

# Why Do States Adopt Truth Commissions After Transition?\*

Hun Joon Kim, *Korea University*

*Objectives.* Why do states create a truth commission after political transition? This article answers this question by testing three key theories after surveying the existing literature: transnational advocacy networks, the balance of power between old and new elites, and diffusion theory. *Methods.* Cox proportional hazards models were used to explain the adoption of a truth commission. I used the Transitional Justice Database Project database on truth commissions in 71 countries that became democracies between 1980 and 2006. *Result.* Strong evidence supports transnational advocacy networks and diffusion explanations. First, active domestic and international advocacy is a key factor. Second, diffusion theory is supported, as establishing a truth commission in neighboring countries is a relevant factor. Transitional countries are most sensitive to truth commissions adopted in culturally similar countries. *Conclusion.* I found empirical evidence supporting the relevance of diffusion, domestic advocacy groups, and international actors.

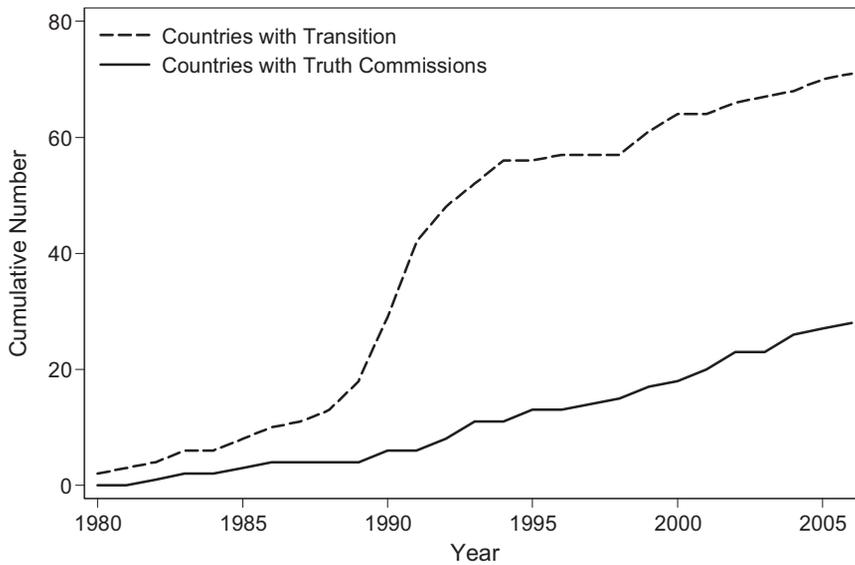
Between 1980 and 2006, 71 countries experienced political transitions from nondemocratic regimes to democracy. A novel feature of this transition is that states are increasingly expected to address gross and systemic human rights violations committed by the members of past regimes by employing truth commissions. Truth commissions are temporary official government bodies established to investigate the history of human rights violations and submit an official report on the findings thereof (Hayner, 2002). The purpose of a commission is “to issue official reports which would reveal once and for all that which had been so long hidden in secrecy: the truth” (Pasqualucci, 1994). Truth commissions are one of many measures such as criminal prosecutions, reparations, lustration, and memorializations (Roht-Arriaza, 2002:98). These measures can be understood as transitional justice, which is “the conception of justice associated with periods of political change” (Teitel, 2003:69).

The number of states addressing past human rights violations through truth commissions is increasing. Between 1980 and 2006, 28 of 71 transitional countries established such commissions. The number of truth commissions increases if countries such as Chile, Germany, and Uruguay, which have established more than one commission, are additionally considered. For example, Uruguay established the Investigative Commission on the Situation of Disappeared People and Its Causes in 1985 and the Peace Commission in 2000. Figure 1 illustrates the increase in truth commissions in countries that underwent democratic transition. The dotted line shows the cumulative number of countries that underwent democratic transition between 1980 and 2006. The solid line shows the steady increase in the number of countries adopting truth commissions.

