Co-Opting Truth: Explaining Quasi-Judicial Institutions in Authoritarian Regimes*

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Abstract

What accounts for the creation, design, and outcomes of quasi-judicial institutions in autocracies? Prior research demonstrates that autocrats co-opt electoral, legislative, and judicial institutions to curtail opponents' power and curry international patrons' favor. However, scholarship on co-optation neglects quasi-judicial mechanisms, such as truth commissions, that can be useful for arranging a political narrative that bolsters a leader's image while undermining his rivals. In this paper, we formalize the concept of autocratic truth commissions—which account for one-third of truth commissions globally—and develop and test a novel theory of their origins, inputs, and outputs. We theorize that autocrats establish self-investigating commissions, which collect information about atrocities by regime members in response to threats to their symbolic authority and install rival-investigating commissions, which collect information about atrocities by regime opponents in response to threats to both symbolic authority and regime survival. We further argue that these two commission types take on different institutional forms and produce different outcomes. Self-investigating commissions are afforded weak investigative powers and produce reports that obscure basic facts, such as the extent of abuses and the parties responsible. Meanwhile, rival-investigating commissions are granted strong investigative powers and culminate in accurate reports of rivals' responsibility for abuses. We evaluate these expectations through comparative case studies of two autocratic truth commissions in Uganda, and find strong support.

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1 Introduction

What accounts for the emergence, inputs, and outputs of quasi-judicial institutions in autocratic regimes? Autocrats routinely use repression as a means of survival and resilience. However, they sometimes defy expectation and make concessions to opposition actors. Meaningful or nominal, concessions are intended to demobilize opponents and buttress regime power and authority. Research on nominal concessions, or co-optation, elucidates how autocrats capture electoral, legislative, and judicial institutions.[1] Surprisingly, however, scholarship on co-optation has neglected *quasi*-judicial institutions, such as truth commissions, that can be useful for arranging a political narrative that bolsters a leader's image while undermining his rivals.

Conventional wisdom suggests that accountability mechanisms like truth commissions represent positive developments in domestic and international politics. This is due in large part to the perception that these mechanisms are victim-focused and reparative.[2] Consequently, countries that implement them receive great praise for their efforts to "confront the past." This perception is not without basis. In cases like Argentina, South Africa, and El Salvador, new democratic elites used truth commissions to usher in acknowledgment and recognition, and bring healing and closure to victims and their families.[3] While scholarship has complicated these positive understandings of truth commissions in transitional contexts, these examples loom large as "positive" truth-commission cases among influential practitioners, for example at the International Center for Transitional Justice.[4] Yet, in cases like Côte d'Ivoire, Sri Lanka, and Uganda, autocrats have used these same bodies to limit the truth and obscure responsibility for abuses.[5]

Like other quasi-judicial institutions, truth commissions are a means of investigating instances of non-compliance with domestic and international laws. Typically, these processes involve scouring documents, deposing witnesses, and producing a report that synthesizes the commission's findings and recommends a range of remedies.[6] Currently, there exists no unified international standard or requirement regarding which perpetrators or atrocities commissions must investigate, for how long, and for what political purposes. Thus, it is important for scholars to consider how the the range of actors and interests that

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[1]Linz 2000, Gandhi and Przeworski 2007, Gandhi 2008, Frantz and Ezrow 2011.

[2]Minow 1998, Roht-Arriaza 1995.

[3]Brahm 2007, Hayner 2011, Ntsebeza 2000.

[4]For academic critiques of the South African commission, see Wilson 2001. For the role of transnational transitional-justice networks, see Zvobgo 2020.

[5]Loken, Lake and Cronin-Furman 2018, Quinn 2011, Winston 2020.

[6]Hayner 2011.

commissions may serve shape the uses and consequences of these quasi-judicial bodies.

While much scholarship describes political transformation as a prerequisite for commissions, the relationship is under-evidenced. Truth commissions have emerged in consolidated democracies, transitional democracies, and autocracies alike.[7] And, while some commissions are guided by a genuine interest in "uncovering the truth," others are not designed to serve accountability[8]. Recent studies about "transitional injustice," however, does not explain how and why autocrats use these mechanisms to accomplish regime goals of survival and resilience, nor why we may nevertheless observe some markers of a normatively successful investigation in these repressive contexts. Although a large body of qualitative work on truth commissions in both transitional and autocratic contexts acknowledges how regimes use them to legitimate themselves and co-opt both their opponents and narratives about regime repression, the growing cross-national literature on transitional justice does not acknowledge the autocratic context of truth commissions as a systematic source of variation in truth commission design and outcomes.[9]

In this paper, we formalize the concept of autocratic truth commissions (ATCs)—simply, truth commissions that autocratic regimes establish. While much of the normative TJ research insists on a contradiction between the aims of autocratic regimes and truth commissions[10], an established body of scholarship nevertheless demonstrates that autocrats co-opt and manipulate erstwhile legitimate institutions to buttress their power and secure their survival and the longevity of their rule.[11] Truth commissions may be especially valuable for leaders who perceive threats to their rule and are interested in strengthening their power while weakening their rivals through non-repressive means. This process of co-opting the truth also takes place under the illusion of compliance with global accountability norms.[12]

In this article, we consider two general types of ATCs, self-investigating commissions and rival-investigating commissions, and theorize the types of threats to autocratic rule that motivate their creation. We propose that autocrats establish self-investigating commissions, which collect information about atrocities by regime members, in response to threats to their symbolic authority. They install rival-investigating commissions, which collect information about atrocities by regime opponents, in response to threats to both their symbolic authority and the material security of regime institutions, or survival.

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[7]Arenhövel 2008, Benomar 1993, Grodsky 2008, Kim 2012, Winston 2020, Zvobgo 2020.

[8]Loyle and Davenport 2016.

[9]For examples of this qualitative work, see Lynch 2018 (Kenya), Mamdani 2002, Wilson 2001 (post-apartheid South Africa), Wiebelhaus-Brahm 2020 (Morocco, Bahrain, Sri Lanka), and Winston 2020 (Uganda).

[10]Gutmann and Thompson 2000, Teitel 2003.

[11]Gandhi and Przeworski 2007, Shen-Bayh 2018.

[12]Elster 2004, Nagy 2008, Teitel 2003.

Threats to symbolic authority involve domestic or international debate about, and sometimes censure of, an autocrat's complicity or direct involvement in human rights abuses. Meanwhile, threats to survival relate to the political strength and perceived legitimacy of an autocrat's opponents.

Self-investigating and rival-investigating commissions are useful for advancing two regime goals in two distinct ways. Self-investigating commissions can help leaders restore their symbolic authority by reshaping the narrative on past abuses and recasting leaders and their allies in a more favorable light. In turn, by exposing abuses perpetrated by regime opponents, rival-investigating commissions can buttress the regime's symbolic authority and help leaders stem rivals' viability and secure regime survival.

Further, self-investigating commissions and rival-investigating commissions take on different institutional forms and produce different outcomes, all with a view to serve regime goals. We anticipate that self-investigating commissions are afforded limited investigative powers and produce inconsequential concluding reports that obscure basic facts. In contrast, we anticipate that rival-investigating commissions are granted strong investigative powers and issue comprehensive and accurate accounts of abuses by rivals. They are about the maintenance of *power*, not ambitious goals of justice or human rights. ATCs 'construct facts' and issue master narratives of past events; the process is informational and political, not emotional and social.[13] Whatever truth emerges from these processes is primarily intended to serve the current regime and its interests in survival. Below, we elaborate on and demonstrate empirical evidence that suggests the logic of survival at play.

To situate our analysis, we draw on the novel *Varieties of Truth Commissions* Project, which captures 28 ATCs (out of 84 total TCs) in the period, 1970–2018. One of our core empirical contributions is describing, for the first time, the prevalence of ATCs around the world, as well as variation across geographic regions and over time. For each ATC, our data cover: (1) the type of ATC: self-investigating, rival-investigating, or hybrid; and (2) its investigative powers, notably the power to consider a range of abuses and to trace their antecedents. For the analysis, we conduct comparative case studies of the first and second Ugandan ATCs created by Presidents Idi Amin and Yoweri Museveni, respectively. These cases represent most-similar systems, enabling us to hold constant a range of potentially confound factors, for example, geography, colonial history, and ethno-linguistic fractionalization. The Amin and Museveni commissions also respectively reflect our two ideal types: a self-investigating commission and a rival-investigating commission.

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[13]Quinn 2011.

