Breaking the Silence: Transitional Justice in Chicago

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Submitted for consideration in the Ignacio Martín-Baró Human Rights Essay Competition, 2013
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Transitional justice – a conceptual and theoretical framework through which societies can “redress the legacies of massive human rights abuses” – is a process not often considered to be necessary for use in the United States.¹ This form of justice is generally discussed in the contexts of new democracies and post-conflict nations and implemented in deeply agitated environments, often in the developing world. In this paper, however, I argue that the continuing history of racially discriminatory abuse by law enforcement systems in Chicago – a history punctuated by the 20-year regime of torture administered by Police Commander Jon Burge – represents a “legacy of massive human rights abuses” in need of a large-scale process of transitional justice. Although Chicago is not a typical setting for this sort of approach, given its pre-transition state and the ongoing nature of the abuses in question, I argue that the ideals, goals and tactics that have developed in the past century in the field of transitional justice – particularly the institution of the truth commission – could be immensely productive in Chicago. By focusing on truth-finding, acknowledgment, re-building and reform, a process based in the norms of transitional justice could provide exactly the sort of guidance needed to address these systemic human rights abuses, take action against them, and begin the slow process of healing in Chicago.

In this paper, I will first examine the relationship between law enforcement and communities of color in Chicago. Beginning with the Chicago Police Torture Cases, I describe how the 100-plus victims of torture and their allies have struggled for justice against a system that has actively concealed the crimes in a city that has largely ignored their suffering. Then, I illustrate how the broken system of police oversight has allowed police brutality to proliferate in economically depressed minority neighborhoods on the South and West Sides, and how this

continuing abuse acts as a form of structural violence that further oppresses communities of color. From there, I discuss the history of transitional justice, considering whether the norms developed throughout this history could be productive in Chicago. To conclude the paper, I offer a short model for transitional justice in Chicago – not a complete plan, but simply a collection of possibilities for action.

**Part I: Racialized Police Violence in Chicago**

Throughout the twentieth century, the relationship between people of color and law enforcement bodies in Chicago has been troubled, often characterized by discrimination and violence.2 This history manifested itself on a large and particularly brutal scale in the Chicago Police Torture Cases. Between the years 1972 and 1991, Jon Burge and the police officers under his command tortured as many as 135 African-American men at Areas 2 and 3 Police Headquarters while attempting to extract confessions from them. Burge, formerly an “upstanding and well-decorated police commander” who served as a military police officer in Vietnam, is thought to have imported torture techniques acquired during the war into the interrogation rooms of the Chicago’s South Side.3 These tactics were diverse, but all were meant to humiliate, de-humanize, disempower and cause psychological and physical harm to the victims; these included “electronically shocking men's genitals, ears and lips with cattle prods or an electric shock box, anally raping men with cattle prods, suffocating individuals with plastic bags, mock executions, and beatings with telephone books and rubber hoses as well as routinely depriving the victims of

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bathroom facilities, sleep and nourishment.”⁴ These methods exceed even the limited violence that is often customarily (and dubiously) accepted in police interrogation settings. They clearly amount to the “cruel and unusual punishment” prohibited by the Eighth Amendment to the US Constitution, and fit the definition of torture – “intentionally inflicted severe mental or physical pain or suffering” – in the United Nations Convention Against Torture (ratified by the United States in 1994).⁵

As a greater collection of evidence has been uncovered in these cases over the past four decades, it has become apparent that race was a defining factor in Burge’s reign of terror, shaping the choice of victims as well as the tactics. In their 2007 Shadow Report prepared for the UN Committee on the Elimination of Racial Discrimination, Joey Mogul and Andrea Ritchie explain that “the torture was clearly racially motivated,” and describe how “many of the victims were subjected to racist epithets and slurs throughout their interrogations. Numerous victims were repeatedly called ‘nigger,’ while others were threatened or subjected to what detectives referred to as the ‘nigger box’ – the electric shock box.”⁶ By referencing the historical and social systems that value the lives and words of white people (particularly those with great social-institutional power, like police officers) over African American accused criminals, Burge and his officers alerted their victims to their total hopelessness, leaning on racist norms to draw out (often false) confessions.