\*Direct correspondence to Hun Joon Kim, Department of Political Science, Korea University, 145 Anam-ro, Seongbuk-gu, Seoul 136-701, Korea (hunjoon7@korea.ac.kr). This work was supported by the Ministry of Education of the Republic of Korea and the National Research Foundation of Korea (NRF-2016S1A3A2925085); and a Korea University Grant (K1706371). Hun Joon Kim shall share all data and coding for replication purposes.

FIGURE 1

Number of Countries that Underwent Democratic Transition with Truth Commissions



This article examines the reasons states adopt truth commissions after democratic transition to investigate human rights violations that occurred in previous regimes. With the increase in the number of truth commissions, scholars have conducted research on various aspects thereof (Gibson, 2002; Dancy, Kim, and Wiebelhaus-Brahm, 2010; Wiebelhaus-Brahm, 2010). However, many studies focus on their impact (Gibson, 2006; Taylor and Dukalskis, 2012; Mallinder and O'Rourke, 2016), while the literature on the causes is not extensive. Recently, scholars have conducted cross-national analyses on this question (Dancy and Poe, 2006; Roper and Barria, 2009; Olsen, Payne, and Reiter, 2010), although a definitive answer is still lacking. Most studies employ case study methods using a single or small number of countries (Ross, 2006; Yusuf, 2007; Rowen and Rowen, 2017). Although the details of the country case could be known, variations in the way decisions are made to adopt truth commissions across countries cannot be properly examined.

For this article, I tested three key theories after surveying the existing literature in the fields of human rights, transitional justice, democratization, and international relations, namely, transnational advocacy networks, the balance of power between old and new elites, and diffusion theory. The validity of each theory has already been attested separately in case studies but has not yet been simultaneously tested in a cross-national study. Strong evidence supports transnational advocacy networks and diffusion explanations. First, active domestic and international advocacy is a key factor. Second, diffusion theory is supported, as establishing a truth commission in neighboring countries is a relevant factor. Transitional countries are most sensitive to truth commissions adopted in culturally similar countries. Finally, the power balance explanation, which prevails in case studies, is not valid.

This article comprises four sections. The first reviews and discusses various arguments from the literature that suggest structural determinants of truth commissions. The second presents the research design, including the dependent and independent variables, controls and methods, and a discussion of the sample. The third section examines statistical evidence

using event history analysis. Thereafter, I conclude with a summary and suggestions for future research.

### **Theories of Truth Commission Adoption**

Previous studies on the adoption of a truth commission did not provide a comprehensive theoretical framework. Most studies contend the importance of the domestic and international “political context” (Olsen, Payne, and Reiter, 2010:13; Roper and Barria, 2009:376). These studies tend to list various factors such as the regime type, democracy, repression, U.N. presence, and neighborhood effect (Olsen, Payne, and Reiter, 2010:57; Roper and Barria, 2009:383). Dancy and Poe (2006) first provided a comprehensive theoretical framework using the decision-making models of elites (Sprout and Sprout, 1969). This approach examines the decision-making process of elites and treats the demand for truth as one of many elements affecting this process. However, this perspective misses the dynamics and history of truth commission advocacy and does not adequately explain how the demand becomes effective. Since elite characteristics are idiosyncratic, studies are reduced to researching the political environment leaders face in decision making. In addition, this model sets the a priori goal of decisionmakers as power or survival, and approaches truth commissions by focusing on their instrumental value to achieve this objective. As such, there is a danger of disregarding the intrinsic value of truth commissions and voices of advocacy groups.

Alternatively, I start from social movement theory. The adoption of a truth commission is primarily a domestic process influenced by international factors (Roper and Barria, 2009). Social movement theory provides a useful conceptual framework to capture this process, as the demand for truth takes the form of advocacy or a movement. Two factors are emphasized in social movement theory: (1) the forms of organization (mobilizing structure) and (2) structure of political opportunity and constraints confronting the movement (opportunities structure) (McAdams, McCarthy, and Zald, 1996:2). However, a limitation of social movement theory is its emphasis on domestic processes. Here, transnational advocacy networks theory can help in two ways. First, the mobilizing structure, which is confined to domestic actors, can be extended to include international actors, as noted by Sikkink, Khagram, and Riker (2002:17–20). Second, the possibility that international factors affect the opportunity structure should also be considered (Keck and Sikkink, 1998). When combined, three concepts are important: transnational advocacy networks as the mobilizing structure, the domestic opportunity structure, and the international opportunity structure.