When faced with international censure but lacking a viable domestic opposition in 1974, Amin installed a commission of inquiry that with limited powers of investigation and that the regime restricted to studying a single abuse over a narrow window of time. The government also neglected to empower the commission to examine antecedents of these recent abuses. The commission's report avoided directly implicating Amin and members of his inner circle, and was never officially published.

Museveni's commission of inquiry in 1986 differed from Amin's in its context, design, and outcomes. A combination of reputational threats, credible anti-regime opponents, and concerns for his regime's survival informed the commission's creation. Museveni's government afforded strong powers of investigation to the commission and empowered the body to document human rights violations and other abuses of power by the government, state agencies, and public servants, from Uganda's independence in 1962 until, conveniently, Museveni's capture of the presidency. The commission was further mandated to trace political, economic, and social antecedents to the abuses, and its detailed report was published widely. The report named those responsible for grave abuses—in particular Museveni's strongest threat, his immediate predecessor, Milton Obote—and pronounced Obote's knowledge, complicity, and direct involvement in violence.

2 Quasi-Judicial Means of Autocratic Survival and Resilience

The logic of survival pre-figures the design and decision-making of authoritarian regimes.[14] Leaders facing threats to their survival and the longevity of their rule choose between two broad strategies, repression and concession.[15] Through repression, autocrats attempt to stifle and undermine their political opposition, often through physical force.[16] Alternatively, through concessions, leaders strive to pacify opposition actors while otherwise maintaining their grip on power [17] In some circumstances, autocrats use a combination of the two strategies.

While concessions sometimes usher in meaningful policy changes and provide opposition actors a voice in governance, autocrats also use nominal concessions to co-opt these actors.[18] In their formal model of co-optation, Bertocchi and Spagat describe a process during which a "Group 1 co-opts some

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[14]Wintrobe 1998, Bueno de Mesquita et al. 2003.
[15]Slater 2010, Svolik 2012.
[16]Escribà-Folch 2013.
[17]Acemoglu and Robinson 2005.
[18]Wintrobe 1998, O'Donnell 1973, Boix and Svolik 2013.

agents from Group 2 into a third group...that is given a sufficient stake in the status quo so that it does not support upheaval" [19] Leaders engaged in co-optation provide opposition representatives a seat at a reconstituted decision-making table.[20] Far from institutional reforms, however, these nominal concessions enable leaders to retain the proverbial table, arrange the chairs, and determine the place settings. By design, these institutions pre-empt opposition efforts to steer political outcomes against regime preferences. Co-optation accomplishes multiple regime goals simultaneously. First, by offering the appearance of decision-making authority to opposition representatives, leaders momentarily demobilize their opponents and assuage elite anxieties about the possibility of large-scale social unrest.[21] Second, including opposition representatives in regime-affiliated institutions underlines the regime's legitimacy and authority to both domestic and international sources of support.

While studies of electoral, legislative, and judicial patterns of co-optation make clear that autocrats may adopt formal pillars of competitive politics, little attention has been paid to quasi-judicial institutions as a means of autocratic survival and resilience.[22] Some accounts of judicial processes in repressive contexts make reference to the "quasi-" category.[23] However, the types, dynamics, and effects of these institutions and their variable designs are under-theorized. The absence of a clear typological distinction between judicial and quasi-judicial bodies in comparative politics underscores the relative lack of theoretical and empirical attention to this subject. Scholarship on international relations provides a clearer picture: quasi-judicial institutions elaborate "procedural rules and principles" but "lack a formal capacity to make binding, final determinations on questions of international law."[24] In international fora, quasi-judicial institutions include treaty bodies, trade tribunals, and other organized means of enforcing compliance with international law and facilitating dispute resolution. In domestic contexts, quasi-judicial institutions include regulatory boards, commissions of inquiry, and lustration committees that provide temporary accountability but lack the formal constraints of more durable institutions.

Quasi-judicial institutions that adjudicate legal evidence within strict jurisdictional constraints are a common feature of autocratic governance. Like their more institutionalized counterparts, quasi-judicial

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[19] Bertocchi and Spagat 2001, p. 596.

[20] Linz 2000, Frantz and Kendall-Taylor 2014.

[21] Boix and Svolik 2013, Magaloni and Kricheli 2010.

[22] For contributions about electoral and legislative politics, see Reuter and Robertson 2015, Frantz and Ezrow 2011, Gerschewski 2013. For recent studies of co-optation in judicial contexts, see Moustafa 2014, Ginsburg and Moustafa 2008, Shen-Bayh 2018, Ríos-Figueroa and Aguilar 2018.

[23] Loyle 2017.

[24] Tignino 2016, 253.

bodies in autocratic systems co-opt demands for accountability and the rule of law from both domestic opposition groups and international actors. Unlike judicial institutions, however, quasi-judicial mechanisms are a form of institutional *innovation* by which regimes create new organizations outside the strictures of constitutional rule. Quasi-judicial institutions in autocratic regimes aim to co-opt *public narratives* about the regime rather than movements. These narratives—broad perceptions of how regimes govern and the interests that they represent—inform both domestic contestation and patterns of international support for regimes. The relative novelty of quasi-judicial institutions grants autocratic regimes significant latitude to define their jurisdictional scope and the limits of inquiry.

What accounts for the emergence, inputs, and outputs of quasi-judicial institutions in autocratic regimes? In the following section, we consider one type of quasi-judicial body, truth commissions, and theorize the contexts from which they emerge, their institutional design, and, very importantly, their outcomes.[25]

Autocratic Truth Commissions

As with transitional governments, autocratic regimes adopt truth commissions to fill an institutional void, wherein courts lack the legal framework and even political will to investigate extraordinary abuses. In contrast to commissions of inquiry, which are typically narrower in scope and do not necessarily engage populations most affected by human rights abuses, truth commissions are theoretically expansive and both public and participatory by design.[26] These features make them a convincing means of legitimation for regimes in crisis, including autocracies. In following with prior scholarship, we define truth commissions as any institution that: (1) is a temporary body, (2) created by a national government, (3) to investigate abuses in the past and (4) establish a pattern of abuses, all while (5) engaging with the affected population.[27] All five features are necessary components of a truth commission. This is the most widely used definition in the literature.[28] Some governments name their truth commissions "commissions of inquiry," but not all commissions of inquiry qualify as truth commissions. Some government-directed commissions fall short of this definition because they do not engage with populations affected by violence

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[25]For more work on the influence of truth commission institutional design on outcomes, see Kochanski (2020), Oduro and Nagy (2014), Stahn (2005), and Zvobgo (2019).

[26]Certainly, a given commission may fall short of these expectations (especially victims' participation) but nonetheless meet these essential characteristics of the concept.

[27]Hayner 2011.

[28]Olsen, Payne and Reiter 2010.

during fact-finding processes.

Most cross-national studies of truth commissions presume that political transformations like democratization and conflict termination precede, and even cause, their implementation.[29] Yet truth commissions need not operate in transformational settings or be themselves transformative.[30] Truth commissions have appeared under autocratic regimes like Abdelaziz Bouteflika's Algeria, Idriss Déby's Chad, and Joseph Kabila's Democratic Republic of the Congo, to name just a few. For our concept of autocratic/authoritarian/non-democratic, we rely on Boix, Miller and Rosato's (2013) minimalist concept: any country where either (1) an executive is not chosen in popular elections and is not responsible to either voters or a legislature; (2) a legislature is either not chosen in free and fair elections, or is chosen in unfree and unfair elections; or (3) the majority of adult men do not have the right to vote.[31] As we demonstrate in this paper, the truthfulness of a commission report and the extent to which governments provide additional civil, political, and social protections as a result of truth commission findings is a *variable* outcome of truth commission processes, rather than a definitional constant.

An autocratic truth commission, or ATC, is, simply, a truth commission that autocratic regimes establish. An ATC can investigate the current regime as in Côte d'Ivoire, where President Alassane Ouattara installed a commission to study the 2010–11 post-election violence. An ATC can also investigate the regime's opposition as in Zambia, where President Frederick Chiluba established a commission to investigate a coup attempt in 1997. An ATC can also investigate abuses by *both* the current regime and its predecessors as in Togo, where President Faure Gnassingbé installed a commission to investigate human rights violations under both his and his father, Gnassingbé Eyadéma's administrations.

Why might an autocrat specifically invest in a truth commission? We build on the utilitarian premise that autocrats will avoid implementing any accountability mechanism, except in those exceptional circumstances when avoiding accountability altogether poses a greater threat to regime stability than im-

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[29] Arenhövel 2008, Benomar 1993, Kim 2012.

