as well. For example, by 2004 Mississippi’s adult population encompassed a cohort that, for the first time in the state’s history, had attended integrated public schools for their entire primary education. Furthermore, this cohort had no first-hand memories of Mississippi before the civil rights movement. This cohort, according to prevailing sociological theories on generational effects (Manheim 1952), would be

expected to have distinct collective memories (Schuman and Scott 1989; Griffin 2004), racial attitudes (Schuman et al 1985; Gibson 2004, Griffin and Bollen 2009), and political behavior (Harris 2002, 2007). Given this generational imprinting, cohort replacement offers a powerful explanation for social change (Ryder 1965). This theory suggests that as earlier-born, more-conservative cohorts are replaced by later-born, less-conservative cohorts, a society becomes less conservative despite individual-level attitudinal change (Firebaugh and Davis 1988).

But while scholars have explained shifting racial attitudes in the American South as the result of cohort replacement (Schuman et al 1985), this theory cannot entirely explain how and why racial attitudes have become more liberal in the region. Other factors, such as in-migration from a non-Southern population who tended to hold more racially liberal views, are relevant as well. Moreover, the rapid change in southern racial attitudes that occurred around 1970 cannot be explained by cohort replacement. Legal changes that took place in the 1960s undoubtedly altered patterns of social interaction in the region and, consequently, racial attitudes, which suggests according to Griffin and Hartis (2008:119) that “stateways can indeed change folkways.”

Despite the multitude of factors contributing to change attitudes on race, many participants and observers of the 2004 commemoration explained the 2004 commemoration’s “success” with cohort replacement arguments. For example, Philadelphia’s local newspaper, *The Neshoba Democrat*, argued in 2004, “[t]he reconciliation movement required leadership of a new generation, those unencumbered by denial and other residual effects of being raised in a once segregationist society” (“A Different Neshoba County,” 2004). Similarly, Stanley Dearman, longtime editor of the *Neshoba Democrat*, observed in 2004, “[m]any of the younger members [of the Philadelphia Coalition] are part of a different generation from that of 1964. These young people are very socially aware and feel strongly about what they are doing to observe

the anniversary and honor the lives of Chaney, Schwerner and Goodman. And furthermore, they don't care who knows it" (Salter 2004). These quotations demonstrate that key actors in the 2004 commemoration understood cohort effects as part of what enabled the 2004 commemoration to be transformative.

Certainly, a large percentage of the Philadelphia Coalition participants were members of a distinct cohort that came of age after integration, but similar cohort replacements arguments had also been made in 1989. The success of young, liberal politicians in Mississippi throughout the 1980s (e.g. Mabus, Molpus, etc.) was understood as the result of "a maturing baby boom generation, which came of age during and immediately after the civil rights movement and witnessed close at hand the integration crisis" (Boyer 1989). According to one Mississippi baby boomer, "[t]he lessons that were learned in the 60's, we learned a little better than most people" (quoted in Boyer 1989). So while cohort replacement might partially explain why the racial attitudes of Mississippians in 2004 were more amenable to institutional change, a cohort replacement explanation -- which was also present in 1989 -- cannot entirely explain when and how the 2004 commemoration had transformative consequences.

In addition to changing cohorts, the norms around truth-telling shifted dramatically beginning in the early 1990s. Victims of systematic violence and discrimination have long demanded contrition, accountability, and acknowledgement for past wrongdoing, but what changed was the degree to which perpetrators engaged these demands as morally valid claims. This "potentially new international morality" (Barkan 2001:ix) is evident in the global proliferation of official apologies (Nobles 2008), truth commissions (Dancy et al 2010; Hayner 2011), and the "right to truth" as a legal concept at the national, regional, and international levels (Naqvi 2006).

Since the early 1990s, the proliferation of these truth-seeking mechanisms has crystalized as the field of “transitional justice,” an international field of inquiry, analysis, and practice (Teitel 2008). Transitional justice, originally conceptualized to “account for the self-conscious constructing of a distinctive conception of justice associated with periods of racial political change following past oppressive rule,” constituted a global epistemic community by the late 1990s, largely as a result of the enthusiasm surrounding the South African Truth and Reconciliation (Teitel 2008:1, see also Krueger 2012 and Hirsch 2009). In 2000, the International Center for Transitional Justice (ICTJ) opened its doors in New York City creating an epicenter for transitional justice work worldwide and helping to generate a global network of truth-seeking experts.

The United States was not immune to this global normative shift. By the late 1990s, President Clinton had initiated efforts to reckon with the country’s history of slavery and racism. In 1997, President Clinton issued an official apology for the Tuskegee syphilis experiments on African American men and initiated a nationwide “conversation on race” through his “One America Initiative” (Harter et al 2010; Lawson 2009). Sponsored by the President’s initiative, cities throughout the country hosted town hall meetings, including Oxford, Mississippi, home to Mississippi’s flagship university infamous for its staunch resistance to integration in 1962. Out of an effort to continue the work the presidential commission, the William Winter Institute for Racial Reconciliation (WWIRR) was founded at the University of Mississippi in 1999. The WWIRR was just one of a number of organizations established during this time period with a mission to support local racial reconciliation efforts. To support these efforts the Joint Center for Political and Economic Studies, a Washington-based think tank focused on issues affecting African Americans, operated an online network

(NABRE) between 2000 and 2003 to enable these organizations to communicate and coordinate (Wenger 2009).

But again, while changing global norms partially explains why the 40th anniversary commemoration in 2004 was able to facilitate racially significant institutional change, it cannot explain exactly how that process took place or why it unfolded when and how it did.

Comparing the 1989 and 2004 commemorations remains an important theoretical endeavor in order to explore what, if any, attributes of the commemoration itself contribute to its transformative capacity.

III. Comparing the 1989 and 2004 Commemorations

In the previous chapters my analysis of the causal relationship between the 2004 mechanisms and first-order outcomes coalesced around four causal mechanisms: mobilizing mnemonic entrepreneurs; strengthening mnemonic capacity; shifting political opportunities; and transforming the local political culture. These mechanisms, as the processes or pathways connecting the hypothesized cause (the 2004 commemoration) to the institutional outcomes of interest, represent a framework through which to evaluate the transformative capacity of events commemorating violent pasts. In what follows, I compare and contrast the 1989 and 2004 commemorations along these four dimensions (see Table 6.3) to determine what, if any, factors were present in 2004 – but not in 1989 – that enabled the 2004 commemoration to have transformative consequences.

Table 6.3 Causal Mechanisms for First-Order Outcomes

Causal Mechanism	1989	2004
1. Mobilized mnemonic entrepreneurs	✓	✓
2. Strengthened the city's mnemonic capacity		✓
3. Shifted opportunity structures		✓
4. Transformed local political culture		✓

Mobilizing Mnemonic Entrepreneurs

Only one of the causal mechanisms I have identified appeared in both 1989 and 2004 -- the mobilization of mnemonic entrepreneurs – which comes as no surprise given that mnemonic entrepreneurs are a pre-requisite for commemorations. Commemorative events, after all, could not emerge without mnemonic entrepreneurs to spearhead organizing efforts. But not all mnemonic entrepreneurs share the same characteristics, nor are mnemonic entrepreneurs necessarily mobilized in the same way.

My data suggests that there were significant qualitative differences in how mnemonic entrepreneurs were mobilized in 1989 and 2004. In each instance, local leaders convened commemoration-planning committees in response to reputational concerns. Locals expected these “big” anniversaries (the 25th and the 40th) to attract thousands of visitors to Philadelphia thus presenting an organizational and reputational dilemma. If Philadelphia wanted to change the national narrative surrounding the murders and their community in 1989, and again in 2004, a city-wide commemoration service offered a unique opportunity to reframe the conversation.

But while interracial community coalitions had organized both the 25th and 40th anniversary commemorations, local leaders in Philadelphia’s African American community were largely skeptical of motivations behind the 1989 event. Local African American activists Reverend

Clint Collier believed that the 1989 commemoration was not genuine. “It’s sort of like the movie ‘Mississippi Burning,’ he said. “It’s a fakish act designed to make people believe that not much happened” (quoted in Blake 1989:5). Likewise, longtime resident and vice president of the NAACP Nettie Moore was also critical of the organizers intentions in 1989, “I think they are trying to put on a front. They want to get a positive image from the press,” she said. “You’ve got some who wholeheartedly feel that something like this is long past due, but there are a lot who are saying, ‘Let’s just get this over with’” (quoted in Barrientos 1989:A05). These two quotations are indicative of the feelings of many local African American in 1989 who believed African Americans were merely token members of the commemoration planning committee. As a result, the 1989 commemoration never had the support of key members of Philadelphia’s African American counterpublic.²⁹

In contrast, the 2004 commemoration planning committee was co-chaired by the local President of the NAACP, Leroy Clemons. From the very beginning, Clemons and fellow co-chair Jim Prince conceptualized the commemoration as an interracial project. Clemons (interview May 15, 2013) recalls one of his first conversations with Prince about the commemoration:

[W]e said let’s do a memorial service but let’s make it a community wide memorial service. And so we came together, he and I, and we talked about who we needed to have at the table to plan this thing and one of the first things we said is we need the members of Mount Zion who have been carryin’ on this service for 39 years by themselves. We need them at the table first. Then we reached out the people that were from California, from New York that had been comin’ together every year and asked them if they would

²⁹ Similar accusations of tokenism were made in 2004, but largely from individuals who lived outside Philadelphia.

be a part of it, and then we went about the city askin' and recruitin' people from different areas of the city, different parts, different positions in the city sayin' we would like you to be a part of helpin' us to plan this.

In addition to engaging diverse stakeholders in the planning process, especially members of Mt. Zion who had hosted the commemoration annually since 1964, the 2004 Co-Chairs recognized the importance of having a planning committee that represented Philadelphians' diverse identities. "I think the 40-year [commemoration] was better planned," reflected one white Philadelphia resident who had helped organize both the 1989 and 2004 commemorations. "It had all three cultures -- white, Choctaw, and African American -- involvement. Not just being on the committee but *involvement*. I don't think we had much of that [in 1989]" (interview April 3, 2013). So with an intentionally interracial planning committee, including meaningful interracial leadership, and the support of Philadelphia's African American counterpublic the 2004 planning committee garnered greater legitimacy in Philadelphia and across the state.