#### ***Mobilizing Structure: Transnational Advocacy Networks***

Scholars of international relations have already discovered the important role of individuals and advocacy groups in bringing normative changes to politics (Finnemore, 1996; Finnemore and Sikkink, 1998; Keck and Sikkink, 1998). Truth commission scholars have also found that the demand for truth has become increasingly effective (Bleeker and Sisson, 2004; Jeffery and Kim, 2013). Scholars note as key determinants the efforts of associations for victims’ families, human rights NGOs, student activists, and human rights lawyers (Pion-Berlin, 1994; Skaar, 1999; Backer, 2003; Krueger, 2016). Certainly, the mobilization structure is not limited to the number or presence of these actors. For example, Keck and

Sikkink (1998) identified at least four effective strategies—information politics, symbolic politics, leverage politics, and accountability politics—these groups use to promote their causes. In addition, other scholars emphasized different modes of social interaction for advocacy groups, including coercion, changing incentives, persuasion, and capacity building (Risse, Ropp, and Sikkink, 2013:13–15). Furthermore, scholars of large-*N* analysis focus on the increase in the number and effectiveness of domestic and international advocacy groups. Here, some scholars highlight the more important role of individuals and civil society movements (Backer, 2003; Roht-Arriaza, 2002). This argument is plausible because, in many cases, victims are represented by human rights NGOs or the individual lawyers representing those NGOs. However, other scholars emphasize the role of international organizations (Buergethal, 1994; Guest, 1995; Bongiorno, 2001–2002; Bassiouni, 2002; Matheson, 2006; Nauenberg, 2015). Surveying the founding charters of various truth commissions, Nauenberg (2015) discovered they were shaped by the United Nations and influential NGOs such as the International Center for Transitional Justice. This theory leads to the following hypothesis:

**H1:** The new government will more likely adopt a truth commission if it is advocated by domestic and international transnational human rights networks.

### *Domestic Opportunity Structure: Balance of Power Between Old and New Elites*

Domestic opportunity structures are “those consistent dimensions of the political environment that provide incentives for or constraints on people undertaking collective action” (Tarrow, 1998). This environment constitutes a set of constraints and opportunities affecting the movement, which is often understood on a continuum of the openness and closure of the structure. An open structure facilitates the formation and development of the social movement, while a closed structure limits it. The opportunity structure is relevant for this research because scholars have explored the adoption of truth commissions using concepts such as “constraints” or “opportunities” (Zalaquett, 1992; Huyse, 1995; Elster, 2004). Scholars studying a state’s compliance with international norms identified scope conditions affecting the government’s behavior, namely, democratic versus authoritarian regimes, consolidated versus limited statehood, centralized versus decentralized implementation, material vulnerability, and social vulnerability (Risse, Ropp, and Sikkink, 2013:16). It is common practice to link the structure with the likelihood of the government’s decision to adopt human rights institutions and practices.

Among the various domestic structures, truth commission scholars claim that the power balance between the outgoing and new regime is important (Huyse, 1995; Nino, 1996; Pion-Berlin, 1994; Skaar, 1999; Zalaquett, 1992). The type of transition affects the cohesion among security forces and power structure of transitional countries (Huntington, 1991:215). If the old and new elites negotiate the transition, trials are less likely, because of the negotiation; however, a truth commission, understood as a negotiated “third way” solution, is more likely (Huyse, 1995; Tutu, 2000; Olsen, Payne, and Reiter, 2010). Truth commissions are more likely “in those instances where political transitions came about through negotiation rather than due to outright victory by one side of the conflict” (Brahm, 2007:16). Roper and Barria, 2009:379) further argue that the link between negotiated transition and the adoption of a truth commission is “one of the few hypotheses which have been empirically tested.” Scholars also determined that states emerging from civil wars are increasingly accompanied by an agreement to use a truth commission in the

negotiated peace accord (Hayner, 2010; Nauenberg, 2015:662). This theory leads to the following hypothesis:

**H2:** The new government will more likely adopt a truth commission if there is a parity of power between the old and new elites as a result of a negotiated transition.