The incredible violences committed against Burge’s victims did not cease after their interrogation sessions finished; throughout the long and difficult fight for justice these men have been re-victimized repeatedly at the hands of a city and state that did not believe them – and that

⁵ United Nations Convention Against Torture; United States Constitution.
⁶ Mogul and Ritchie, “In the Shadows,” 7.
chose for many years not to listen. Due, in large part, to the close involvement of powerful politicians in the regime that permitted and supported torture, the process of “coming clean” to these crimes is still not finished today. Although Burge’s first victims were tortured at Area 2 in 1972, it wasn’t until 1982, when torture victim Andrew Wilson’s brutal interrogation produced visible evidence of serious mistreatment, that Burge’s actions slowly began coming to light. After Wilson’s torture, then-State’s Attorney (later Chicago mayor) Richard Daley was informed of the situation, but chose not to investigate further, allowing, according to Mogul and Ritchie, “an additional 68 known victims [to be] tortured over the next decade with impunity.”

It took another eight years, and an immense combined effort on the part of local activists, lawyers, and journalists, before the Chicago Police Department was convinced to conduct an internal investigation of the torture allegations. A 1992 Office of Professional Standards report found not only that the abuse committed by Jon Burge was “systematic,” but also that “[p]articular command members were aware of the… abuse and either actively participated in it or failed to take any action to bring it to an end.” In 1993, the Chicago Police board fired Jon Burge and suspended two of his officers from the police force.

In the 1990’s, the focus of the activism around the torture cases shifted towards advocacy for the victims of Burge who were still serving prison sentences because of their tortured confessions, including ten torture victims who were then sitting on Illinois’ Death Row. Based, in large part, on his concerns with a system in which an unknown number of men had been condemned to death based on tortured confessions, and on his worries about the racial

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8 Mogul and Ritchie, “In the Shadows,” 8.
inequalities he saw in the application of the law in Illinois, Governor George Ryan imposed a moratorium on the death penalty in 2000, and subsequently emptied death row in 2003.\textsuperscript{10}

Even by that time, however, no torturers had faced prosecution in Chicago. Seeking justice outside of what was considered a corrupt system, activists and lawyers requested the appointment of a Special Prosecutor to conduct an investigation of Burge’s torture, and also made reports – like that by Mogul and Ritchie referenced above – to international human rights bodies about the abuses in Chicago. Although the Special Prosecutor’s report was ultimately disappointing, these two efforts, supplemented with a great deal of other activist work, finally resulted in Jon Burge’s arrest and subsequent conviction by federal authorities for the crimes of perjury and obstruction of justice – for lying about his knowledge of torture – in 2008.\textsuperscript{11}

Although the prosecution of Burge represents a symbolic victory for the victims of torture and their allies, the process of securing even this limited justice has been troubled, slow and incomplete because of the failure by the law enforcement and city government to take responsibility for these crimes and the failure by many people of Chicago to hold them accountable for their actions. At nearly every step of the process there have been small and large failures of justice, from the police officers who failed to report the abuses, to the neglectful investigative practices of the police oversight bodies, to the politicians who obstructed the process in order to protect their own reputations. The struggle for justice continues to this day. Even after acknowledging this history of police torture, the city government continues to fund the legal defense of Burge, often in civil rights cases brought by the victims against the city – a 2013 University of Illinois at Chicago report claims that Burge-related cases have cost Chicago