The mnemonic entrepreneurs mobilized as part of both commemorations also differed in how they understood their mandate. A Philadelphia resident who participated in both commemorations described the 1989 mandate as confined to planning the commemoration alone: "I would say that people who go together to plan [the 1989 commemoration]...were there for that purpose. That was there purpose and nothing else" (interview, March, 22, 2013). Another Philadelphia resident also involved in both commemorations insisted that in 1989, "we were planning an event...it could have been a festival" (interview April 3, 2014). A third participant in both planning processes maintained that "in '89 the purpose was to bring some closure to the victims" (interview, April 24, 2013) And by victims, this respondent referred to "the people who got killed and their families," but also the descendants of the perpetrators who "had nothing to do with it but it's on their backs the rest of their lives even though they weren't

born” (ibid). In sum, holding the 1989 commemoration had been the ultimate end goal, with the added hope of bringing peace of mind to victims broadly conceived.

In contrast, the mnemonic entrepreneurs in 2004 were more future-oriented. This may have been partially a result of the cohort composition of the 2004 planning committee. Over half the participants were born *after* the civil rights movement and had no first hand memories from this time. But the group’s leaders also intentionally cultivated this future-oriented approach. The leaders in 2004 advanced a message that the commemoration could be a “means to an end,” and those who participated would be responsible for deciding what that “end” would be. “The first [planning committee meeting] I went to,” recalled a 2004 participant, “we just wrote down what we each hoped to accomplish and ... shifting through some of the responses and it was obvious... that then we need to do it. So we set about to do a lot of things” (interview, April 24, 2013). Archival notes from that meeting reveal that the participants of the planning committee actually had a number of goals in addition to hosting the commemoration service. These included constructing public memorials, pursuing justice for the murders, teaching tolerance to children, and creating racially integrated youth programs among other things.

In sum, the qualitative differences in how mnemonic entrepreneurs were mobilized in 2004 is twofold: first, the leadership of the 2004 commemoration planning committee was more intentional about creating a group that more accurately represented the Philadelphia population as a whole, which helped to generate legitimacy. Second, the 2004 leaders engaged participants in a way that invited them to think about their mandate broadly. As a result, the 2004 commemoration planning committee was more future-oriented than in 1989. Put simply, entertaining the possibility that a commemoration could launch other activities appears to improve the transformative capacity of a commemoration.

Strengthening Mnemonic Capacity

Like mnemonic entrepreneurship, mnemonic capacity is necessary for commemorations to emerge. That is, commemorations require mnemonic entrepreneurs who are organized and have access to sufficient resources, both material and non-material. This refers to a community's mnemonic capacity *before* a commemoration. I, on the other hand, am interested in whether and how commemorations strengthen a community's mnemonic capacity. In other words, did the commemoration help to make the community's mnemonic capacity stronger than before the commemoration, and if so, how?

In 1989, the commemoration did not leave Philadelphia's mnemonic capacity stronger than before. The 1989 commemoration planning committee disbanded after their goal was achieved (i.e. hosting the 25th anniversary commemoration), and the "Philadelphia to Philadelphia" project ended when their allies returned to Pennsylvania. "There was no residual," recalled 1989 planning committee member Steve Wilkerson, "It wasn't like we met after and people were talking about what a good thing [the commemoration] was...I think people thought there would be more" (interview, April 3, 2013). Despite ambitions that the 1989 commemoration could provoke additional reconciliatory efforts, the organizational structure and resources that had enabled the commemoration collapsed almost immediately.

Conversely, the commemoration planning committee continued to meet after the commemoration in 2004. The process of planning and executing the 2004 commemoration appeared to have strengthened Philadelphia's mnemonic capacity, but how? In 2004, the commemoration planning committee participated in facilitated dialogues mediated by a "racial reconciliation expert," Susan Glisson, the Director of the William Winter Institute for Racial Reconciliation, which helped cultivate solidarity amongst group members. These mediated discussions marked the first time many of the participants had openly discussed personal

experiences of race in an interracial setting, even amongst those who had helped organize the 1989 commemoration. The comments of the participants, which were recorded in 2004, describe the dialogues as “emotionally draining yet cleansing” (“Community leaders to issue a call for justice in 1964 civil rights slayings” 2004:1A.). “In there we’re open,” said Ta’Shia Shannon, “We express our feelings and I think we’ve come to realize although we may have ethnic differences we can come together for a common purpose. I think we’ve found a new kind of love and respect for each other” (ibid). A local white business-owner concurred. “It’s just so interesting that most of us, being from different backgrounds racially and generationally, how we felt so much of the same thing. It’s really been a bonding and therapeutic experience for me” (ibid).

Some Philadelphia Coalition members also noted moments of friction, “[n]ow, don’t get me wrong, there were some meetings that were not real pleasant. There was some yelling and screaming, “Everything can’t be good old buddy, you know?” (interview April 4, 2013). At these moments, having a dedicated racial-reconciliation practitioner on board proved to be particularly critical. The Director of the Winter Institute, Susan Glisson, helped guide the group through difficult, racially-charged conversations leading one coalition member to declare, “Well, you know, having Susan Glisson involved...It probably couldn’t have happened without her” (interview, April 3, 2013). As a result of “making it through” these challenging conversations, the 2004 commemoration task force forged meaningful relationships across traditional fault lines and emerged as a genuine coalition. That the group came to call themselves the Philadelphia Coalition should not be overlooked. The group that became the Philadelphia Coalition began merely as a commemoration planning task force. Only through engaging in facilitated dialogues and storytelling did the group develop a unique organizational identity as the Philadelphia Coalition.

The Winter Institute thus played a critical supporting role for the work of the coalition and remained committed to supporting racial reconciliation efforts in Philadelphia after the commemoration. At the Philadelphia Coalition “After Party” following the 2004 commemoration, Glisson reaffirmed the Winter Institute’s commitment, “I’ve been really pleased to see the membership that we’ve all come to recognize together in Philadelphia... and I’m not leaving,” Glisson said smiling, “until y’all kick me out,” after which laughter, applause, and a general sense of relief filled the room.³⁰

Having cultivated group solidarity and an organizational identity through facilitated conversations across racial, generational, and occupational boundaries, and with the continued support of institutional resources (via the WWIRR), Philadelphia, Mississippi, emerged from the commemoration with a solid organizational infrastructure from where to launch future projects. The Philadelphia Coalition continued to meet in the months following the commemoration to discuss other initiatives they might take on such as registering the murder site on the state’s historic registry, having Highway 16 renamed after Chaney, Schwerner, and Goodman, and integrating the collective memory of the murders within school curricula.

Shifting Opportunity Structures

As I discuss above, the political environment in Philadelphia and the state of Mississippi was not particularly sympathetic to commemorations of racial violence or the racially-rooted institutional transformations in 2004. But, unlike the 1989 commemoration, the 2004 commemoration was able to shift opportunity structures at the local and state level helping a

³⁰ This video clip can be viewed on the Winter Institute’s Vimeo site:

<https://vimeo.com/27776478>

number of racially significant transformations to take root. In 1989, then-Mississippi Governor Ray Mabus was committed to “basic, drastic, change,” including acknowledging Mississippi’s dubious civil rights record. Mabus’ presence at the 25th anniversary commemoration was therefore not particularly notable or newsworthy. If anything, his participation in the commemoration reaffirmed general perception of his liberal leanings and as a result did not shift opportunity structures.

When Governor Barbour’s attended the 40th anniversary in 2004, on the other hand, the media took note. A conservative Republican known for donning a confederate flag on his lapel, Barbour’s participation in the event contradicted prevailing understandings of the Governor’s political platform, so much so, that some members of the Philadelphia Coalition, civil rights veterans involved in the planning, and members of the victims’ families were vehemently opposed to the Governor participating in the commemoration, even refusing to share the same stage with him (interview May 13, 2013). The leadership of the Philadelphia Coalition, however, thought strategically about what Governor Barbour presence might convey at a symbolic level. “We had a bigger picture in mind,” reflects one of the coalition co-chairs. “We knew that the picture of [Barbour] being there sent a message all across the state that this was okay” (interview May 13, 2013). Sure enough, as Governor Barbour entered the stage on the day of the commemoration, the press captured him shaking hands with civil rights activists and senator John Lewis with Andrew Goodman’s mother, Carolyn Goodman, looking up at them from behind. The photograph of Barbour and Lewis shaking hands was the most reproduced photograph from the day appearing in in hundreds of news outlets across the country. A coalition member recalls how the photograph helped diminish opposition in the state.

[After] the picture that ran in the papers all the opposition in the papers just collapsed to what we were doing. We were facing a lot of opposition from conservatives. The

older conservatives who were like, 'y'all don't need to bring this up. You gotta leave this alone because its going to tear the state apart.' They saw the picture of the governor.... [and] it was like everything evaporated over night. There was no more opposition from the state, from the legislature, anyone that was basically in a position to stop us (interview May 15, 2013).

By the point the photograph of Barbour and Lewis was captured, the Philadelphia Coalition had already released a statement to the press calling for justice in the case of the 1964 murders. Political opposition to the Philadelphia Coalition was thus not only about the commemoration, but the pursuit of legal justice in the case. As it turned out, Governor Barbour's reluctant participation in the commemoration had the effect of diminishing opposition across the state, opening up space for a number of racially-rooted transformations to take place. The tacit support of the conservative governor was a crucial factor enabling such transformations to take place. We must also consider, moreover, the conditions under which the governor's tacit support became known across the state. The 2004 commemoration created a unique opportunity for political actors across a wide spectrum to interact, for those interactions to be publicized, and for opportunity structures to shift.

Transforming Local Political Culture

The final mechanisms connecting the 2004 commemoration with broader social change is the transformation of local political culture. A sympathetic opportunity structure without a political culture to support political action and social processes would not likely engender transformative institutional outcomes (on political culture see Somers 1995, 2008, Chapter 5; Berezin 1997). The ability for the 2004 commemoration to transform local political culture proved to be essential. But while the 2004 commemoration can be understood as a moment

where Philadelphians' exposure to the history and memory of 1964 was particularly dense, as we know it was not the first time Philadelphians were confronted with this past.

The 25th anniversary commemoration in 1989 marked the first time the murders had been acknowledged within Philadelphia's dominant public sphere, a terrain where silence and denial had long prevailed. Given the history of race relations in the community, some local residents, especially African Americans, were skeptical of the commemoration and the intentions of the organizers. In 1989 Dick Molpus' now famous public apology was met with apprehension. "I mean, we heard the apology," recalled a member of Philadelphia's African American community, "but it didn't resonate as being that big of a deal because, you know, he was a white man standing up and saying it, but he's the only one ... People didn't feel like they trusted it, even though today history has shown that he was sincere, but at that particular moment people in the community on either side didn't believe it was sincere" (interview April 13, 2013). This first attempt to puncture the longstanding conspiracy of silence was thus significant, but not ultimately transformative at the time.