[30] Hayner 2011.

[31] There remains an active debate in the regime-types literature about the conceptual divisions between democratic and non-democratic or autocratic regimes. See Collier and Adcock (1999) for a survey of these conceptual debates. For a dichotomous definition of democracy and non-democracy, see Cheibub et al. (1996) and Sartori (1987). For a more graded definition, see Bollen and Jackman (1989). On common logics of political survival that motivate actors in both democracies and autocracies, see Bueno de Mesquita et al. (2003). In a study like ours, a minimalist concept—high political contestation and high political participation as with Boix, Miller and Rosato (2013)—is preferable. Its parsimony and clarity offers many empirical advantages, namely "not bundling in additional elements of democratic practice, such as civil liberties" or accountability in order to allow "researchers to empirically relate these elements to regime type" (2013, 1527). Since we are interested in pressure on regimes for some semblance of accountability, it is better to define the universe of cases using a measure that clearly distinguishes between regimes than a continuous measure where the difference between a 5, 6, and 7 can be caused by a range of factors with different weights.

plementing some modicum of accountability. The truth commission process can leave a leader vulnerable to internal and external critics and threats, and build a foundation or precedent for further constraints on regime authority. However, commissions also provide him a unique opportunity to co-opt the truth in a way that outweighs these potential costs.

Autocratic governance requires continuous negotiation between the interests of elite constituents and citizens, at one level, and the normative preferences of foreign governments and international organizations (IOs), at another.[32] The most successful autocrats—those who retain their power longest—establish political institutions that mediate between the regime and the interests of their political opposition, as well as potential external sources of revenue and legitimacy.[33] As we elaborate below, truth commissions can help autocrats cater to the interests of both of these important constituencies.[34]

Citizens' public criticism of human rights abuses conditions autocrats' perceptions of their regime's durability.[35] Where possible, leaders pre-empt or mitigate the possibility of popular protest—and, most critically, leader removal—through a range of conciliatory strategies like truth commissions.[36] Likewise, foreign governments and IOs—whose ongoing financial assistance may buttress the regime's patronage networks—shape the range of options available to leaders accused of abuses.[37] Accountability for political violence has become a consequential norm over the past century; civil society activists, foreign governments, and IOs have come to not only expect it but to demand it.[38]

For autocratic regimes, the interaction between domestic and international pressure lends itself to a strategy of *minimal* compliance with accountability norms and expectations. As O'Donnell and Schmitter observe, perpetrators of large-scale repression "will strive to obtain iron-clad guarantees that under no circumstances will 'the past be unearthed.'"[39] Too much compliance with either domestic demands or international pressure creates untenable risks for leaders seeking to 'stay alive.' However, too little compliance may incite further unrest at home and jeopardize relations abroad.

An autocrat may select an ATC over another TJ strategy—for example, criminal trials[40] or memorial

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[32] Grodsky 2008.
[33] Acemoglu and Robinson 2005, Gandhi and Przeworski 2007.
[34] Winston 2020.
[35] Slater 2010, Svolik 2012.
[36] Davenport 1995, Weiss 2013.
[37] Ahmed 2012, Bueno de Mesquita et al. 2003, Kono and Montinola 2009.
[38] Elster 2004, Nagy 2008, Teitel 2003, Zvobgo 2020.
[39] O'Donnell, Schmitter and Arnson 1986, 32.
[40] Chakravarty 2015.

museums[41]—because an ATC allows him to establish a broad, authoritative narrative about past political violence. Truth commissions are "self-consciously performed in that they are stage managed, loosely scripted, involve different actors and interlocutors and have targeted audiences."[42] In all regimes, they aim to establish a "master narrative" of the past, by transforming multiple individual truths into inarguable facts of history.[43] In contrast to truth commissions in democratic contexts, however, truth commissions in autocratic contexts are directed from the top-down, rather than the bottom-up.[44] Leaders "stage-manage" the process, rather than allow it to proceed from victims. Thus, autocrats assume the role of credible arbiter of the past and, by extension, the political present and future.

Two Threats, Two Institutional Designs, Two Types of Reports

Two threats

Two threats to regime stability motivate ATC creation—threats to symbolic authority and threats to survival—and that the type of threat shapes the *type* of ATC created. ATCs are not the only possible response to these threats. Autocratic regimes deploy a diverse repertoire of strategies to respond to allegations of abuses and to confront viable rivals, for example, court trials.[45] In this paper, we do not make predictions about when autocrats will choose one strategy over another. Rather, we focus on ATCs because they have, until now, been neglected in scholarship about both autocratic institutions and TJ.

Autocrats create self-investigating commissions when public debate and criticism about their complicity or involvement in abuses constitute the primary threat to their rule. As an example, Idi Amin of Uganda established a self-investigating commission in response to allegations of disappearances and related torture and displacement—allegations that threatened his regime's international prestige. Self-investigating commissions can represent a non-trivial concession to domestic and international audiences[46] and can stem additional inquiries by international actors.[47]

Meanwhile, autocrats install rival-investigating commissions when both public criticism and strong

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[41]Subotić 2019.

[42]Lynch 2018, 20.

[43]Andrews 2003.

[44]Zvobgo 2020.

[45]Shen-Bayh 2018.

[46]Winston 2020.

[47]Grodsky 2008. The cost-benefit calculation can shift, of course. In Mugabe's Zimbabwe, for example, the report of a commission established to investigate the mass killing of "dissidents" in the Matabeleland region was never published. Zimbabwean officials argued that the report's release would trigger ethnic violence. Absent the full text of the report, a more credible conclusion is that the regime considered the commission's findings too damning to release.

opponents present a substantial threat to leaders' rule. These latter threats include large-scale public protests, the possibility of military revolt, and domestic or foreign support for opposition actors, as we saw in Uganda during the early years of Yoweri Museveni's rule. In these contexts, autocrats place their rivals under scrutiny. Commission reports can undermine opponents, making it impossible for them to accede (or re-accede) to power. In addition, rival-investigating commissions' investigations can build the foundation for a future legal case against rivals.

Hypothesis 1a Self-Investigating Commission Creation
Autocrats create self-investigating commissions when the main threat to regime stability is public criticism about abuses, but not the strength of their rivals.

Hypothesis 1b Rival-investigating Commission Creation
Autocrats create rival-investigating commissions when the main threats to regime stability are both public criticism about abuses and the strength of their rivals.

Two institutional designs

Next, self-investigating commissions and rival-investigating commissions take on different institutional forms in order to best meet regime objectives. The explicit mandate of quasi-judicial institutions has path-dependent effects on that institution's activities. Unlike more deeply-rooted institutions, quasi-judicial bodies exist only at the behest of the regimes that authorize them. For the regimes that design these institutions, form follows function. Leaders that decide to create self-investigating commissions in response to threats only to their symbolic authority seek to limit the scope and consequence of the inquiry, and are thus more likely to afford these commissions weak investigative powers. By contrast, leaders that decide to create rival-investigating commissions in response to threats to both their symbolic authority and their survival seek to broaden the scope and consequence of the inquiry, and are thus more likely to afford these commissions strong investigative powers. For clarity, our theory is agnostic to the *types of abuses committed*. Rather, our theory bears on the *range of abuses investigated*—intentionally broad or deliberately narrow.

Hypothesis 2a Self-Investigating Commission Design
Self-investigating commissions are more likely to be granted weak investigative powers.

Hypothesis 2b Rival-investigating Commission Design
Rival-investigating commissions are more likely to be granted strong investigative powers.

Self-investigating commissions are not necessarily granted weak powers, just as rival-investigating commissions are not always granted strong powers. As we discuss below, some self-investigating commissions enjoy strong powers while some rival-investigating commissions possess weak powers. However, autocrats will generally curtail information about abuses during their rule, especially where they and their inner circle are implicated in this violence. They will, however, also open up what can be found out about abuses during their rivals' rule.

Two types of reports

Finally, self-investigating commissions and rival-investigating commissions produce different outcomes, specifically different types of concluding reports. As Brancati argues, understanding the logic of co-optation requires differentiating between how autocrats design institutions and the effects of those design decisions.[48] Self-investigating commissions issue reports that limit the extent of political blowback for the leader. This can involve missing basic facts about the nature and totality of abuses, as well as the parties responsible (i.e., the leader and his inner circle). Self-investigating commissions reshape the narrative on regime-led abuse, minimizing wherever possible a leader and his allies' individual responsibility for abuses. By contrast, rival-investigating commissions present reports that maximize possible blowback for opponents. This can include establishing key facts about political violence and the individuals and groups responsible (i.e., political rivals). Rival-investigating commissions undercut rivals and stem a possible power grab. They also underline the legitimacy of the standing leader's rule.