\textsuperscript{10} Taylor, “Long and Winding Road,” 12, 15.
\textsuperscript{11} Taylor, “Long and Winding Road,” 17-22.
taxpayers $53 million since 1998.\textsuperscript{12} Jon Burge, serving four and a half years in prison, still receives his pension from the Chicago Police. Throughout the process, the city government has lacked any real interest in true justice, choosing to fight for the good of its own instead. John Conroy puts it well in his book \textit{Unspeakable Acts, Ordinary People}: “The city had not pursued the truth; the truth had pursued the city.”\textsuperscript{13} Conroy expresses his disappointment in what he sees as the failure of the people – and particularly the news media – of Chicago to respond with sufficient concern. For a long time, “the knowledge that torture had occurred…was not translated into any organized attempt to provide relief for the…victims.”\textsuperscript{14} Even after severity of Burge’s abuses was revealed, he says, “the citizens of Chicago were unmoved,” failing to demand justice from their government.\textsuperscript{15} Conroy credits this lack of attention and action to the simultaneous too-close-ness and too-far-ness of the African-American torture victims from those in power in Chicago. Many white Chicagoans might take action around human rights abuses “over there,” but not in their own South Side; he says, cynically, “torture is something we abhor only when it is done to someone we like, preferably someone who lives in another country.”\textsuperscript{16} Issues of race and power, silence and voice, have been central to this collapse of justice in Chicago. The brutality and horrifying scope of the acts of torture committed under Jon Burge make these cases uniquely atrocious incidents in the racially troubled narrative of the Chicago Police; however, the structural problems and injustices they reveal are representative of a continuing history of police abuse. The city claims to have made great progress around issues of oversight in the Chicago Police Department since Burge’s time. In an announcement following the 2006 release of the special prosecutor’s report on the Burge cases, then-Mayor Richard Daley

\textsuperscript{12} Hagedorn, John. “Crime, corruption and cover-Ups in the Chicago Police Department.” In \textit{Anti-Corruption Report} Number 7. University of Illinois at Chicago Department of Political Science, 2013. 2.
\textsuperscript{13} Conroy, John, \textit{Unspeakable Acts, Ordinary People}, 234.
\textsuperscript{14} Conroy, John, 236.
\textsuperscript{15} Conroy, John, 240.
\textsuperscript{16} Ibid.
reportedly “took pains to reassure the public that ‘the city has, in the two decades since, put in place a series of safeguards aimed at preventing such abuses.’”  

And, indeed, these reforms – most notably the creation of a new policy that requires officers to videotape all homicide interrogations and the establishment of a new body to deal with allegations of police misconduct – represent a hopeful beginning for change.  

However, recent reports suggest that widespread police abuse has continued in the Chicago Police Department and, perhaps even more alarming, that a culture of silence has allowed groups of particularly brutal cops – often working in “lower-income communities of color” on the South and West Sides – to act with impunity. In a 2007 study, “The Use of Statistical Evidence to Address Police Supervisory and Disciplinary Practices: The Chicago Police Department’s Broken System,” University of Chicago law professor Craig Futterman et al use the CPD’s own disciplinary data to describe a system in trouble. The problem, Futterman explains, is not so much the numbers of reported incidents of police abuse – although those numbers, at 13 complaints per 100 officers in the force, do exceed the national average of 9.5 – but rather the department’s inadequate response to these complaints, and the disproportionate concentration of brutal cops in communities of color. Between 2002 and 2004, civilians in Chicago filed 10,149 complaints of excessive force, illegal searches, racial abuse, sexual abuse or false arrest, but only 124 (1.2%) of these cases were sustained by the Police Board, and only 19 resulted in “meaningful discipline” (suspension of a week or more). When compared to national data, this means that a brutality complaint brought in Chicago is 84% less likely to be sustained

than in the nation as a whole. Futterman explains, shows “that Chicago police officers can perpetrate abuse without fear of consequence.”