While the 1989 commemoration, and in particular Molpus' apology, didn't have an immediate impact, Philadelphia Coalition members would later come to understand the apology as essential to their own success. In 2004, coalition member Fenton DeWeese credited Molpus' apology with helping create the conditions for later change: "...without the courage Dick showed in 1989, when unscripted he told the families of the murdered civil rights workers that 'I apologize' for what happened in his town and his state, well, I'm not sure that all of the rest would have happened" (Sugg 2009). Similarly, Stanley Dearman who had been the local newspaper editor for over 30 years and helped organize both commemorations remarked, "[i]t just seemed to me I personally felt the acceleration, the building up of something, you know, it was easier for people to discuss and I think what happened in '89 made it possible. It made what

happened at the 40th possible” (interview March 26, 2013). By puncturing Philadelphia’s prevailing silence, the 1989 was a first step towards fully dismantling the conspiracy of silence through institutional change.

Building on the 1989 commemoration, organizers in 2004 were intentional about preparing the community for the commemoration through press conferences, news coverage, and other forms of publicity. As a result, the local community had a more developed framework through which to make sense of the commemoration in 2004. When asked what the 2004 commemoration accomplished, one coalition member reflected,

R: Well, I think that the people that really matter finally understood that we need to admit, acknowledge, apologize again, and reconcile.

CW: Who were the people that really mattered?

R: I think the people that...not those on this side of the bell curve [the respondent draws his hands out to the side].

CW: So not the extremes.

R: Yeah, not the extremes on either side. Sort of the core, you know, Neshoba County people who get up and go to work with a wife and two kids, who if you got them alone without a tape recorder or a pen and pad and ask them to just ‘tell me how you feel,’ they’d really feel like [the murders were] the wrong thing to do. It was part of the times, yes. That’s no excuse ... and the only way we can heal is to admit (interview, April 3, 2013).

So along with the memory of the 1989 commemoration -- what Olick (1999) has referred to as the “memory of memory” or the “memory of commemoration” -- the substantial amount of news coverage about the murders in the succeeding years, especially surrounding the 2004 commemoration helped transform Philadelphia’s political culture in such a way that members

of Philadelphia's "core" no longer resisted local efforts to atone for the 1964 murders. As a result, the 2004 commemoration was able to be transformative at least in part because it was preceded by the 1989 commemoration.

IV. Theorizing the Transformative Capacity of Commemorations

Having compared the 25th anniversary commemoration in 1989 with the 40th anniversary in 2004, it is clear that there are a number of qualitative differences between the commemorations that explain why the latter was able to have transformative consequences. The three institutional outcomes I have examined in this study (the Killen trial, civil rights education bill, and Mississippi Truth Commission) cannot be entirely explained through cohort replacement arguments or arguments about changing norms that took root in the fifteen years between the two commemorations. A number of factors specific to how the 2004 commemoration was planned and enacted help explain the commemoration's causal relationship to these three racially-rooted institutional outcomes, which prior to 2004 would have been inconceivable.

First, the 2004 event was more meaningfully interracial than in 1989. Both commemorations had been organized by interracial coalitions with interracial leadership, but the interracial leadership of the 1989 commemoration had been merely symbolic. The fact that the 2004 project was born out a partnership between leaders in both Philadelphia's white and African American communities provided the commemoration with greater legitimacy. Furthermore, the leaders 2004 ensured that the coalition planning committee represented the population of Philadelphia as a whole and invited participants to think broadly about the groups mandate. Their primary objective was to organize the 40th anniversary commemoration, but they were invited to consider doing more as a group – and they did.

Second, the 2004 commemoration planning committee emerged from the event with a deeper sense of group solidarity and a unified organizational identity. The fact that they called themselves the Philadelphia Coalition is significant. The 1989 planning committee had no such name or collective identity and dismantled immediately following the commemoration. In 2004, on the other hand, dialogues facilitated and mediated by a racial reconciliation practitioner helped the coalition navigate difficult terrain, ultimately emerging from the commemoration planning process having had meaningful, sustained interactions with individuals from a different racial background. The process in which members of the Philadelphia Coalition engaged thus helped to strengthen the mnemonic capacity of the community as a whole.

Third, the leaders of the 2004 commemoration used the commemoration to create a political “moment.” By inviting high profile political actors (or even adversaries) to interact, the commemoration shifted political opportunities. Given the changing norms around truth-telling and accountability, the 2004 organizers demonstrated that a commemoration can “force the hand” of a political actor like Haley Barbour, who may not entirely support atoning for racial violence long past but who may also be reluctant to contradict such a pervasive norm.

Finally, we can see how the 2004 commemoration was able to transform local political culture through intentional efforts to cultivate publicity, as well as through the “memory of commemoration.” The 1989 commemoration begun the process of transforming the local political culture, but it took time for this change to accumulate and was intensified by the 2004 commemoration. This is good news for racial reconciliation practitioners whose initial efforts to commemorate difficult pasts in the hopes of facilitating broader change fall flat. It suggests that for commemorations to have transformative consequences there may need to be an accumulation of memory over time, and that this must coincide with the other factors highlighted by this study.

V. Conclusion

Not all commemorations have transformative consequences. In fact, most do not. That the 40th anniversary commemoration of the “Mississippi Burning” murders, as a commemoration that facilitated a number of racially significant institutional transformations thus presents a fascinating and important case for study. My analysis suggests that the way a commemoration is put together matters for its outcomes. When planning the 2004 commemoration the organizers deeply engaged Philadelphia’s historically African American counterpublic; created a more inclusive planning process by asking participants what they hoped to achieve in their community; and participated in purposeful dialogues that helped the group form a distinct organizational identity. Furthermore, commemoration organizers helped transform opportunities and the political culture through news coverage, press conferences, and other forms of publicity, and created a space where actors across the political spectrum could interact.

These findings could be translated into prescriptions for practitioners hoping to cultivate transformative commemorations in their own communities, but they remain speculative. They would benefit from comparative or larger N studies of commemorations and their varied consequences. In particular, future research might examine additional commemorations of difficult pasts in the United States, which took place during the 2000s after the global norm of “truth-telling” was firmly entrenched. To strengthen this framework, further future work should examine cases outside the United States or instances where the difficult pasts center around issues other than race.

Chapter 7

Conclusion: Fifty Years Forward

I. Introduction

In 2005, syndicated columnist William Raspberry described Mississippi as a “state of confusion.” “The symbol of racism and backwardness,” he wrote, “[is] arguably the state that is trying hardest to repair the damage wrought by racism” (June 21, 2005: A3). That characterization of Mississippi remains true ten years later. In 2015, Mississippi continues to be at the forefront of racial reconciliation efforts in the United States, serving as a model for other states seeking to reckon with racially charged pasts. Also in 2015, Mississippi is poised to consider a “Confederate Heritage” public referendum that, if passed, would establish April as “Confederate History Month” and require all public venues to play “Dixie” – a Confederate anthem with racist connotations -- immediately following the “Star Spangled Banner” (Ganucheau 2004:A3).³¹ Likewise, in 2015 the state-sponsored Mississippi Civil Rights Museum in Jackson nears completion, while civil rights memorials across the state continue to

³¹ The Confederate Heritage initiative would also make Christianity the official religion and English the official language of Mississippi.

be vandalized. The memorial plaque marking the murder site of Chaney, Schwerner, and Goodman alone has been shot at and stolen on multiple occasions.

In this dissertation I have explored the politics of memory through a case study of Philadelphia, Mississippi, and its efforts to confront the 1964 murders of three civil rights workers over the course of fifty years. I have investigated how the 40th anniversary commemoration in Philadelphia helped to facilitate a number of racially significant institutional transformations within the city and across the state. These include the 2005 prosecution and conviction of Edgar Ray Killen for his role in organizing the 1964 murders; the 2006 passage of SB2718, an education bill mandating that Mississippi schools implement civil and human rights curriculum at all grade levels; and the initiation of the Mississippi Truth Commission – all developments that have helped transform the cultural landscape of Mississippi over the last decade. These institutional transformations may not have been the only outcomes of the 2004 commemoration. I selected three to shed light on the theoretical questions motivating this study: when and how do commemorations of difficult pasts facilitate transformative social change?

If my analysis appears to suggest a steady march towards progress and racial inclusion, this concluding chapter should stand as a corrective. Progressive victories are often followed by conservative backlashes (Hirschman 1991). The 40th anniversary commemoration in Philadelphia and its subsequent institutional transformations are no different. After summarizing the study's key findings, in this final chapter I provide an update on the current status of the Killen conviction, the education bill, and the truth commission, each of which has faced challenges and resistance in recent years. I will then describe the local commemorative events since 2004, including the 50th anniversary in 2014 and how it can be understood within

the theoretical framework I have developed. Finally, I will suggest potential areas of future research.

II. Summary of Dissertation: Revisiting Methodologies and Findings

This dissertation was motivated by an interest in the consequences of commemorating difficult pasts. Over the past twenty years, commemorations of violent, traumatic, or otherwise difficult pasts have become an integral part of the transitional justice repertoire. Nation-states, local communities, and other collectivities have appeared to use commemorations as a strategy for “moving beyond” difficult pasts with greater frequency. Despite this proliferation, social scientists know little about whether, how, and under what circumstances commemorations facilitate social change. To explore these *motivating* questions regarding the transformative capacity of commemorating difficult pasts, this dissertation explored three specific *empirical* research questions, each requiring a different methodological approach: (1) How did the community-wide commemorations come to punctuate Philadelphia’s conspiracy of silence first in 1989, and then again in 2004?; (2) Are, and if so, how are the Killen trial, civil rights education bill, and Mississippi Truth Commission causally attributable to the 2004 commemoration?; and (3) What factors were present in 2004 and not in 1989 that enabled the 2004 commemoration to have transformative consequences? By using a methodology best-suited to each empirical questions’ explanatory objective, I aimed to shed light on the consequences of commemorating difficult pasts and the circumstances under which such commemorations can be transformative (see Table 7.1).

Before exploring the consequences of the local commemorations, Chapter 2 examined how Philadelphia has commemorated the 1964 murders historically and suggested that Philadelphia can be understood as having two separate and parallel mnemonic trajectories.