Hypothesis 3a Self-Investigating Commission Reports
Self-investigating commissions' findings are less likely to establish key facts and converge with external accounts of abuses.

Hypothesis 3b Rival-investigating Commission Reports
Rival-investigating commissions' findings are more likely to establish key facts and converge with external accounts of abuses.

If these hypotheses hold, the findings would indicate that the mere establishment of a truth commission is not the only factor that contributes to truth or justice outcomes. Instead, the hypotheses predict that truth—that is, a historically consistent account of past violence—results from specific technical

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[48]Brancati 2014.

characteristics of commissions that emerge from specific political contexts. Where these characteristics and contexts are present, ATCs may provide an accurate account of past violence; where they are not, ATCs will misrepresent or obfuscate the truth.

3 Research Design

We draw on the *Varieties of Truth Commissions* Project[49] to identify commissions created under autocracy.[50] The VTC Project documents 84 truth commissions established in the period, 28 of which were created under autocratic rule.[51] The comprehensive list of commissions was compiled by consulting previous studies, namely Hayner (2011), archival research, and internet searches. The data span the period, 1970–2018, the widest period to date. To be included in the dataset, each commission was evaluated against Hayner's five criteria: (1) a temporary body (2) created by a national government to (3) investigate the past and (4) establish a pattern of abuses, in part by (5) engaging with affected populations. To be counted as an autocratic commission, a commission had to have been installed under autocracy—a political system with low competition for office and low citizen participation, as specified by Boix, Miller, and Rosato (2013). Having identified the 28 ATCs, we exploit a most-similar systems design for case selection, choosing for the first probe of our new theory the first and second Ugandan ATCs created by Idi Amin and Yoweri Museveni, respectively. See the supplementary appendix for an extended discussion of different truth commission data projects in political science.

There are several advantages to a structured comparison of the two Ugandan cases. While the extraordinary violence of the Amin regime and Amin's eccentric behavior might make the case appear exceptional, the two cases hold constant several potentially confounding factors. These include structural variables such as geography, colonial history, and ethno-linguistic fractionalization, as well as the key antagonists with comparable levels of regime-directed violence, among them Museveni, his predecessor Amin, and both Amin and Museveni's predecessor, Obote. Both regimes also orchestrated significant levels of political violence–Amin, against a range of political opponents, and Museveni, against civilians during the Ugandan military's counterinsurgency in the country's north. Second, the Amin and Museveni

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[49][Citation redacted for anonymous review].

[50]Boix, Miller and Rosato 2013.

[51]We were unable to locate mandate documents for five commissions, namely the three Lebanese commissions from the early 2000s, which were tasked with researching disappearances from 1975 to 1990, and the two Zambian commissions. So, we only have data on commission powers for 23 of the 28 cases.

commissions reflect the two ideal-types we describe above. Specifically, the Amin commission is a self-investigating commission and the Museveni commission is a rival-investigating commission. We elaborate on the empirical strategy later in this section.

ATCs Around the World

Our data allow us to describe, for the first time, the prevalence of ATCs around the world. As previously discussed, most studies of truth commissions presume that large-scale political transformation is a prerequisite for the implementation of truth commissions and TJ more generally. However, one-third of commissions have emerged under autocratic regimes.[52] Our data also allow us to explore variation across geographic regions and over time.

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[52]We do not consider autocratic succession—the abdication or ouster of one autocratic leader, and the ascension of another—as a form of political transformation.

While ATCs have been deployed around the globe, they have been concentrated in Sub-Saharan Africa (SSA). As seen in Figures 1 and 3, we identify 16 ATCs in SSA, relative to South and Southeast Asia (4), the Middle East and North Africa (MENA) (7), and the Caribbean (1). Of note, ATCs represent two-thirds of commissions in the SSA region since 1970 and all commissions in the MENA region.[53]

Figure 1: Geographic Spread of Non-Democratic Truth Commissions, 1970-2018
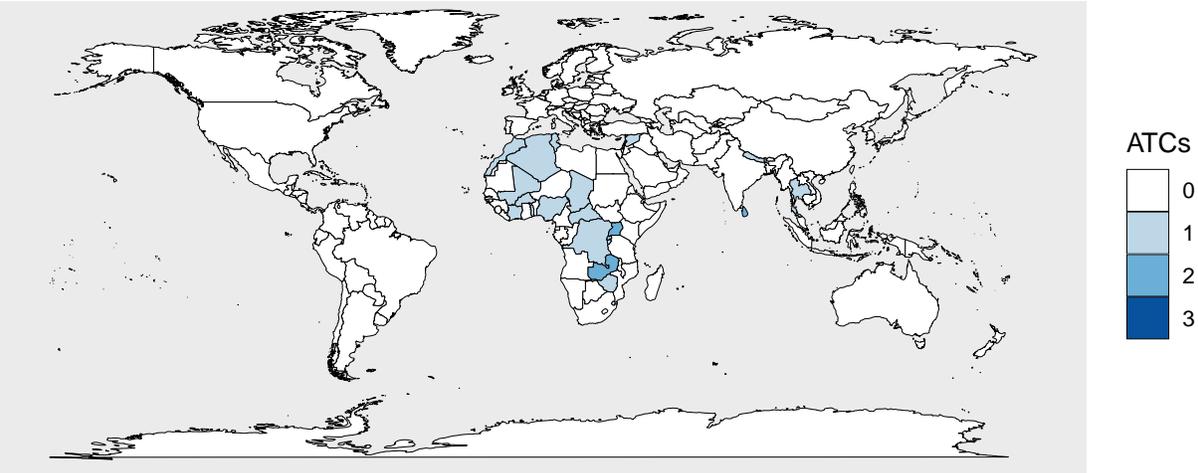
As seen in Figure 3, the proportion of ATCs has been relatively stable during the five-decade period we consider, as indicated by the purple line in the bottom half of the figure. We note, however, that the regions in which ATCs have been used have shifted. ATCs represented all TCs in the SSA region in the 1970s and 1980s, and continued to represent a significant proportion of TCs in the 1990s and 2000s. This descriptive finding holds even under the shadow of the now-famous South African truth and reconciliation commission. Meanwhile, the only TCs to emerge in the MENA region have been ATCs. Of note, none of the ATCs in our data were in South American countries. By considering commissions created outside of the context of political transformation, we have created an opening for further inquiry into these mechanisms beyond South America—the region from which most prominent theories of the relationship between TJ and human rights, democracy, and peace emerged.[54]

Figure 2: Regional Distribution of Non-Democratic Truth Commissions, 1970-2018

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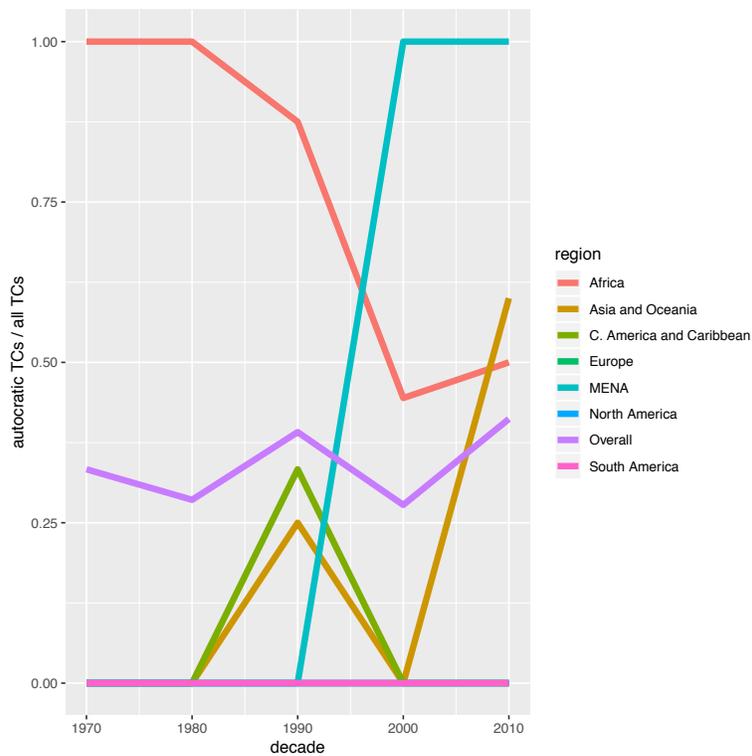
[54]Lutz and Sikkink 2001.