Most Chicago Police officers are not regularly subjects of brutality complaints: less than five percent of the officers on the force account for nearly half of all complaints. Futterman explains that this truth doesn’t transfer the blame to a few “rogue cops,” but rather reveals a systemic problem:

Our research supports the proposition that the vast majority of Chicago police officers are not abusive...The data, however, do not support the assertion that the problem is simply attributable to a few bad apples. The data instead paint a picture of an institution with a deeply ingrained culture of denial that enables certain officers to operate with impunity in certain communities within the City.

CPD policy and tradition make abuse, and avoidable repeat brutality, possible. It is nearly unheard of for a Chicago Police officer to report abuses committed by fellow officers, even if he or she notices a pattern of repeat brutality. The “department acts as a catalyst” for this police of code silence “by refusing to transfer and protect whistle-blowers as a matter of policy.” At the same time, the “CPD lacks any effective system to address patterns of abuse,” Futterman asserts, as it fails to hand out harsher punishments to repeat offenders and “refuses to look at or allow others to look at patterns of abuse complaints,” withholding the names of repeat offenders from the media and the public. These patterns of abuse are especially important because “abuse is concentrated among certain officers who work together in particular units or teams and who police certain parts of the City.” These are groups like the Special Operations Section and the Public Housing South Unit, both of which “polic[e] predominantly low-income minority

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21 Futterman, Craig B. et al, 266, 268, 271.
22 Futterman, Craig B. et al, 265.
24 Futterman, Craig B. et al, 277.
25 Futterman, Craig B. et al, 277, 278, 279.
communities” on the South Side.26

At its foundations, what we see here is an institutionalized culture of silence and denial, in which a “willfully blind police department” has created policies that allow it to ignore difficult problems that might require them to challenge the status quo. These policies result in racially discriminatory policing.27 Activist writer Jamie Kalven explains: “Taken together, the code of silence among officers on the ground, the OPS machinery for converting citizen complaints into findings of ‘not sustained,’ and the institutional resistance to effective monitoring form a single, unified system – a regime of not-knowing.”28 Kalven and Futterman both believe that the CPD’s motivation for maintaining such a “deep commitment to the machinery of denial” is not the protection of individual “rogue officers,” but rather the defense of “the institution from the consequences of what an effective early warning system would reveal.” The costs, “politically, institutionally, monetarily,” of revealing the degree of the injustice inflicted by five percent of the police force on certain communities in Chicago could be enormous.29 Because this regime of silence creates suffering along racial lines, Futterman explains, there is a core of racialized power imbalance – perhaps even racism – that allows the CPD to quietly justify its policies. He says, “all the effort invested in not knowing implies a deliberate indifference to the abuse of Black and Brown people who live in the inner city,” demonstrated both by the CPD and by those who have greater relative power in Chicago.30

For many Chicago residents, the maintenance of this regime of not-knowing means that violence not unlike that committed by Burge is a part of everyday interactions with the police. The impacts that concentrated groups of brutal cops can have on a community are tragic and,

26 Futterman, Craig B. et al, 283, 284.
27 Futterman, Craig B. et al, 291.
28 Kalven, Jamie, “Kicking the Pigeon,” 42; Futterman, Craig B. et al, 189.
29 Kalven, Jamie, “Kicking the Pigeon,” 42.
30 Futterman, Craig B. et al, 290.
over many years, these effects can feed into the cycle of violence and poverty that has come to characterize many neighborhoods in Chicago. In his report, Futterman describes the disastrous ramifications of police abuse by a small group of “racist and sadistic” police officers in one public housing community on the South Side:

The social cost of the conduct of these few bad apples is staggering: families made homeless by One Strike evictions from public housing, the human suffering from the brutality at the hands of those four men, the loss of faith in the police and our criminal justice system and the costs of civil lawsuits to taxpayers. The harm caused by these four officers continues to accumulate.31

Although this group of police officers is not representative of the CPD as a whole, “because the institution does not hold them accountable for their crimes, they come to embody the institution” in many communities. Rather than preventing violence and crime, this policing drives many residents, particularly young people, to seek solidarity, protection and social power elsewhere; if “this is the face of authority” experienced by so many on the South Side, Kalven explains, the choice to join gangs and sell drugs can be understood as “animated by a sense of justice.”32