Table 7.1. Methodology and Findings by Chapter

Chapter	Question	Method	What it explained
2	How did the community-wide commemorations come to punctuate Philadelphia's conspiracy of silence first in 1989, and then again in 2004?	ESA; Comparison	The 1989 and 2004 commemorations were able to transform countermemory to collective memory because there was: 1. commemorability 2. mnemonic capacity 3. outside/national pressure 4. interest convergence
3	Are, and if so, <i>how</i> are the Killen trial (Ch. 3), civil rights education bill (Ch.4), and truth commission (Ch.5) causally attributable to the 2004 commemoration?	ESA	The 2004 commemoration: 1. mobilized new mnemonic entrepreneurs 2. strengthened the communities mnemonic capacity 3. shifted opportunity structures 4. transformed political culture
4			Same as Ch. 3, but the Killen trial further catalyzed these processes.
5			Same as Ch. 3, but the Killen trial further catalyzed these processes.
6	What factors were present in 2004 and <i>not</i> in 1989 that enabled the 2004 commemoration to have transformative consequences?	Comparison inspired by "Method of Difference"; i.e. evaluating "robustness" of previous findings	1989 and 2004 shared 1 factor identified in Chapters 3, 4, and 5, but the other 3 were only present in 2004 thus explaining why the 2004 commemoration had more social potency in terms of change initiatives.

While Philadelphia's African American community had hosted annual commemoration services every year since 1964, Philadelphia's dominant (white) public sphere remained silent on the issue. Only twice in the forty years following the murders did community-wide commemorations puncture Philadelphia's dominant silence—in 1989 and 2004 for the 25th and 40th anniversaries, respectively. The 1989 and 2004 commemorations thus represent two distinct silence-breaking commemorations whereby the previously silenced counter-memory became – however momentarily – Philadelphia's collective memory.

Given the history of silence and denial in Philadelphia's dominant public sphere, these two commemorations required explanation. By reconstructing and comparing the event structure of the 25th and 40th anniversary commemorations, Chapter 2 argued that commemorability and mnemonic capacity – both factors known to facilitate commemorations of difficult pasts – are necessary, but not sufficient, factors to explain how these commemorations emerged. I then identified two additional criteria that were necessary for these commemorations to have publicly acknowledged long-silenced pasts. First, national forces placed pressure on Philadelphia to acknowledge its silenced past. Second, silence-breaking commemoration in Philadelphia required that the interests of those previously for and those against acknowledgement converge. Thus, these findings suggested that the challenges to commemorating silenced pasts are formidable and arguably more extreme than commemorations of merely difficult pasts.

Having examined how the silence-breaking commemorations in 1989 and 2004 emerged, I then explored and compared the outcomes of these commemorations. While the 1989 commemoration provoked further silence, the 2004 commemoration appeared to be a structure-transforming event (Sewell 1996). In other words, it appeared to have generated the three racially significant institutional transformations (i.e. the Killen trial, civil rights education

bill, and Mississippi Truth Commission). Understanding whether and how the three transformations were causally related to the 2004 commemoration was the objective of Chapters 3, 4, and 5. In these chapters, I used event structure analysis to reconstruct the pathways connecting the 2004 commemoration with each outcome. In doing so, I identified which sub-events were essential for each transformation to emerge by establishing the counterfactual linkages between them. Then, having unearthed the event structure of each transformation I was able to inductively analyze the critical points in the ESA “chain” in dialogue with social movement and collective memory literatures.

In chapter 3, I argued that the 2004 commemoration in Philadelphia helped produce the Killen trial by mobilizing a new generation of mnemonic entrepreneurs, strengthening the community’s mnemonic capacity, shifting opportunity structures within the state, and transforming the local political culture through intentional media coverage and the “memory of commemoration (Olick 1999). Similarly in Chapter 4, I investigated how the 2006 civil rights education bill (SB2718) emerged and suggest that the conviction of Edgar Ray Killen in 2005 fundamentally changed the matrix of political possibility in Mississippi and enable the education bill to move forward. Because the idea for institutionalizing civil rights memory at the state level, however, was already underway before the Killen trial, the trial was an important, but not entirely determinative of the bill’s emergence and passage. Additionally, the perceived success of the 2004 commemoration not only strengthened Philadelphia’s local mnemonic capacity by creating an organizational infrastructure in the form of the Philadelphia Coalition. It also strengthened the state’s mnemonic capacity by providing the Winter Institute – a state-level resource – with greater legitimacy. Taken together, the political opening created by the Killen trial, along with the strong mnemonic capacity at the local and state

levels enabled educators and policy makers to first conceptualize, and then enact, the education bill.

In Chapter 5, I investigated the historical developments contributing to the Mississippi Truth Commission and found that the truth commission was a result of converging local and global developments. On the global level, shifting norms around truth telling and accountability since the 1990s had contributed to a growing field of transitional justice practitioners and models of truth-telling. For a truth commission to emerge in Mississippi the local environment had to be primed. This preparation emanated from the Killen trial in 2005, which demonstrated to Mississippians – and the world – that racial reckoning could occur in the state once known as “the worst of the worst” in racial hatred. This local development then mobilized mnemonic activists across the state who desired a more comprehensive and systematic reckoning of Mississippi’s racial violence. This mobilization, along with the organizational support of the Winter Institute, enabled the Mississippi Truth Commission to take root until organizers decided to take the project in a different direction focusing instead on oral history collection.

Taken together, Chapters 3-5 explored the causal pathways connecting the 2004 commemoration in Philadelphia, Mississippi, with three racially significant institutional transformations. The event structures of these transformations revealed two different types of outcomes, which I described as first-order outcomes (the Killen trial) and second-order outcomes (the education bill and truth commission). While a direct line can be drawn between the 2004 commemoration and the Killen trial (i.e. first-order outcome), the trial serves as an important mediating factor between the commemoration and the education bill and truth commission (second-order outcomes).

Given this distinction, in Chapter 6 I used the theoretical framework I develop for first-order outcomes to evaluate what factors were present in 2004 but not in 1989 that enabled the 2004 commemoration to have these transformative consequences. To do so, I compared the 1989 and 2004 commemorations along four dimensions derived from Chapter 3: (1) the mobilization of mnemonic entrepreneurs; (2) the strengthening of local mnemonic capacity; (3) the shifting of opportunity structures; and (4) the transformation of local political culture. In doing so this comparison serves as a robustness check. That is, if the factors I identified in Chapters 3, 4, and 5 also turn out to have been present in 1989, then they would not, in fact, be explanatory factors. That, however, was not the case. The comparison found that only one of the four factors appeared in both commemorations (i.e. the mobilization of mnemonic entrepreneurs). The other three factors, on the other hand, were specific to the 2004 commemoration. Having established this, I then revisit the historical and archival data to explore in greater detail *how* the 2004 commemoration (1) strengthened the local mnemonic capacity, (2) shifted opportunity structures, and transformed the political culture.

This illuminated a number of factors specific to the 2004 commemoration that appeared to have strengthened that commemoration's transformative potential. The organizers of the 2004 commemoration, for instance, engaged Philadelphia's historically African American counter public more intentionally gaining the support of key leaders in the African American community. Second, in 2004 facilitated dialogues and story telling helped the planning task force develop social solidarity and a distinct organizational identity as the Philadelphia Coalition, which strengthened the community's mnemonic capacity. Third, the 2004 commemoration shifted opportunity structures across the state by creating a public platform to publicize the reluctant support of previous political opponents (e.g. Haley Barbour). And finally, the 2004 commemoration was able to transform local political culture through intentional

media coverage that had begun in 1989 with the 25th anniversary commemoration. The transformative capacity of the 2004 commemoration was thus improved by the fact that it was preceded by the 1989 commemoration, which provides additional evidence to support arguments about the cumulative nature of collective memory. Additionally, it extended these findings to suggest that the cumulative nature of memory can affect institutional change beyond the domain of memory itself.

III. Philadelphia's Commemoration Since 2004: Fragmented Commemoration

In the social sciences, “cases” are not ready made. On the contrary, researchers define and delimit what constitutes a case based on the questions of interest and the scope of theoretical inquiry (Ragin 1992; Abbot 1992). In this study, I have sought to understand when and how commemorations facilitate transformative institutional outcomes. To do so, I identified three hypothesized cases of institutional outcomes: the Killen trial, the civil rights education bill, and the Mississippi Truth Commission. These cases, however, were not the only outcomes.

The 40th anniversary commemoration was also marked by conflict and controversy that precipitated a dramatic fissure amongst organizers – a development that resulted in two separate commemorations beginning in 2005. Since then, visitors traveling to the small town of Philadelphia, Mississippi, on the June 21st anniversary will have to choose between two commemorations, each commemorating the same event, usually on the same weekend, and meeting less than a mile apart. These dual commemorative events constitute what collective memory scholars refer to as “fragmented commemoration” – that is, when “multiple commemorations in various spaces and times where diverse discourses of the past are raised

and aimed at disparate audiences (Vinitzky-Seroussi 2002:32). In contrast to “multivocal commemorations” that seek to accommodate multiple viewpoints within one commemorative space, fragmented commemoration reinforce particular narratives for particular audiences and often builds dissensus (Vinitzky-Seroussi 2002; Steidl 2013).

Dissensus is evident in the fact of Philadelphia’s two commemorations. The Mt. Zion church community has continued to host annual commemoration services attended by members of the Philadelphia Coalition and publicized by the local newspaper. This commemoration tends to target a more moderate audience and draws more local participation. In contrast, an “alternative” commemoration service that meets at the ruins of the Longdale community center – again, roughly a mile from Mt. Zion – caters to a more radical group of activists. Spearheaded by John Steele whose mother had been a primary force behind the Mt. Zion commemoration for decades, the alternative commemoration is supported by notable civil rights veterans such as Diane Nash, C.T. Vivian, George Robert, and Curtis Muhammad. The “Mississippi Martyrs Memorial” as the organizers refer to the event, remains unacknowledged in Philadelphia’s dominant public sphere, and as a result, relies on publicity from various online venues including civil rights veterans websites (see crmvet.org).

The organizers of the alternative “Mississippi Martyrs Memorial” maintain that the Philadelphia Coalition, under the influence of Philadelphia’s white power structure, coopted the Mt. Zion commemoration in 2004 and “white-washed” the history of Philadelphia and Mississippi focusing on racial progress rather than continuing racial injustice. They objected to the decision to invite Barbour to the 40th anniversary commemoration and criticized efforts to frame the commemoration in terms of economic development. Furthermore, they questioned the decision to indict only one of nine living suspects in the “Mississippi Burning” murders in 2005 and continue to call for further justice both in the case and many other unsolved killings

from the civil rights era. Since 2004 various individuals have attempted to broker a truce between the groups, but as of 2015 they seem intent on continuing to organize separate events, even as the possibility of pursuing another prosecution in the case withers further with each passing year.