Figure 3: Truth Commissions by Region

(a) Africa ATCs
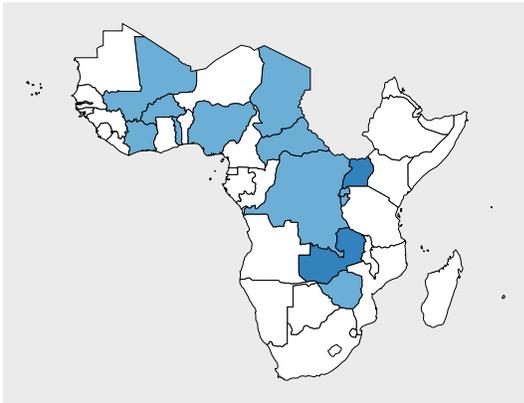
(b) Africa TCs
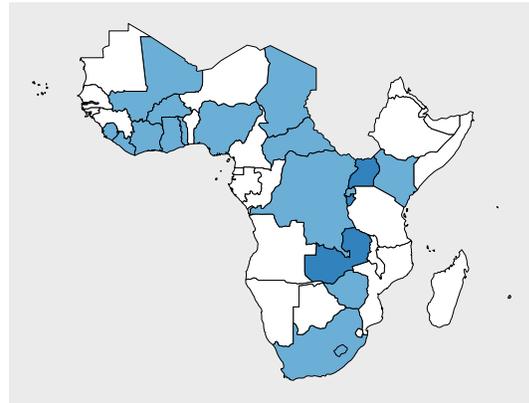
(c) Asia and Oceania ATCs

(d) Asia and Oceania TCs
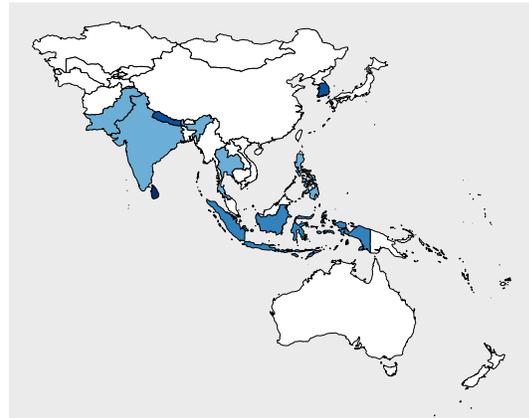
(e) MENA ATCs
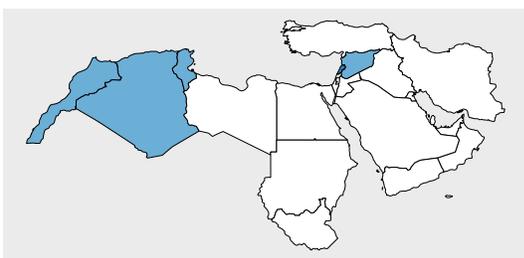
(f) MENA TCs
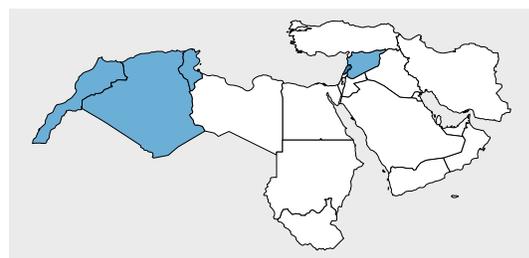
(g) C. America and Caribbean ATCs

(h) C. America and Caribbean TCs

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ATC Investigative Powers

We coded investigative powers across our universe of cases to establish general patterns of ATCs across cases. We focus on two key investigative powers: whether a commission was empowered to (1) study a range of abuses and (2) trace causes of abuse—two of the most critical inputs of successful truth commissions.[55] The variable *range of abuses* is a binary indicator that is coded as 1 if a commission had the power to investigate several types of abuses, for example, to investigate not only forced disappearances but also unlawful detentions, rape, and racial, social or political discrimination. The variable *trace antecedents* is a binary indicator that is coded as 1 if a commission was empowered not only to investigate incidents of violence but also to study political, economic, and/or social factors contributing to violence. As seen in Table 1, among the ATCs for which we have mandate data, 18 (of 23, or 78%) had a mandate to investigate a broad range of abuses. The remaining five did not. For example, the Moroccan commission was focused on enforced disappearances, as was Idi Amin's commission.

Table 1: ATC Mandates

Range of Abuses

		Yes	No
Trace Antecedents	Yes	CAR 2003, *Côte d'Ivoire 2011* DR Congo 2004, *Mali 2015* *Nepal 1990*, *Nigeria 1999* Rwanda 1999, Thailand 2010, Togo 2009, Tunisia 2014 *Uganda 1986*	
	No	Bahrain 2011 Burkina Faso 1999 *Chad 1991*, *Haiti 1995* Lesotho 2000, Sri Lanka 2010 Sri Lanka 2013	*Algeria 2003*, *Burundi 1995* Morocco 2004, Uganda 1974 Zimbabwe 1983

Note: Rival-investigating commissions in italics.

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[55]González 2013, González and Varney 2013, Zvobgo 2020.

More than half of ATCs in our sample (57%) were not tasked with tracing antecedents of abuse, suggesting, as we would expect, a shallow commitment to constructing a "whole truth." Indeed, commissions that examine instances of abuses, but not the causes of abuses, can render but a partial account. Contrary to expectation, not all rival-investigating commissions (*in italics*) had strong investigative powers. Neither the Algerian nor Burundian rival-investigating commissions had the power to uncover a range of abuses or to trace antecedents. As we mentioned briefly already, commissions can establish a foundation or precedent for further constraints on regime authority. So even those commissions that investigate a leader's predecessors or opposition may be granted limited powers. Critically, the two Ugandan commissions, to which we now turn the rest of our attention, find themselves in opposite quadrants. Amin's 1974 commission possessed neither of the two investigative powers we identify, whereas Museveni's 1986 commission possessed both.

Cross-Case Comparison

The descriptive comparison of all ATC cases clarifies common tendencies. Building on this, we produce a structured comparison of the Amin and Museveni commissions. For this analysis, we rely on process tracing of the most-similar Ugandan cases.[56] Through this method, we determine the presence and absence of several observable implications within the causal chain we propose. Tracing two similar cases enables a deeper understanding of the process through which the political context of autocratic regimes affects the design and outputs of their commissions. Parallel implications of our theory allow rigorous comparison across the two cases. Combined confirmatory evidence gives confidence in our argument that variation in ATC types emerges from different threats to regimes stability. In turn, different ATC types have different designs and different outcomes.[57]

Observable Implications

In this section, we describe the observable implications of our theory in explaining the context, inputs, and outputs of self-investigating and rival-investigating commissions. First, we expect that self-investigating commissions will have weak investigative powers: they will be less likely than other ATCs to consider a range of abuses or to trace antecedents of abuse. As a design feature, weak powers constrain what can

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[56]George and Bennett 2005.
[57]Bennett and Checkel 2015.

be uncovered about past human rights abuses. Accordingly, a self-investigating commission's concluding report can minimize the current leader's complicity or direct involvement in abuses. Inversely, we expect that rival-investigating commissions will have strong investigative powers. Strong powers expand what can be known about past abuses. Consequently, a rival-investigating commission's concluding report can enlarge understanding of rivals' responsibility for abuses.

Second, self-investigating commissions should not make a clear statement about *who is responsible for abuses*, if the report is even published. Self-investigating commissions are unlikely to state that the leader himself and those closest to him are responsible for abuses. Inversely, rival-investigating commissions should make a clear statement about who exactly is responsible for abuses. Autocrats capitalize on the opportunity to scrutinize opponents and diminish their credibility, with a view to prevent their accession or return to power. This expectation suggests that rival-investigating commissions will name names, especially the names of individuals who pose the greatest threat.

Third, self-investigating commissions should not *attribute criminal responsibility* to individuals, with a view to deflect, even impede, subsequent accountability. Rival-investigating commissions, by contrast, should attribute criminal responsibility to individuals—a decision that can build a foundation or precedent for further accountability, even a legal case, against rivals.

4   Co-Opting Truth in Uganda

In 1974, Idi Amin Dada installed the Commission of Inquiry into the Disappearance of People in Uganda since 25th January, 1971. The commission was tasked with investigating allegations of disappearances by the military forces during the regime's early years. Later, in 1986, Yoweri Museveni established the Commission of Inquiry into Violations of Human Rights. This second commission's mandate was to investigate state-led abuses, from Independence up to the beginning of the Museveni government. Thus, the timeframe of the first commission fell under the timeframe of the second. And, while Amin's commission solely investigated forced disappearances, Museveni's considered an array of human rights violations and other abuses of power. Thus, abuses in the first commission mandate were encompassed in the mandate of the second.