Police brutality, particularly when concentrated in depressed areas of the city, can be seen to contribute to the enormous historical and structural violence – the “new Jim Crow,” as Michelle Alexander names it – that preserves and perpetuates a system of racial inequality in Chicago. And, because crime and violence have come to be expected from these “abandoned communities,” many Chicagoans have convinced themselves that these extreme police actions are somehow justified. Kalven asks, “Are we so conditioned to apartheid justice – to “the war on drugs” as an exception to constitutional norms… that we can no longer confidently recognize the heinous nature of the crimes at issue?”33 Many of us aren’t interested in believing that institutionalized violence and racism has defined, in many ways, the CPD’s historical

31 Futterman, Craig B. et al, 288.
32 Kalven, Jamie, “Kicking the Pigeon,” 40.
33 Kalven, Jamie, “Kicking the Pigeon,” 40-42.
relationship with communities of color in Chicago, so we choose to look away, amplifying the violence with our own silence.

**Part II: Transitional Justice**

The International Center for Transitional Justice describes transitional justice broadly as a process that:

> Refers to the set of judicial and non-judicial measures that have been implemented by different countries in order to redress the legacies of massive Human Rights abuses...By trying to achieve accountability and redressing victims, transitional justice provides recognition of the rights of victims, promotes civic trust and strengthens the democratic rule of law.\(^{34}\)

There are several key moments throughout the long 20\(^{th}\) century that have been central in the evolution and development of these contemporary transitional justice norms. The roots of our modern understanding of transitional justice can be located in the post-World War II efforts to deal with the crimes of war committed by Nazi Germany and Japan in the military tribunals at Nuremberg and Tokyo, which “played a critical role in establishing international human rights norms as standards for judging the wrongs of past regimes.”\(^{35}\)

The discourse of human rights-based transitional justice emerged again in the 1980s as a “wave of democratization…swept through Latin America,” bringing with it cries for justice and truth. As the Cold War came to a close late in the same decade, several former Soviet nations reached for transitional justice norms – using a method of purging through “lustration” – to put the former regimes’ abuses behind them and transition into democratic forms of government. In the 1990’s we saw the international tribunal model re-emerge in the trials of the leaders of ethnic cleansing and genocide in Rwanda.


and Yugoslavia. And, in 1995, South Africa’s post-Apartheid movement “set a new standard for the aspirations of transitional institutions” by emphasizing truth and restorative justice.\(^{36}\)

In our contemporary understanding, the concept of transitional justice is philosophically and practically quite complex, having pulled wisdoms, nuances, and tactics from this wide range of historical touch points. Although transitional justice continues to draw its ideals from the language of universal human rights and often relies on international structures of justice-seeking, in recent years there has been a “growing recognition of the importance of the local,” an emphasis on the context-specific nature of transitional justice tactics.\(^{37}\) Most scholars today agree that the possible tactics, of which truth commissions and tribunals are only two popular options among many, should be highly individualized based on the social realities at hand. In many situations, this understanding has precipitated a shift of the sites of transitional justice away from international tribunals and courts into more local justice systems. Since Nuremberg, there has also been a greater emphasis on a more holistic vision of justice, including a focus on truth-telling, reconciliation, healing and rebuilding damaged societies. Any process of transitional justice cannot be monolithic or simplistic, but rather must reflect the complexities of the problems it faces; a tribunal or commission must be “accompanied by a matrix of other strategies meant to facilitate social repair.”\(^{38}\) The goal of transitional justice is no longer simply to punish the perpetrators of human rights abuses, but also to help a society recover from their crimes.