This conflict over the memory of the civil rights movement is not unique to Philadelphia. As each anniversary of a civil rights era milestone approaches, debates rage amongst civil rights movement veterans over how to depict the past and who has the right to do so. Recalling Governor Barbour's efforts to commemorate the Freedom Rides in 2011, Diane Nash shared her opinion with a group of students and activists in Meridian,

I consider this theft. Mississippi is the worst element to be in control of the memory of the civil rights movement. They can't be trusted to tell it accurately. The descendants of those who supported racial oppression will profit from the civil rights movement while the descendants of movement veterans will remain poor and in prison (filed notes, June 18, 2011).

In contrast, Mississippi's Director of Tourism Malcolm White revealed the state's stance on civil rights memory in a brief address at the National Civil Rights Conference in Meridian, Mississippi in 2014. "Mississippi's greatest asset is our story," he said. "Tourism is big industry. The state wants civil rights tourists just as they want golfers, and blues enthusiasts." Furthermore, he argued, "efforts to remember the civil rights movement do three things: they tell stories, they build economic development, and they build civic pride" (field notes June 17, 2014). These two perspectives encapsulate one of the major fault lines in mnemonic battles over the memory of the civil rights movement: the commodification of memory. As evident in Philadelphia, the commodification of memory will likely remain a salient battleground in the coming years.

IV. Three Transformations: An Update

Killen Trial

Since his 2005 conviction, Edgar Ray Killen has worked tirelessly to secure his freedom. Shortly after his incarceration, Killen was released on a \$600,000 bond after claiming that he was being denied medical care and was in constant pain due to a logging accident that had left him confined to a wheel chair. Just weeks after his release, Killen was ordered back to prison after a local deputy saw him driving and walking around town (Myers 2005). In 2012, the U.S. District Judge Henry T. Wingate in Jackson Mississippi and the 5th U.S. Circuit court of Appeals both rejected Killen's appeal, which argued his defense team hadn't represented him well in the 2005 trial, that "his constitutional rights had been violated by the decades-long delay between the deaths and his indictment, by variances between the charges in the indictment and the jury's verdict, and by prosecutors alleged failure to turn over evidence that could prove his innocence" (Mohr 2013). Finally in 2013, the U.S. Supreme Court brought the matter to a close by declining to review lower-court rulings that found no violations of Killen's constitutional rights during the 2005 trial (Mohr 2013). Although the FBI identified more than 20 men in the killings, Killen remains the only individual to have been tried for murder.

Since the 2005 prosecution of Edgar Ray Killen, which some believed would be the final civil rights cold case brought to trial, there have been at least two additional prosecutions. In 2007, James Ford Seale was convicted for the kidnapping and murder of Henry Dee and Charles Moore, the two young African American men whose bodies were discovered in June of 1964 as national guardsman and FBI dredged Mississippi swamps searching for Chaney, Goodman, and Schwerner. Also in 2007, Alabama state trooper James Bonard Fowler was sentenced to 6 months jail time after pleading guilty to lesser charges of second-degree

manslaughter for killing Jimmie Lee Jackson after a protest in Marion, Alabama – an event portrayed in gruesome detail in the film *Selma* (Shapiro 2015:3).

The window of opportunity to pursue such cases is rapidly closing. In addition to fewer first-hand witnesses to testify, federal resources allocated for civil rights cold cases are set to expire in 2017. In 2007, The Emmett Till Unsolved Civil Rights Crime Act– named for the Chicago teen murdered in Mississippi in 1955 – authorized \$135 million for state and federal law enforcement agencies to investigate suspicious murders from the civil rights era (defined as before 1970). For many, the Till Act has been a failure. According to Richard Cohen, the president of the Southern Poverty Law Center in Montgomery, “Over time a pittance of that [\$135 million] has been authorized” (Reeves 2014:6A). Of the 126 suspicious deaths investigated under the act, all but 20 have been closed and only one resulted in a prosecution (Reeves 2014). University-sponsored initiatives such as the Cold Case Justice Initiative out of Syracuse Law School and the Georgia Civil Rights Cold Case project at Emory University continue to identify cases that could be investigated under the act if they were allocated the funding and if they occur by the rapidly approaching 2017 deadline.

Lawyers, activists, and politicians in support of these cold case efforts continue to argue that the Till Act should be reauthorized to allow further investigation into these newly-identified cases. Others, such as civil rights activist Alvin Sykes are calling for the cold case unit to be placed within the Justice Department. A permanent unit, argues Sykes, “would allow the work to continue despite administration changes and the whims of Congress” (Sanchez 2015:n.p.). Others suggest that such a unit could be used to prosecute cases of police brutality such as those highlighted by the events in Ferguson, Missouri and Baltimore, Maryland. As of April 2015, the reauthorization of the Till Act remains an open question.

Education Bill

In 2014, the Southern Poverty Law Center released its second report on the status of civil rights education in the United States (the first was published in 2011, see Southern Poverty Law Center 2011). Its findings were discouraging. Twenty states require little, if any, instruction on the civil rights movements with these states earning an “F” in the report’s ranking system. Additionally, the study found that once further away from the South and the smaller the African American population, the less attention is paid to civil rights in school educational standards and curriculum frameworks (Southern Poverty Law Center 2014). Despite Mississippi’s efforts to mandate civil and human rights education through its legislative process, Mississippi earned a “C,” according to the report, for including “at least 40% of the recommended content” and “covering the movement in patches rather than systematically” (ibid: 10).³²

This evaluation came after Mississippi had adopted a civil rights/human rights strand for its K-12 social studies framework, which was defined as “the mastery of content, skills, and values that are learned from a focused and meaningful exploration of civil rights/human rights issues (both past and present), locally, nationally and globally” (ibid: 78). Furthermore, this content strand was intended to

“lead learners to understand and appreciate issues such as social justice, power relations, diversity, mutual respect, and civic engagement. Students should acquire a working knowledge of tactics engaged by civil rights activists to achieve social change. Among

³² Of the states in the south, three received an “A” (South Carolina, Louisiana, and Georgia); four received a “B” (North Carolina, Alabama, Virginia, and Florida); four received a “C” (Tennessee, Mississippi, Arkansas, and West Virginia); the remaining earned a failing grade. Mississippi ranked 9th out of the 12 southern states.

these are: demonstrations, resistance, organizing and collective action/unity” (ibid).

The 2014 report does, however, note that among national standards, Mississippi is “exceptional at explicit links to citizenship and civics,” and also recommends that the Mississippi’s Civil Rights Education Commission and the Department of Education should continue to support these efforts with “directed supplementary resources” for teachers (ibid:80)

Despite these changes to the social studies framework, which were an effort to comply with the civil and human rights education bill passed in 2006, the implementation of civil rights education in Mississippi has continued to face resistance at a number of levels. Until 2011, Republic John Moore from Brandon, Mississippi has tried to have the law repealed every year since it passed. “I want schools to be teaching my grandchildren to read, write a complete sentence and do math,” said Moore in 2013, “ I just want to make sure it’s teaching the truth and facts and not being accusatory of one group of people or the other. I don’t want it to be somebody’s philosophical idea of what civil rights are” (Byrd 2013).

In addition to such direct challenges, the implementation of the education act has faced more subtle and systematic obstacles. Mississippi remains a local control state where the state level educational frameworks and curricular recommendations can be easily disregarded at the local level.³³ To address the resistance of local teachers to teach civil and human rights, in 2012 Mississippi’s Department of Education added civil/human rights questions to the U.S. History subject exam – one of four state exams required for graduation. The test received the lowest pass rate of any state exam in history and sparked discussions about the possibility of removing the civil rights questions or changing the test (interview with Chauncey Spears, June

³³ According to the Southern Law Poverty Center (2011) report on civil rights education in the United States, only a dozen states leave districts to set required content and frameworks. These are referred to as “local control” states.

19, 2013). As of 2014, questions on civil and human rights remain 15% of the seventy-question exam indicating that the Department of Education wants educators to teach about civil and human rights, even if they have no concrete mechanism of enforcement.

Despite testing requirements and continuing efforts to provide teaching training and curricular support, many Mississippi educators feel inadequately prepared to teach a civil/human rights curriculum, but lack of training may not be the only source of reticence (Costello 2014:4G). In 2015, a recent graduate of Philadelphia high school explained to a busload of high school students participating in the Winter Institutes Summer Youth Institute why Philadelphia's civil rights history continues to remain absent from classrooms. "Teachers are iffy about discussing [the murders]," she said. "We still have Poseys. We still have Prices. We still have Killens. Even if someone doesn't have one of those names, they could still be related" (field notes June 16, 2014). As a result, over eight years after the Mississippi legislature passed Senate Bill 2718 mandating be civil and human rights education be incorporated at all grade levels, implementation remains inconsistent and local educators continues to resist.

Truth Commission

As I discussed in Chapter 5, the life of the Mississippi Truth Commission (MTC) was short lived. While originally conceptualized as an entity that would resemble the South African Truth and Reconciliation Commission (TRC) by seating official commissioners, gathering public testimony, and issuing a final report, by 2009 the MTC's organizers had decided to move the project in a different direction. On the advice Peter Story, a South African Reverend and former member of the South African TRC, the organizers began to focus on collecting oral

histories across the state that would be indexed and housed at the Mississippi Archives and History in Jackson to be used by a future truth commission should one arise (Tucker 2010).³⁴

The oral history collection and truth commission are two prongs of a three-pronged “Mississippi Truth Project” (MTP) spearheaded by the William Winter Institute for Racial Reconciliation after its involvement in Philadelphia, Mississippi. The final component of the MTP is “The Welcome Table” – a program designed to “create a safe space for diverse community stakeholders to form healthy relationships via open, honest communication” (<http://winterinstitute.org/community-relations/the-welcome-table/>). According to the Winter Institute’s promotional materials, the Welcome Table model has three distinct phases: (1) reflection and relationship building in a retreat setting; (2) education and discernment once the group returns home from the retreat; and finally (3) training and action based on needs identified by the group (e.g. advocacy training, fiscal management, grant writing, asset mapping, coalition building, etc.). What began as a pilot program in 2008 has expanded to over eighteen communities including Greenwood, McComb, Oxford, Jackson, Meridian, Tupelo, West Point, Pike County, and as of 2014, New Orleans, Louisiana. In each of these locations, the Winter Institute provides organizational support and resources as they did in Philadelphia in 2004.