We begin the analysis of each case by describing the political contexts in which each leader created his commission. We explain how and why the costs of no accountability exceeded the costs of some

accountability for each leader. We additionally discuss how these costs led each leader to create a truth commission as a means of co-opting domestic and international perceptions of both past and present abuses. We document how different threats to Amin's and Museveni's regimes led them to create different types of ATCs. We then illustrate how each ATC type influenced key commission inputs (investigative powers) and outputs (the final report). We recall for the reader that we only propose that the regime enacted these strategies and that respective political context shaped commission outputs, not necessarily commission outcomes like later implementation (or non-implementation) of commission recommendations or the eventual political consequences of the inquiries.

To foreground the findings, the Amin and Museveni commissions respectively represent two ideal typical ATCs: a self-investigating commission designed to recast the knowledge, involvement, and responsibility of a leader for abuses, and a rival-investigating commission designed to spotlight abuses perpetrated by one's rivals. Amin's self-investigating commission arose from threats to his symbolic authority, whereas Museveni's rival-investigating commission was precipitated by more imminent threats to his survival. To limit the commission's scope and consequence, the Amin commission was not empowered to investigate a range of abuses or to trace antecedents. In contrast, the Museveni commission was empowered to investigate a range of abuses and to trace their political, economic, and social antecedents. All of this was done with a view to to broaden the commission's scope and consequence, and thoroughly undermine persistently viable rivals, namely Milton Obote, whose first administration preceded Amin's and whose second administration preceded Museveni's.

Idi Amin's Self-Investigating Commission

Idi Amin, infamously known as the "Butcher of Uganda," acceded to the presidency after orchestrating a coup in 1971 against Milton Obote, the first post-Independence president of Uganda. In the regime's early years, the main military challenge to Amin's rule came from expatriate rebel forces in Tanzania, where Obote had established a base after the coup against his government. Obote and a small unit of forces, including future-President Museveni, staged an invasion in September 1972 that Amin's forces swiftly repelled. Amin was ultimately overthrown seven years later, in 1979, and Obote returned to power in 1980, following three short interim governments.

Amin's military government installed several agencies to surveil and suppress dissent. These included the State Research Bureau and the Public Safety Unit, which were central to disappearances, torture,

and executions. Other anti-Amin insurgencies emerged during this period, but none had the military capacity nor international support that Obote had previously commanded. As a result, "these sometimes disparate groups never posed a serious threat to Amin."[58]

Threats to symbolic authority

The Self-Investigating Commission Creation hypothesis (H1a) suggests that threats to a regime's *symbolic authority* precipitate self-investigating commissions' creation. If this hypothesis holds, we expect to see that, in the run-up to the commission's establishment, Amin and regime elites were concerned with the reputational costs of significant domestic and/or international condemnation of regime-led abuses, but not with potential threats from regime rivals.

By the commission's creation in 1974, Amin's regime had consolidated its monopoly over the use of force and successfully undermined all major political opponents through a persistent campaign of violence and repression. Aside from their military failures, expatriate rebel forces gave Amin a useful pretext for violent campaigns against Obote's domestic supporters.[59] In the words of Iain Grahame, a former British major who served as Amin's commanding officer in the colonial King's African Rifles and an occasional UK envoy to the Amin government, "[b]y the end of 1972 Idi Amin had seen to it that the fangs of the most dangerous of his own tigers had been extracted."[60]

Despite his success in repressing opponents, Amin displayed an obsessive concern with legitimating his regime, especially through the approval and regard of his international counterparts. Amin directed extensive investments in large public works, commercial development projects, and military training exercises and weapons programs to convey the regime's strength and authority. In his account of Amin's rule, UN envoy George Ivan Smith describes the leader's commitment to completing the Nile Hotel and Conference Centre in Kampala ahead of the annual summit of the Organization of African Unity in 1975: "That year the Nile Hotel was Amin's great pride. Hosting the OAU provided prestige."[61] Amin's fixation on legitimizing projects also extended to more routine matters of governance: in 1973, Amin mobilized an urban beautification campaign, Keep Uganda Clean, which tasked government officials, security forces, and regular citizens with tidying Uganda's "dirt." The Keep Uganda Clean campaign was both a means

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[58]Ocitti 2000, 226.
[59]Gwyn 1977.
[60]Grahame 1980, 140.
[61]Smith 1980, 11.

of legitimating the regime to internal and external audiences, and a pretext for urban repression and displacement. As Decker (2010) documents, Amin's direct inspiration for the beautification campaign was a set of forced "community service" efforts by two autocratic counterparts, Zaïre's Mobutu Sese Seko and the Central African Republic's Jean Bédel Bokassa.

During the same period, Amin faced growing censure for his regime's abuses, erratic foreign policy, and maltreatment of foreign nationals in Uganda. The United States and United Kingdom had publicly acquiesced to Amin's 1971 coup, viewing the new leader as a credible rebuke to Obote's rule.[62] Although Tanzanian president, Julius Nyerere, offered sanctuary to the de-throned Obote, other actors in the region, including Ethiopia, supported the UK position.[63] A brief year of goodwill gave way to international resentment, however, as Amin solicited military assistance from Muammar Qaddafi's regime in Libya and issued executive decrees expelling and expropriating the property of foreign nationals—in particular, Ugandan Asians holding UK passports—in 1972. The UK Commonwealth's immigration policies required that the British government facilitate the resettlement of Ugandan Asians at significant financial and domestic political cost to London. The prospect of resettling tens of thousands of Ugandan Asians prompted a campaign of public anti-Amin criticism and quiet regional diplomacy by the UK Foreign and Commonwealth Office (FCO). Although the FCO's tentative attempts to seek redress via multiple UN human rights bodies and the International Court of Justice all failed, the public criticism of Amin's domestic and foreign policy struck a blow against his credibility with erstwhile international partners.[64]

The lack of viable political opposition, Amin's compulsive need to project the symbolic authority of his government, and growing international censure following his expulsion of foreign nationals in 1973 were the combined context for the creation of his self-investigating commission.[65]

Self-investigating commission design

Per the Self-Investigating Commission Design hypothesis (H2a), we expect that self-investigating commissions will possess weak investigative powers. Consistent with our expectations, and as displayed in Table 1, Amin's 1974 commission had neither the power to uncover a range of abuses or to trace causes of abuse. Together with the 1983 Zimbabwean commission—also a self-investigating commission—the

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[62]Adyanga 2011.

[63]Hansen 2013.

[64]Uche 2017.

[65]Carver 1990.

Amin commission is among the weakest commissions in our sample of ATCs. The median ATC at least considered a range of abuses. Amin's commission was, thus, ill-equipped to uncover the truth. Moreover, through its limited focus on enforced disappearances in a very narrow window of time—just three years—the commission was designed to neglect the many other abuses for which Amin and his agents were accused.[66]

Self-investigating commission report

The Self-Investigating Commission Reports hypothesis (H3a) proposes that self-investigating commissions' findings will be less likely to establish key facts and converge with external accounts of abuses. Unsurprising to many, the Amin commission report was never published. Only a confidential copy was given to Amin himself. Since the report was not made available to the public, the commission allowed Amin the appearance of doing *something* about abuses, though these efforts were not at all robust. In this way, he contained, even evaded, a vaguely accurate narrative on the past.

Next, we evaluate the commission's account of past violence and the extent to which it was consistent or inconsistent with external accounts. As discussed, there are two main ways that self-investigating commission findings may diverge from external accounts. First, we expect that self-investigating commissions *will not attribute blame* to the leader and his inner circle. Consistent with this expectation, the Amin commission determined that the Public Security Unit and the National Investigation Bureau were principally responsible for enforced disappearances.[67] While these agencies were established and directed by Amin, the commission did not find that he or his allies were directly involved. This account diverges from diplomatic and press reporting from the period, which attributed both the organization and enactment of the disappearances to senior Ugandan officials.[68] Second, we expect that self-investigating commissions *will not attribute criminal responsibility* for violence. Consistent with this expectation, the Amin commission's report disavowed the possibility of criminal responsibility for enforced disappearances.[69] Rather, the report suggests that the body succeeded in pin-pointing—albeit, without clear legal or social consequences—"individuals or government establishments whose involvement in the disappearances or deaths of the subjects was manifested in the evidence which we heard."[70]

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[66]Winston 2020.