Given this expansion of possibility around transitional justice, theorists and activists have begun calling for the implementation of these norms outside of their traditional usages in new democracies and post-conflict states. In his essay “Reckoning with Past Wrongs: A Normative Framework,” David Crocker argues that by focusing transitional justice solely on new


\(^{38}\) Ibid
democracies, we “diminish the moral challenge facing…mature democracies as they reckon with an unsavory past.” As we have seen in Chicago, even in “stable” democracies like ours, deplorable human rights abuses occur, and when left unaddressed, their effects can rip apart a social fabric in much the same way that untended-to abuses can keep post-conflict nations from progressing into secure peace. This is true in the United States, despite our aversion to the categorization of our domestic human rights abuses along with those committed in Pinochet’s Chile or Apartheid-era South Africa, and “to assume that the United States might not benefit from a truth commission reeks of the arrogant exceptionalism that the United States often claims.”

Efforts toward transitional justice, often addressing events of racialized injustice and violence, have become common, if not widely publicized, in the U.S. since the mid-1990s, with notable movements in Greensboro and Wilmington, North Carolina; post-Katrina New Orleans, Louisiana; and Rosewood, Florida.

With these developments in mind, I’d now like to turn back to Chicago. Would transitional justice be an appropriate approach to address the abuses inflicted on the community of color by law enforcement structures in our city? Although transitional justice approaches have been implemented in “stable” democracies like the United States before, the situation in Chicago is quite different from those faced by the cities listed above because of the large scale, extended duration, and continuing nature of the crimes being addressed. A transitional justice process in Chicago would not target the effects of a single historical event like that in Greensboro, for example, but rather of a system of injustice that has been actively maintained through the present

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day. Or, to put it differently: Chicago is not a post-transition city. Although Richard Daley and Jon Burge have moved on, their legacies are alive and well, preserved in the structures and cultures that they helped build. With that in mind, we must ask: how important is the prior enactment of a regime change or transition to the success of a transitional justice process? Melissa Williams and Rosemary Nagy explain that, in the search for stable and lasting justice, “transitions are significant because the balance they strike among different forms of justice may become ‘hardwired’ into the new institutional order.”\(^{42}\) It is easier to change habits and embedded social-political structures in moments of power transition than in a stable political situation. On the other hand, David Dyzenhaus argues, “one should [not] equate stability with “non-transitionality” or stasis.”\(^ {43}\) In their analysis of the Greensboro, NC efforts for transitional justice, Lisa Magarrell and Joya Wesley encourage us to expand our view of transition: “Any ‘transition,’” they explain, “can be viewed with a long or short lens.”\(^ {44}\) Thus, the racialized injustices witnessed in Chicago can be situated within the long history of “the US transition out of slavery, white supremacy, and denigration of the rights of minority populations” or within the shorter history of police reform. Magarrell and Wesley also challenge the assumed order of operations that compose a transitional justice process, asserting that “the simplistic notion that truth commissions usher in a new era after a dramatic change overlooks the fact that truth commissions are part of that change.” They ask: “Can truth commissions serve as the thin side of a wedge to open up that potential for change?”\(^ {45}\) Perhaps, rather than offering reconciliation in the wake of regime change, a process for transitional justice could do the crucial work of catalyzing change in Chicago.