The Winter Institute cites their experience in Philadelphia as having inspired the Welcome Table model. According to former Winter Institute employee Patrick Weems, the Philadelphia Coalition’s “Call for Justice” “showed that a multiracial and multicultural group could work together for progress” (Straight 2007). This inspired a group of citizens to come

³⁴ Oral histories conducted by the Winter Institute and partnering organizations are currently being compiled county-by-county on the “Mississippi Civil Rights History” website. See <http://mscivilrightsproject.org/> (accessed April 23, 2015).

together, remembers Weems, “to see if the same kind of work that was done in Philadelphia could be replicated all over the state” (ibid). In 2008, this group known as the Mississippi Coalition for Racial Justice launched the pilot program that would become the Welcome Table. In 2013, a former Winter Institute employee reflected on the significance of Philadelphia to the work of the Institute. He said simply and directly, “Philadelphia *was* the work” (interview May 14, 2013). “It was the one unqualified success to what the Winter Institute wanted to do that kind of overshadowed all the other work.” He explained further,

“I think Philadelphia became the implicit model or the sort of archetype of what type of work the Winter Institute wanted to do. It involved multiracial cooperation. It involved the community itself sort of already building this conversation and then reaching out to the Winter Institute to support it. It involved a legal end, a ceremonial end, and an educational end. It had all the pieces of the puzzle that the Winter Institute wanted to have in one place” (ibid).

V. Considering the 50th Anniversary Commemoration in 2014

Ten years after the 40th anniversary commemoration in 2004 much had changed in Philadelphia. The Philadelphia Coalition had largely disbanded and some of its members had passed away in the succeeding years. Also during those years, Leroy Clemons, the former co-chair of the Philadelphia Coalition has launched the Neshoba Youth Coalition, a program to empower youth to be agents of change through a focus on local history, education, teen pregnancy, school dropout, race relations and peer mentoring. And in 2009, to the surprise of many, Philadelphia elected its first black mayor, a notable feat in a majority-white municipality.

Unsurprisingly, the 50th anniversary of Freedom Summer in 2014 once again drew national attention to the 1964 murders and to the city of Philadelphia, Mississippi. On June 14,

2014 an estimated 600 visitors participated in the commemoration service at Mt. Zion. The program took place in the small sanctuary of the church and was telecast to the overflow audience sitting outside or in the church's fellowship hall. Between freedom songs and spirituals, civil rights veterans, former Mississippi politicians, and representatives from each of the victims' families delivered brief addresses. Angela Lewis, James Chaney's daughter who has only begun to speak publicly about her father in recent years, thanked those who were beaten, injured or otherwise suffered during the civil rights movement. "With every hateful act," she said, "a door was opened for me" (Mitchell 2014: A4). David Goodman, Andrew Goodman's brother and President of the Andrew Goodman Foundation, expressed appreciation for the continued commemorative efforts in Philadelphia. "I've been here quite a few times," he said. "This is a little church in rural Mississippi, and it's so sophisticated how they put [the ceremony] together. This is sacred ground. It's an important memorial to people who were willing to do things" (Skinner 2014).

While the rituals making up the 50th anniversary commemoration were almost identical to those in the 40th (i.e. lighting three candles in remembrance of the three lives lost, placing a wreath at the monument to the three civil rights workers outside the entry to the church), the discourse surrounding these actions was different. Many recognized the continuing need for social change, but also acknowledged the profound change that had occurred in Philadelphia. Having been re-elected for a second term in 2013, Philadelphia's African American Mayor James Young addressed the audience at the 50th anniversary commemoration in ironic jest. "You don't have to worry about being put in jail," he paused, and then said, "I can get you out." As laughter from the audience quieted Mayor Young continued, "We hope you feel safe when you cross that county line. We have changed, are changing, and have changing to do. I hope you recognize the magnitude of change that has taken place in Mississippi" (field notes June 14,

2014). U.S. Representative and civil rights activist John Lewis further emphasized the magnitude of change. “If someone would have told me that I would come to Philadelphia and be greeted by a black mayor and that there would be an interracial audience, I would have thought they were drinking something” (field notes June 14, 2014).

It was, perhaps, this very change that might explain why the local commemorative events received relatively low attendance compared to 2004. The Mt. Zion ceremony was meant to kick off a week of local commemorative events in Philadelphia that included the first public showing of the documentary film *Neshoba*, which depicts the lead up to the 2005 trial of Edgar Ray Killen. It also provided daily bus tours to civil rights sites throughout the county and culminated with a large event at the Neshoba County Coliseum. In 2004, organizers had hosted events both at Mt. Zion and the Coliseum with over one thousand attending the Coliseum event. In contrast, the 2014 Coliseum event had roughly 125 attendees – a lackluster turnout for their keynote speaker Myrlie Evers. With Edgar Ray Killen having been tried in the case and a black mayor having been elected the need to attend such a commemoration may have been less compelling for some. That the memory movement in Philadelphia had appeared to achieve at least some of its goals may be responsible for the lower participation.³⁵

In light of the framework I have developed throughout this dissertation, it appears that the 50th anniversary commemoration was missing some of the key elements that enabled the 40th to be transformative. First, the 50th anniversary commemoration did not mobilize new mnemonic entrepreneurs. Those that were involved in organizing the 50th were largely the

³⁵ This phenomenon is similar to the protest cycles observed by scholars who study the cyclical rise and fall of social movements (Tarrow 1998).

same cast of characters as in 2004, but with far less participation from former members of the Philadelphia Coalition. With ten years past, members of the Coalition had died, moved away, or moved onto other endeavors. Still others, especially the moderates on the commission, felt that everything was achieved that could be achieved and were therefore not compelled to participate. Second, the local mnemonic capacity in 2014 appeared to be weaker than it had been in 2004. State level actors such as the Winter Institute were not involved at the same degree, nor were funders that had historically supported the commemoration (interview June 23, 2014). Without these resources, it was difficult to coordinate and publicize the event as they had in 2004.

Finally, the 50th anniversary commemoration did not appear to shift opportunity structures or transform the local political culture, at least in part because they had already been shifted and transformed. The 50th anniversary commemoration was not a “silence-breaking” commemoration as was the 25th and 40th. After 2004, the memory of the murders was firmly ensconced in Philadelphia’s dominant collective memory. The murders were acknowledged publicly without stigma and the annual commemorations at Mt. Zion were regularly publicized in Philadelphia’s only local newspaper. At some point in the distant future it is possible that the memory of the 1964 murders will be effaced from local memory or be silenced again, but this appears unlikely given the degree to which this memory has been institutionalized at the local level.

VI. Conclusion

Fifty years forward from 1964, Philadelphia is hailed as a beacon of racial reconciliation – a far cry from it’s former national reputation as the epitome of intractable southern racism. This dissertation has explored this transformation and the effect the 1989 and 2004 commemorations of the 1964 murders had on this development. I have argued that the 2004

commemoration facilitated a number of racially instituted transformations that shifted the cultural landscape of Philadelphia, Neshoba County, and the state of Mississippi. More broadly, I have argued that commemorations can, under certain circumstances, facilitate social change.

While this study provides a number of empirical and theoretical insights on the consequences of commemorating violent pasts, future research would help strengthen the framework developed here. Studies on the consequences of commemorations are relatively few and would benefit from further comparative studies, especially of those outside the U.S. context. And while there is a growing body of literature bridging the study of collective memory and social movements, this memory-movement nexus could be explored even further. For example, studies that examine commemorations over decades might draw insight from social movement theories of abeyance or protest cycles. Future studies might also explore how commemorations cultivate collective identities, experience attrition, or undergo cooptation. Such studies could help further develop concepts such as mnemonic capacity. For instance, research might explore how mnemonic capacity interacts at the state, local, national, and global levels or perhaps specify measures for evaluating the degree of mnemonic capacity and its change over time.

Ten years after the 40th anniversary commemoration in Philadelphia, Mississippi, and fifty years following the “long, hot summer” that captured the attention of the American public and helped push forward some of the Civil Rights Movements most notable achievements, key elements of that legal infrastructure are being dismantled. In 2013, the United States Supreme Court effectively struck down key sections of the 1965 Voting Rights Act, freeing nine states, including Mississippi, to change their election laws without federal approval. When this occurred reporters from national news outlets turned to *Philadelphian* for their opinions. Jim Prince, former Philadelphia Coalition co-chair and editor of *The Neshoba Democrat* said he “would submit that the pre-approval...is out of date. It was needed at one time,” Prince said,

but now “[w]e’ve got a lot more problems to worry about than having the Justice Department come in and approve lines” (Wolf 2013:1A). In contrast, the more liberal leaning Stanley Dearman disagreed: “We’ve seen Philadelphia go from a racially divided, bitter, ugly town to a place with a black mayor,” said Dearman. Still, he continued, racism among older residents “is so ingrained, it’s almost genetic in its depth” (ibid).

And so the struggle for racial inclusion and justice continues. For better or worse, fifty years after the 1964 murders that first drew the eyes of the nation to small town in the eastern hills of Mississippi, Philadelphia continues to be regarded as a bellwether of racial change in the United States.

Appendix A: Senate Bill 2718 as introduced to Senate on January 16, 2006

MISSISSIPPI LEGISLATURE

REGULAR SESSION 2006

By: Senator(s) Tollison, Horhn, Williamson, To: Education
Harden, Jordan, Frazier, Jackson (32nd),
Butler

SENATE BILL NO. 2718

1 AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO MAKE CIVIL
2 RIGHTS EDUCATION A MANDATORY PART OF THE K-12 CURRICULUM
3 INSTRUCTION IN THE STATE OF MISSISSIPPI; TO PROVIDE APPROPRIATE
4 GUIDELINES FOR GRADE LEVEL CLASSROOM LEARNING; TO ESTABLISH A
5 MISSISSIPPI CIVIL RIGHTS EDUCATION COMMISSION TO INVENTORY CIVIL
6 RIGHTS EXHIBITS AND RESOURCES AND COORDINATE CIVIL RIGHTS
7 AWARENESS AND EDUCATION IN THE PUBLIC SCHOOLS; AND FOR RELATED
8 PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. Understanding the important role the Civil Rights
11 Movement had on the State of Mississippi and understanding the
12 importance of teaching Mississippi's children all of our history,
13 it is the goal of this Legislature to provide meaningful support
14 to this most important endeavor. Mississippi's central role in
15 the Civil Rights Struggle needs to be formalized and taught as a
16 beacon of hope for all of our citizens.

17 SECTION 2. The State Board of Education shall make Civil
18 Rights Education a mandatory part of the K-12 curriculum of
19 instruction in Mississippi public schools. The State Department
20 of Education shall work with the Mississippi Civil Rights
21 Education Commission established in Section 3 in implementing
22 these five (5) guidelines: (a) provide assistance and advice to
23 K-12 schools with respect to the Civil Rights Movement education
24 and awareness programs; (b) survey and catalog the extent to which
25 Civil Rights education exists in state curricula; (c) inventory
26 Civil Rights memorials, exhibits and resources that could be used
27 in classrooms and other educational programs; (d) compile a list
28 of volunteers who are willing to share their knowledge and
29 experiences concerning the struggle for Civil Rights; (e) prepare
30 reports for the Governor and the State Legislature on the

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31 inclusion of Civil Rights studies into the educational systems of
32 the state.