[67]Carver 1990.

[68]Decker 2013.

[69]Commission of Inquiry into Disappearances 1974, 781.

[70]Commission of Inquiry into Disappearances 1974, 783.

Yoweri Museveni's Rival-investigating Commission

Yoweri Kaguta Museveni ascended to the Ugandan presidency in 1986 after seven years of political tumult in the country. A veteran of the coup that overthrew Amin, Museveni organized in 1981 an insurgency against the second Obote government, enlisting the National Resistance Army/Movement (NRA/M) and a coalition of smaller anti-Obote groups. The subsequent civil war lasted five years, until Museveni and the NRA seized the capital.

The NRM initially lacked both the financial resources to provide patronage guarantees to would-be elite allies[71] and civilian support in areas outside its original western constituency.[72] To raise financial support and shore up its power, the NRM adopted a range of institutional reforms under the guise of national unity and anti-sectarianism. In addition, the NRM instituted a doctrine of mass politics that Museveni variously described as "no-party" or "Movement democracy."[73] Although Museveni and his allies advertised the doctrine as a means of preventing a return to conflict, it was intended to delegitimize alternative forms of political contestation outside the NRM.[74]

Among the new institutions Museveni created was a rival-investigating commission. The following excerpt from Museveni's inauguration speech illustrates the rhetoric of reform that the new president embraced:

> During the four months that the NRM Government has been in power, the Ugandan has regained his human dignity [...] We are proud to have a leadership that truly recognizes and genuinely proclaims the right to life, liberty, security of the person and to the protection of the law, are the basis of the very existence of a nation [...] Any Government which is incapable of providing the appropriate political environment for the enjoyment of these rights by its people, has no justification for its continued existence in power. It is because of this principle that the sons and daughters of this nation with unusual determination and courage joined the [...] struggle that culminated in the overthrow of repressive and fascist regimes of the resent [*sic*] past in order to restore those rights.[75]

Museveni's reform efforts did more to expand the new ruling party's control over state bodies than to lessen the political divisions that resulted from the civil war, however. And, like other NRM government institutions, the truth commission did much to attract support for the new regime among Western

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[71]Tripp 2010.

[72]Rubongoya 2007.

[73]Carbone 2008.

[74]Kasfir 2000.

[75]As cited in Quinn 2011, 73.

donors.[76]

Threats to symbolic authority and regime survival

The Rival-investigating Commission Creation hypothesis (H1b) predicts that both public criticism of the regime and threats to *regime survival* by viable domestic opponents precede the creation of rival-investigating commissions. If this hypothesis holds, we expect to see that Museveni and regime elites perceived public criticism and anti-regime mobilization as a threat to their survival in the period preceding the commission's installation.

In 1986, the Museveni regime faced more credible threats to its political future than the Amin government confronted in 1974. These threats to regime survival emerged from the circumstances of the Ugandan civil war's conclusion. Multiple rebel groups in the northern part of the country, including some comprised of former supporters of interim leaders, organized to oppose the new NRM-led government. These insurgent claims threatened Museveni's new role and his monopoly over the use of force.[77] The combination of these rebel threats and both diplomatic and material support for Obote and his allies in the Horn of Africa meant that the continuous possibility of a military challenge by both internal and external forces was a central focus of both Museveni's domestic and foreign policy.[78]

The viability of anti-regime opposition explains why the new regime found its rival-investigating commission advantageous. The commission established, for both Ugandan society and the international community, that the regime represented a clean break from both Amin's violent rule and the civil conflict of the second Obote era. And, the guise of political transformation allowed Museveni and the NRM to consolidate control over Ugandan politics and undermined the political claims of opponents, so much so that, 33 years later, Museveni still holds the presidency, and with no signs of a forthcoming departure.

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[76]When the Museveni commission broke down partway through its mandate due to insufficient funds, several Western NGOs and aid agencies stepped in, among them the Ford Foundation, the Swedish International Development Agency (SIDA), and the Danish International Development Agency (DANIDA). Together, these groups donated $546,000 to prop up the commission. It appears these actors did not view their support for the commission as a fruitless exercise, although, from the perspective of truth and justice, it most certainly was. These contributions allowed the commission to finish its work (Quinn 2011), but foreign donors appeared oblivious to the commission's central goal: political survival, not truth.

[77]Rubongoya 2007.

[78]Lemarchand 2001.

Rival-investigating commission design

Per the Rival-investigating Commission Design hypothesis (H2b), we expect that rival-investigating commissions will possess strong investigative powers. As displayed in Table 1, Museveni's 1986 commission had both investigative powers to facilitate a strong investigation. The Ugandan law authorizing the commission gave it the power to investigate a range of abuses, including "Violations of human rights, breaches of the rule of law and excessive abuses of power, committed against persons in Uganda by the regimes in government, their servants, agents or agencies."[79] In this way, the commission was *ex ante* positioned to produce a more exhaustive narrative on historical political violence than if it had probed a single practice. Not only was the Museveni commission empowered to investigate a range of abuses, it was also tasked with studying their root causes. Indeed, it was "deemed expedient that the causes of the circumstances surrounding and possible ways of preventing the recurrence of the matters aforesaid, be inquired into."[80]

Rival-investigating commission report

Finally, the Rival-investigating Commission Reports hypothesis (H3b) suggests that rival-investigating commissions' findings will be more likely to establish key facts and converge with external accounts of abuses. Unlike Amin's self-investigating commission, Museveni's rival-investigating commission published its report shortly following the conclusion of its research. In contrast to self-investigating commissions, we expect that rival-investigating commissions will attribute blame to the leader's opponents and that they will pin criminal responsibility for violence on those individuals. Museveni's commission explicitly named Obote—Museveni's most credible rival—as well as Amin and even the lesser-known and short-lived governments led by Binaisa, Okello, and the military. The final report even portrays grave violations of human rights as a leading cause of Obote's ultimate removal from power. The report's account is consistent with external reports of violence under the multiple Obote and Amin regimes, during which regime forces killed civilians at a large scale in long-running episodes of repression and internal armed conflict. A 1989 Amnesty International report places responsibility for this violence with senior officials in both the Amin and Obote regimes. On Obote abuses, Amnesty reported:

> [T]here is no doubt that the army was deliberately deployed in situations where it was sure

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[79]Republic of Uganda 1994, 1.
[80]Republic of Uganda 1994, 3.

to abuse civilians and that the government made no serious attempt to curb its abuses. In fact, some of the worst abuses were committed by the better disciplined elite units, such as the Special Brigade and the paramilitary police Special Force. Many arbitrary arrests of alleged opponents were made by the National Security Agency (NASA), which was directly answerable to the President 's Office.[81]

As Quinn (2011) observes, however, the Museveni commission's report said little about the regime's own atrocities in northern Uganda, despite ample evidence from international human rights organizations of summary attacks on civilian populations. The commission's detailed account of past violence illustrates how rival-investigating commissions can both strengthen current leaders' power *indirectly*, by undermining their predecessors, and *directly*, by obfuscating their own responsibility and even justifying their political projects.

Summary of findings

These two case studies provide support for our comparative expectations. In 1974, Idi Amin did not face credible threats to his survival but rather to his symbolic authority. Obsessed with international recognition and prestige, he created a self-investigating commission to minimize his responsibility for abuses and rehabilitate his image. This pattern differed from the political context for Museveni's truth commission, which faced both symbolic and strategic threats that resulted in the creation of a rival-investigating commission.

Under Amin's regime, the self-investigating commision's work focused on a single type of abuse, enforced disappearances, and did not trace antecedents of this violence. The mandate of Museveni's commission, by contrast, encompassed a range of abuses and traced their antecedents.

The report of Amin's commission, which was never officially published, did not name Amin or his allies as criminally or otherwise responsible for abuses—a determination that defied third-party accounts, for example, from representatives of foreign governments and the international press. Museveni's commission named names and assigned criminal—and even moral—responsibility for abuses to Museveni's rivals, most notably Obote. These findings cohered with external accounts. However, they also overlooked ongoing abuses by Museveni's new regime.

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[81]Amnesty International 1989, 7.

Additional Evidence of Truth Co-Optation

Additional strategies of truth co-optation beyond the scope of our initial expectations further illustrate how autocrats manipulate truth-seeking processes to buttress their standing among both elites and the public.