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\(^ {42}\) Williams at al, “Transitional Justice,” 23.
\(^ {43}\) Williams et al, 183.
\(^ {44}\) Magarrell and Wesley, “Learning From Greensboro,” 234.
\(^ {45}\) Ibid
In fact, because the nature of the abuse in Chicago has been characterized by systematic silence and denial, the approaches associated with transitional justice could be extremely productive in this city. Since the transitional justice processes enacted by the post-dictatorship societies of the Southern Cone during the 1980’s and, later, by post-Apartheid South Africa in the 1990’s, the institution of the “truth commission” has become central to the theory and practice of transitional justice. A truth commission is meant to conduct a thorough, balanced investigation of the human rights abuses in question, creating a space for the airing of grievances and the telling of stories by victims and thereby allowing a suppressed truth to emerge. Most truth commissions issue an in-depth report after a period of truth gathering, speaking the narrative they have constructed and offering a series of recommendations for transition. These commissions are often seen as a form of restorative, rather than punitive, justice, as “resources not only for redressing past injustices but also as laying the foundation for forward-looking… justice in a renewed democratic community.”\(^{46}\) In situations like Chicago, where the blame for the human rights abuses falls less on a few individuals than on systemic, institutional and social bodies and forces, truth commissions are often preferred over formal trials because they can “draw out a new narrative and shake up the complacency of community-held assumptions that are based on myth or bias.”\(^{47}\) Given the history of institutional suppression of information and the citywide failure to listen or regard these abuses, a process intended to reveal truth could be immensely productive, particularly for the victims and their communities. The theory of the truth commission is “based on the assumption that there is a potential healing power in being able to tell one's story, in having the importance of that story recognized by a public body, and in being

\(^{46}\) Williams at al, “Transitional Justice,” 3.

thereby publicly acknowledged as one wronged.”48 By acknowledging the suffering of torture and brutality survivors and the effects that these acts have had on their communities, a truth commission could begin the process of healing and reconciliation in Chicago.

If a process of transitional justice were to be deployed in Chicago around the issues of racialized police torture and violence, what might it look like? I see three main broad goals that could shape the approach: accessing justice for victims and their families, re-building communities that have been affected, and reforming structures so that abuses like these can be prevented in the future. The process would begin with the appointment or election of an interdisciplinary, non-governmental, non-judicial truth commission, which would seek out forgotten, suppressed and ignored narratives, create space for story-telling, and ultimately issue and publicize a report. The commission would organize public forums at which not only victims, but also those with some level of responsibility for these crimes – regular Chicagoans – could speak. Carol Prager reminds us that, in order to create reconciliation, “not only individuals but also societies must take responsibility for the harm they do.”49 By acknowledging our own social culpability in these violent structures, we can begin the process of re-building the city.

The first goal of Chicago’s transition, seeking justice for victims and their families, would begin with the process of truth-telling. By allowing for storytelling, addressing systemic violence and acknowledging suffering, the truth commission would, in its very enactment, create some amount of justice. However, there must also be a movement, in the wake of the commission, to use the uncovered truth to advocate for the victims who are still paying the price for Burge’s torture. There are scores of men still serving time for convictions based on tortured confessions; they must be given special re-trials with this evidence suppressed, and must be dealt

justice accordingly. Reparations should be paid to the effected families. The second goal of transition in Chicago focuses on providing justice for the larger population that has been victimized by this legacy of violence. This could take any number of forms, but it must include a holistic, grassroots process of re-development in the communities that have been most effected. This process should be performed not with pity or scorn, but rather with the understanding that police violence, ignored by Chicagoans and concealed by the city, has played and continues to play and enormous structural role in the shaping of conditions, realities and possibilities in many neighborhoods of the city. The third goal of transitional justice is reform. We must overhaul the oversight system of the Chicago Police Department, shifting ultimate disciplinary power away from the Police Board and creating protocols for meaningfully attending to complaints of abuse, particularly for repeat offenders on the force. The people of Chicago must hold the police accountable and demand reform.

Ultimately, the process of addressing racialized police abuse in Chicago should be part of a revolution, a greater transformation of city culture – a shift away from the normalization of silence and the acceptance of this regime of not-knowing. This will be a long and difficult operation; indeed, “Reconciliation is never achieved once and for all, but occurs with alternate bouts of forward movement and the stasis of anger and grieving.”50 The enactment of transitional justice norms could precipitate a wave of political and social will that might catalyze just the sort of deep transitions that we seek. A process of transitional justice that focuses on truth-telling, acknowledgement, re-building and reform has the potential to create real change and reconciliation around issues of racism and police brutality in Chicago.

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