33 SECTION 3. (1) There is created the Mississippi Civil
34 Rights Education Commission. The commission shall be assigned to
35 the Office of the Secretary of State for administrative purposes
36 only. The commission shall provide or assist education officials
37 and other organizations with information, coordination and
38 modification of courses or programs that include the Civil Rights
39 Movement, and will carry out the specific responsibilities set
40 forth in Section 2. In completing this task, the commission may
41 act as a liaison with various bodies, including the United States
42 Congress, the State Legislature, Teaching for Change, the William
43 Winter Institute for Racial Reconciliation, as well as other
44 national and international agencies. The commission shall consist
45 of no more than fifteen (15) members, eleven (11) positions of
46 which will be voluntary, to serve with a term of three (3) years
47 on a rotating basis. These positions will be filled by
48 application submitted to a joint committee formed by the William
49 Winter Institute at the University of Mississippi, Tougaloo
50 College, the Oral History Project at the University of Southern
51 Mississippi and Jackson State University. Each of these four (4)
52 entities shall remain permanent members of this commission, with
53 representatives to be appointed by the President or Chancellor of
54 the appropriate institution.

55 (2) The members of the commission shall be residents of this
56 state and shall be appointed with due regard for broad geographic
57 representation.

58 (3) The commission shall have a chairperson who shall be
59 designated by the State Superintendent of Education from the
60 commission membership for a term of four (4) years and eight (8)
61 members of the commission shall constitute a quorum for the
62 transaction of the business of the commission.

63 (4) The Mississippi Commission on Civil Rights Education
64 shall adopt rules and regulations and set standards and policies
65 for the organization, operation, management, budgeting and
66 programs of the commission.

67 (5) The commission may apply for and receive gifts, grants
68 and donations from any public or private sources, including
69 federal and private foundation grants. Members of the commission
70 may not be compensated for the performance of their duties except
71 from nonstate funds that are specifically available therefor.

72 **SECTION 4.** This act shall take effect and be in force from
73 and after July 1, 2006.

Appendix B: Senate Bill 2718 as signed by Governor on March 20, 2006

MISSISSIPPI LEGISLATURE

REGULAR SESSION 2006

By: Senator(s) Tollison, Horhn, Williamson, To: Education
Harden, Jordan, Frazier, Jackson (32nd),
Butler, Jackson (11th), Turner, Walls

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2718

1 AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE
2 CIVIL RIGHTS AND HUMAN RIGHTS EDUCATION A PART OF THE K-12
3 CURRICULUM INSTRUCTION IN THE STATE OF MISSISSIPPI; TO PROVIDE
4 APPROPRIATE GUIDELINES FOR GRADE LEVEL CLASSROOM LEARNING; TO
5 ESTABLISH A MISSISSIPPI CIVIL RIGHTS EDUCATION COMMISSION TO
6 INVENTORY CIVIL RIGHTS EXHIBITS AND RESOURCES AND COORDINATE CIVIL
7 RIGHTS AWARENESS AND EDUCATION IN THE PUBLIC SCHOOLS; AND FOR
8 RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. Understanding the important role the Civil Rights
11 Movement had on the State of Mississippi and understanding the
12 importance of teaching Mississippi's children all of our history,
13 it is the goal of this Legislature to provide meaningful support
14 to this most important endeavor. Mississippi's central role in
15 the civil rights struggle needs to be formalized and taught as a
16 beacon of hope for all of our citizens.

17 SECTION 2. The State Board of Education may make civil
18 rights and human rights education a part of the K-12 curriculum of
19 instruction in Mississippi public schools. The State Department
20 of Education shall work with the Mississippi Civil Rights
21 Education Commission established in Section 3 in implementing
22 these five (5) guidelines: (a) provide assistance and advice to
23 K-12 schools with respect to the Civil Rights Movement and human
24 rights education and awareness programs; (b) survey and catalog
25 the extent to which civil rights and human rights education exists
26 in state curricula; (c) inventory civil rights memorials, exhibits
27 and resources that could be used in classrooms and other
28 educational programs; (d) compile a list of volunteers who are
29 willing to share their knowledge and experiences concerning the
30 struggle for civil rights; (e) prepare reports for the Governor

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31 and the State Legislature on the inclusion of civil rights studies
32 into the educational systems of the state.

33 SECTION 3. (1) There is created the Mississippi Civil
34 Rights Education Commission. The commission shall be assigned to
35 the Office of the Secretary of State for administrative purposes
36 only. The commission shall provide or assist education officials
37 and other organizations with information, coordination and
38 modification of courses or programs that include the Civil Rights
39 Movement, and will carry out the specific responsibilities set
40 forth in Section 2. In completing this task, the commission may
41 act as a liaison with various bodies, including the United States
42 Congress, the State Legislature, Teaching for Change, the William
43 Winter Institute for Racial Reconciliation, as well as other
44 national and international agencies. The commission shall consist
45 of no more than fifteen (15) members, eleven (11) positions of
46 which will be voluntary, to serve with a term of three (3) years
47 on a rotating basis. These positions will be filled by
48 application submitted to a joint committee formed by the William
49 Winter Institute at the University of Mississippi, Tougaloo
50 College, the Oral History Project at the University of Southern
51 Mississippi and Jackson State University. Each of these four (4)
52 entities shall remain permanent members of this commission, with
53 representatives to be appointed by the President or Chancellor of
54 the appropriate institution.

55 (2) The members of the commission shall be residents of this
56 state and shall be appointed with due regard for broad geographic
57 representation.

58 (3) The commission shall have a chairperson who shall be
59 designated by the State Superintendent of Education from the
60 commission membership for a term of four (4) years and eight (8)
61 members of the commission shall constitute a quorum for the
62 transaction of the business of the commission.

63 (4) The Mississippi Commission on Civil Rights Education
64 shall adopt rules and regulations and set standards and policies
65 for the organization, operation, management, budgeting and
66 programs of the commission.

67 (5) The commission may apply for and receive gifts, grants
68 and donations from any public or private sources, including
69 federal and private foundation grants. Members of the commission
70 may not be compensated for the performance of their duties except
71 from nonstate funds that are specifically available therefor.

72 SECTION 4. This act shall take effect and be in force from
73 and after July 1, 2006.

Appendix C: House Bill 1269 (2004), Holocaust Education Bill

MISSISSIPPI LEGISLATURE

REGULAR SESSION 2004

By: Representatives Frierson, Denny, Pierce

To: Education;
Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1269

1 AN ACT TO CREATE THE MISSISSIPPI COMMISSION ON THE HOLOCAUST;
2 TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR
3 THE POWERS AND DUTIES OF THE COMMISSION; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. The Legislature of the State of Mississippi finds
6 and declares that:

7 (a) During the period from 1933 to 1945, six million
8 (6,000,000) Jews and millions of other Europeans were murdered in
9 Nazi concentration camps as part of a carefully orchestrated
10 program of cultural, social and political genocide known as the
11 Holocaust;

12 (b) All people should remember the horrible atrocities
13 committed at that time and other times in human history as the
14 result of bigotry and tyranny, and therefore should continually
15 rededicate themselves to the principles of human rights and equal
16 protection under the laws of a democratic society;

17 (c) It is desirable to educate our citizens about the
18 events leading up to the Holocaust and about the organizations and
19 facilities that were created and used purposefully for the
20 systematic destruction of human beings;

21 (d) Holocaust history is the proper concern of all
22 people, particularly students enrolled in the schools, colleges
23 and universities of the State of Mississippi;

24 (e) Programs, workshops, institutes, seminars,
25 exhibits, and other teacher-training activities for the study of
26 the Holocaust have taken place during recent years at various

27 middle schools, high schools, colleges and universities in this
28 state; and

29 (f) It is desirable to create a permanent state
30 commission, which as an organized body and on a continuous basis,
31 will survey, design, encourage and promote implementation of
32 Holocaust education and awareness programs in Mississippi, and
33 will be responsible for organizing and promoting the
34 memorialization of the Holocaust on a regular basis throughout the
35 state.

36 SECTION 2. (1) There is created the Mississippi Commission
37 on the Holocaust in the executive branch of state government. The
38 commission shall be assigned to the Office of the Secretary of
39 State for administrative purposes only.

40 (2) The commission shall be composed of the following
41 members:

42 (a) Ex officio members as follows:

43 (i) The State Superintendent of Public Education
44 or his or her designee;

45 (ii) Commissioner of Institutions of Higher
46 Learning or his or her designee;

47 (b) Public members as follows:

48 (i) Seven (7) public members, at least one (1)
49 from each of the congressional districts, to be appointed by the
50 Governor;

51 (ii) Five (5) public members, at least one (1)
52 from each of the congressional districts, to be appointed by the
53 Speaker of the House of Representatives; and

54 (iii) Five (5) public members, at least one (1)
55 from each of the congressional districts, to be appointed by the
56 Lieutenant Governor.

57 (c) The public members of the commission shall be
58 residents of this state and shall be appointed with due regard for

59 broad geographic representation. The public members should
60 include, but are not be limited to, the following:

61 (i) Individuals who have served prominently as
62 spokespersons for or as leaders of organizations or corporations
63 that serve members of religious, ethnic, national heritage, or
64 social groups that were subjected to genocide, torture, wrongful
65 deprivation of liberty or property, officially imposed or
66 sanctioned violence, and other forms of human rights violations
67 and persecution at the hands of the Nazis and their collaborators
68 during the Nazi era;

69 (ii) Individuals who are experienced in the field
70 of Holocaust education;

71 (iii) Individuals who represent liberators of
72 victims of the Holocaust; or

73 (iv) Lay persons who have an interest in Holocaust
74 education.

75 (d) Public members of the commission shall be appointed
76 for the terms of five (5) years and until their respective
77 successors are appointed and qualified. Public members may be
78 eligible for reappointment. The office of any member of the
79 commission who fails to attend more than two (2) consecutive
80 meetings of the commission without an excuse approved by a
81 resolution of the commission shall become vacant. All vacancies
82 shall be filled by appointment in the same manner as the original
83 appointment, and the person appointed to fill a vacancy shall
84 serve for the remainder of the unexpired term.

85 (e) The commission shall have a chairperson who shall
86 be appointed by the Governor for a term of five (5) years and
87 until his or her successor is appointed and qualified.