The Amin commission's report describes regime-led violence as a legitimate response to threats to the country's security, social order, and cultural values. Thus, it explains away disappearances under the regime, even while attributing some responsibility to lower-level military and police officials and the institutions in which they served. Many of the profiles of the disappeared implicitly justify their fates. Time and again, the report links individuals who were disappeared with unspecified threats to the nation. A few illustrative descriptions capture the alleged security threats and social deviancy of the disappeared: "he was suspected of being a guerrilla working against the interests of the country as a whole."[82]; "he was associating with bad elements"[83]; "the man was mentally deranged."[84]

For his part, Museveni rewarded handsomely his co-partisans and fellow bush fighters with appointments to the truth commission. In this way, he used the institution to further galvanize *elite support*. Other commissioners were chosen from among the groups which had been most persecuted during the Amin and especially Obote administrations.[85] In this way, Museveni additionally buttressed *public support*.

5 Conclusion

This paper aimed to explain the creation, design, and outcomes of quasi-judicial institutions in autocracies. We drew on the literature on autocratic survival and resilience to argue that autocrats use these mechanisms, in particular truth commissions, to strengthen their power and weaken their rivals. We proposed that commissions represent an ideal setting for leaders to co-opt truth and render an authoritative narrative on political violence that paints them in the best possible light and their rivals in the worst possible light.

More precisely, we argued that autocrats create self-investigating commissions when they face threats

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[82] Commission of Inquiry into Disappearances 1974, 11.
[83] Commission of Inquiry into Disappearances 1974, 19.
[84] Commission of Inquiry into Disappearances 1974, 25.
[85] Quinn 2011.

to their symbolic authority. These commissions are afforded weak powers of investigation and issue reports that help, rather than hurt, the leader. Meanwhile, autocrats create rival-investigating commissions when they face threats to their symbolic authority and more imminent threats to their survival. These commissions are granted strong powers and subsequently furnish findings that devastate opponents. We offered comparative cases of two autocratic truth commissions in Uganda to provide strong evidence for these arguments.

Much remains to be accomplished in this research area. Our work motivates continued investigation of the different forms of autocratic truth commissions. In particular, hybrid commissions—those commissions that investigate both current and previous regimes—draw attention to the difficult balancing act of drawing attention to the abuses of predecessors and rivals that results in some additional scrutiny of the political decisions of current leadership. Second, the scope conditions of our findings in this paper stop short of non-autocratic contexts. Beyond truth commissions, however, other autocratic institutions such as elections mirror the logics and processes of their democratic counterparts.[86] Whether the processes that explain the emergence and outcomes of autocratic truth commissions also account for similar processes in democracies, however, is an open empirical question that merits additional research.

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[86] Gandhi and Lust-Okar 2009.

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Appendix A

Defining Truth Commissions

In this section, we discuss how and to what extent the *Varieties of Truth Commissions* (VTC) relates the *Transitional Justice Research Collaboration* (TJRC), led by Leigh Payne, Kathryn Sikkink, Geoff Dancy, and collaborators, as well as the *Global Transitional Justice Dataset* (GTJD) directed by Monika Nalepa.

We recall for the reader Hayner's five-part definition, which we adopt: A truth commissions is (1) a temporary body, (2) created by a national government, (3) to investigate abuses in the past and (4) establish a pattern of abuses, all while (5) engaging with the affected population. There are two key points of difference between the definitions that serve as the foundation for the TJRC and the VTC. In contrast to Hayner and the VTC Project, the TJRC *does not* require a commission to engage with the affected population, just that the commission's mandate "includes investigative powers" (Dancy et al., 2010: 49). In addition, the TJRC requires that a commission "actually began operating" (49). While not an explicit criterion of inclusion in the VTC data, each of the commissions evaluated in Hayner's work and the VTC data did, in fact, begin operating. Meanwhile, there is one notable difference between the GTJD and the VTC. The GTJD uses a less restrictive definition of truth commissions that includes commissions of inquiry that focus on specific events rather than extended periods of conflict or authoritarian government. This is due, in part, to Nalepa and collaborators' more general interest in *truth revelation procedures and events*. However, we focus exclusively on truth commissions.

It is important to note that none of our datasets requires a truth commission to operate during a political transition, though many of our analyses focus on transitional truth commissions. For example, Payne, Sikkink, Dancy and collaborators' data include commissions such as the 2004 Moroccan commission established by King Mohammed VI. Similarly, Nalepa and collaborators' data include commissions such as the 2000 Lesothan commission to investigate a coup attempt against the standing authoritarian government. Critically, all of our datasets are shaped by a practice-based definition set by the gatekeepers of truth commissions themselves—individuals like Priscilla Hayner and organizations like the International Center for Transitional Justice, said by some to be the "guardian of 'real' truth commissions."[87]

Alternative Explanations for ATCs

Some may conjecture that the impetus for an authoritarian leader to create a truth commission is solely external; that is, international actors, such as foreign governments, international organizations, and global civil society actors' mobilization motivates autocrats to create truth commissions. Some observable implications of external pressure motivating truth commission include the amount of official development assistance (ODA) a country receives as a percentage of the gross domestic product (GDP) and reporting by human rights international NGOs (INGOs), such as Amnesty International. However, as seen in Figure A1, there is great within-country heterogeneity for both ODA and human rights INGO reporting in the decade preceding the creation of a non-democratic truth commission, regardless of the subject of investigation: the current regime or the previous regime.

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[87]Ancelovici and Jenson 2013, 302.

Figure A1: External Pressure in the Previous Decade

(a) Official Development Assistance as % of GDP
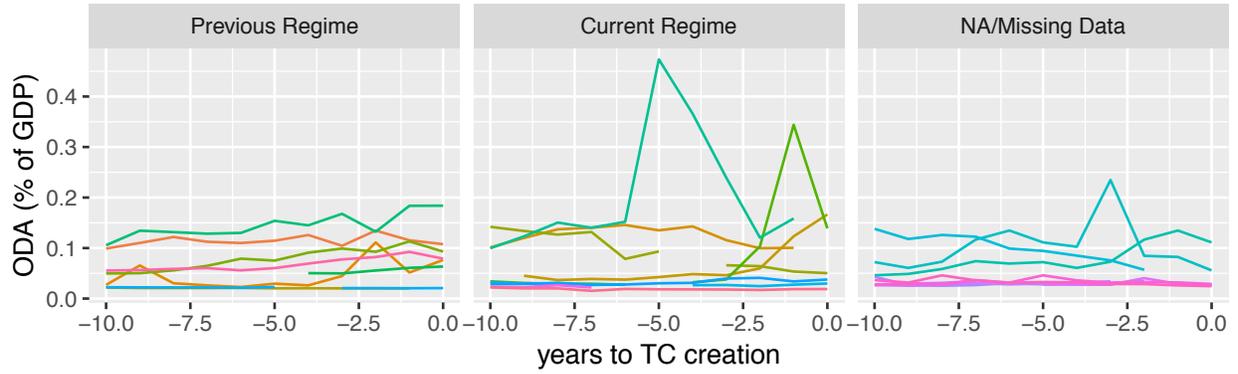
(b) Amnesty International News Releases
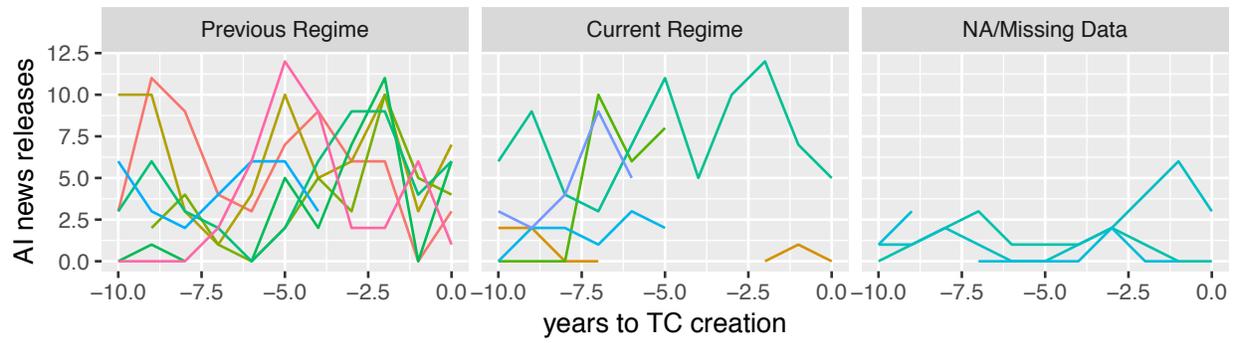
(c) Amnesty International Background Reports