88 (f) Seven (7) members of the commission shall
89 constitute a quorum for the transaction of the business of the
90 commission. Public members shall have the right to vote on any

91 matter before the commission, but ex officio members and their
92 designees shall not have the right to vote.

93 (g) The Speaker of the House of Representatives shall
94 appoint a member of the House of Representatives and the
95 Lieutenant Governor shall appoint a member of the Senate to serve
96 as advisors to the commission.

97 (3) The Mississippi Commission on the Holocaust shall adopt
98 rules and regulations and set standards and policies for the
99 organization, operation, management, budgeting and programs of the
100 commission.

101 (a) The commission shall provide, based upon the
102 collective knowledge and experience of its members, assistance and
103 advice to public and private schools, colleges and universities
104 with respect to the implementation of Holocaust education and
105 awareness programs.

106 (b) The commission shall meet with appropriate
107 education officials and other interested public and private
108 organizations, including service organizations, for the purpose of
109 providing information, planning, coordination, or modification of
110 courses of study or programs dealing with the subject of the
111 Holocaust.

112 (c) The commission shall survey and catalogue the
113 extent of the Holocaust and genocide education presently being
114 incorporated into the curricula and taught in the educational
115 system of this state.

116 (d) The commission shall inventory those Holocaust
117 memorials, exhibits and resources that could not be incorporated
118 into courses of study or programs at various locations and other
119 educational agencies for the development and implementation of
120 Holocaust and genocide education programs. In furtherance of this
121 responsibility, the commission may contact and cooperate with
122 existing Holocaust and genocide public and private nonprofit
123 resource organizations and may act as a liaison concerning

124 Holocaust and genocide education or members of the United States
125 Senate and House of Representatives, the Mississippi Senate and
126 House of Representatives, the United States Holocaust Memorial
127 Museum and other national and international Holocaust agencies.

128 (e) The commission shall compile a roster of individual
129 volunteers who are willing to share their verifiable knowledge and
130 experience in classrooms, seminars and workshops on the subject of
131 the Holocaust. The volunteers may be survivors of the Holocaust,
132 liberators of concentration camps, scholars, members of the
133 clergy, community relations professionals, and other persons who,
134 by virtue of their experience, education, or interest, have
135 experience with the Holocaust.

136 (f) The commission shall coordinate events
137 memorializing the Holocaust and seek volunteers who are willing
138 and able to participate in commemorative events that will enhance
139 public awareness of the significance of the Holocaust.

140 (g) The commission shall prepare reports for the
141 Governor and the Legislature regarding its findings and
142 recommendations to facilitate the inclusion of Holocaust studies
143 and special programs memorializing the Holocaust in educational
144 systems of this state.

145 (h) The commission shall appoint advisory committees to
146 advise the commission on the fulfillment of its duties.

147 (4) The commission may receive gifts, grants and donations
148 from any public or private sources. Members of the commission may
149 not be compensated for the performance of their duties except from
150 funds that are specifically appropriated therefor by the
151 Legislature or from gifts, grants or donations.

152 **SECTION 3.** This act shall take effect and be in force from
153 and after July 1, 2004.

Appendix D: Mississippi Truth Commission Declaration of Intent

Declaration of Intent

Racism has cast a shadow over the experiences of all Mississippians, especially from 1945 to 1975.

This time period encompasses the transition between the height of Jim Crow and a post-segregation society. It was characterized by increased and organized resistance to white supremacy, as well as the development of more subtle methods of institutional racism. Many practices consciously and unconsciously oppressed a large segment of the population. These practices resulted in crimes against the body, crimes against property, the collusion of public and private institutions in preventing access and opportunity to all people, and conspiracies of silence.

We still feel the effects of that dark time.

As a part of a dominant culture of racism, Mississippi's economic, environmental, legal, political, educational and social systems have shackled our potential and promise. Racial disparities in the areas of housing, health care, education, criminal justice, and employment not only continue to have disproportionate effect on the state's African-American population, but also limit the shared quality of life for all citizens.

The courageous struggles of many have yielded progress, but a full and accurate measure of our state's history and its lasting impact has been obscured.

Too often stories are told of this time focusing on individuals and not institutions. While it is true that vigilantes terrorized the night, it is also true that public officials and community leaders shaped the daily experience of oppression. Moreover, the white establishment enabled the violence that occurred. The failure to understand this connection has allowed the premature declaration of closure following instances of individual justice that have happened.

A just and inclusive future can only be ensured by a comprehensive inquiry of this unjust and segregated past.

There are still living eyewitnesses from this era who can help Mississippi face and tell its own stories in an honest, unflinching fashion. This opportunity allows the collection of detailed stories and records about this era. This is a unique moment, wherein we have attained a measure of distance and insight into this period while still having living participants and observers of this time.

The establishment of a Mississippi Truth and Reconciliation Commission will allow us to develop appropriate remedies and to create a culture of equity, harmony, and prosperity.

Acknowledging and working to understand our deliberate, insidious and systematic racism can set us free to understand our past and to create opportunities to heal our wounds. It is hoped that citizens will use these findings to help raise Mississippi up to its potential and serve as a model for other states and communities struggling with their racial legacies. A Mississippi Truth and Reconciliation Commission will allow the state to constructively engage the confusion, division, and bitter feelings related to this time period. A truthful engagement will lead to greater reconciliation and multiracial support for restorative justice among individuals, sectors, and institutions within the state of Mississippi.

We, the undersigned, commit ourselves to work diligently and honestly with the people and institutions of Mississippi to carry out this project with integrity, promoting truth, understanding and reconciliation.

Appendix E: Senate Bill 2943, Proposed Mississippi Truth Commission

2001 MS S.B. 2943

MISSISSIPPI 2001 REGULAR SESSION OF MISSISSIPPI LEGISLATURE

SENATE BILL 2943

MISSISSIPPI LEGISLATURE

2001 REGULAR SESSION

TO: APPROPRIATIONS

BY: SENATOR(S) HORHN, JORDAN, FRAZIER, JACKSON

SENATE BILL 2943

BILL TRACKING REPORT: [2001 Bill Tracking MS S.B. 2943](#)

2001 Bill Text MS S.B. 2943

VERSION: Introduced

VERSION-DATE: January 15, 2001

SYNOPSIS: AN ACT TO CREATE THE STATE TRUTH COMMISSION; TO PRESCRIBE POWERS AND DUTIES OF THE COMMISSION; TO PROVIDE FOR THE ESTABLISHMENT OF PROCEDURES TO INVESTIGATE GRIEVANCES REGISTERED WITH THE COMMISSION; AND FOR RELATED PURPOSES.

TEXT: BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. There is created the State Truth Commission, hereinafter referred to as the "commission." The commission consists of five (5) members appointed by the Governor with the advice and consent

of the Senate. The Governor shall designate one (1) of the members as chairman. Each member shall devote his or her full time to the duties of his or her office and shall not engage in any other business or profession or hold any other public office.

SECTION 2. (1) The chairman of the commission may appoint assistants, officers, employees, committees and consultants for the commission as necessary and may prescribe their powers and duties.

(2) The chairman of the commission may create, abolish, transfer and consolidate offices within the commission as necessary for the efficient operation of the commission.

(3) In conducting the activities of the commission pursuant to this act, the chairman of the commission may request and receive assistance, information and data from any agency of the state, any political subdivision of the state or any public authority of the state.

SECTION 3. (1) The commission has the following powers and duties:

(a) To advise and assist the Governor and the Legislature in developing policies, plans and programs to increase racial diversity and enhance racial harmony in the state.

(b) To foster and promote research and study in the area of race relations.

(c) To investigate, review or take any other action as it deems necessary to answer complaints or grievances filed with the council regarding any state or local government agency or program.

(d) To make recommendations to administrators of state agencies in keeping with paragraph (a) of this section.

(e) To visit, inspect and appraise the management of state and local government programs.

(f) To establish procedures to assure the effective investigation of grievances brought to the attention of the commission concerning allegations of past racial problems. The procedures shall include receipt of written complaints, interviews of persons and on-site monitoring of conditions. In addition, the commission shall establish procedures for the speedy and impartial review of grievances.

(g) To place members of its staff, as it deems appropriate, as an outside monitor if, in the judgment of the commission, conditions warrant it.

(h) To establish, maintain and operate a training program for personnel employed by any state or local government agency or program for voluntary training opportunities.

(i) To collect and disseminate statistical and other information and to undertake research, studies and analyses through the personnel of the commission or in cooperation with any public or private agency.

(j) To adopt, amend or rescind the rules and regulations as necessary to perform the powers and duties of the commission.

(3) The commission, any member of the commission or any employee designated by the commission may require from any officer or employee of a state or local government agency or program any information necessary to carry out the powers and duties of the commission.

(4) The commission, any member of the commission or any employee designated by the commission may issue and enforce a subpoena and a subpoena duces tecum, administer oaths and examine persons under oath in accordance with civil laws and rules.

SECTION 4. This act shall take effect and be in force from and after July 1, 2001.

Appendix F: Archives Consulted

Department of Archives and Special Collections, J.D. Williams Library, University of Mississippi, Oxford, Mississippi

Collections:

Ed King Collection
Race Relations Collection

Mississippi Department of Archives and History, Jackson, Mississippi.

Subject Files:

Schwerner, Chaney, and Goodman undated - 1969
Schwerner, Chaney, and Goodman 1970-1989
Schwerner, Chaney, and Goodman 1970-1989
Schwerner, Chaney, and Goodman 1989-1999
Schwerner, Chaney, and Goodman 2000-2004
Schwerner, Chaney, and Goodman 2005- present
Dick Molpus
Philadelphia
Neshoba County
Mississippi Burning
Integration 1964
Integration Violence

Collections:

Office Files – Dick Molpus, 1984-1995
Dick Molpus Speeches, 1987-1995

Shomburg Center for Research in Black Culture, New York, New York

Collections:

Andrew Goodman Memorial Collection

Special Collections, University of Southern Mississippi, Hattiesburg, Mississippi

Subject Files:

Vertical File: Civil Rights – Chaney, Swchnerer and Goodman (1964-2004)
Vertical File: Civil Rights – Chaney, Swchnerer and Goodman (2005 – present)

Collections:

Faulkner (Leesha) Civil Rights Collection
Martin (Josephine D) Papers
(Victoria Gray) Papers

Wisconsin Historical Society, Madison, Wisconsin

Collections:

Carolyn Goodman Papers
Citizens for Civil Rights in Mississippi—Correspondence
Congress of Racial Equality Records, 1941-1967
Scholarship, Education and Defense Fund for Racial Equality Records, 1944-1976

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