### ***International Opportunity Structure: Diffusion Theory***

Similar to the domestic structure, the international opportunity structure can facilitate or limit the movement (Sikkink, Khagram, and Riker, 2002). Advocacy networks emerge and develop in interaction with both the domestic and international environments. Often, domestic and international structures transform each other, as in the case of the boomerang effect (Keck and Sikkink, 1998). Scholars of transitional justice note that especially for mid- or late-adopters of transitional justice measures, the international structure is important (Krueger, 2016). International factors “offset the political risks and financial costs” of transitional justice and sometimes “convince even unwilling democracies” to adopt these measures by reducing “the perceived threat” (Olsen, Payne, and Reiter, 2010:15). Once adopted internationally, a commission becomes “a reference” for “similar problems in other countries” and is eventually standardized (Krueger, 2016:154). However, the international structure is not simply a “vertical” process where the impact stems from the top. It includes many “horizontal” processes in which states influence each other (Sikkink, 2011:249–51; Nauenberg, 2015:666).

Among the various international structures, truth commission scholars maintain that the diffusion or “collective learning” process is critical (Sikkink, 2011; Nauenberg, 2015; Krueger, 2016:145). States adopt new practices of establishing a truth commission when their neighbors already employ such structures (Roht-Arriaza, 2002:97; Sikkink and Walling, 2007). Scholars suggest two diffusion mechanisms. First, geographic proximity is important (Kim and Sikkink, 2010; Olsen, Payne, and Reiter, 2010; Sikkink, 2011). A regional clustering of truth commissions in Latin America and Africa provides possible evidence of geographic diffusion. Second, constructivist scholars studying norm diffusion suggest that communication and shared understanding among like-minded states are more important than geographic proximity (Finnemore and Sikkink, 1998). Truth commission scholars note “cultural-cognitive influence” within regions as a highly significant factor (Nauenberg, 2015:665). Both policy and norm diffusion theories lead to the following hypothesis:

**H3:** The new government will more likely adopt a truth commission if other—either geographically proximate or culturally similar—states have used truth commissions.

### ***Interaction Effect***

It is also possible that theoretical pathways—advocacy networks and opportunity structures—are not competing but complementary (Krueger, 2016). Each factor could be a necessary condition, but may not be sufficient. Possibly, the effect exists when one condition (e.g., advocacy networks) is combined with another (e.g., diffusion). For example, Krueger (2016:153) argues that “interaction among human rights activists and the relatives of victims with the newly elected officials” led to the creation of the commission in Argentina. This leads to the following hypothesis:

TABLE 1

## Countries that Underwent Democratic Transition and Countries with Truth Commissions

## Countries that Underwent Democratic Transition: 1980–2006 (71 Countries)

Albania (1990); Argentina (1983); Armenia (1991, 1998); Benin (1990); Bolivia (1982); Bosnia (1992); Brazil (1985); Bulgaria (1990); Burundi (2005); Cambodia (1988, 1998); Chile (1989); Comoros (1990, 2001); Democratic Republic of the Congo (2004); Croatia (1999); Czech Republic (1993); Djibouti (1999); East Timor (2002); El Salvador (1981); Estonia (1991); Ethiopia (1993); Georgia (1991); Germany (1990); Guatemala (1986); Guinea-Bissau (1994, 2005); Guyana (1992); Haiti (1990, 1994, 2004); Honduras (1980); Hungary (1989); Indonesia (1999); Ivory Coast (2000); Kenya (2002); Korea, Republic of (1987); Kyrgyzstan (2005); Latvia (1991); Lesotho (1993); Liberia (2003); Lithuania (1991); Macedonia (1991); Madagascar (1991); Malawi (1994); Mali (1991); Mexico (1994); Moldova (1991); Mongolia (1990); Montenegro (2006); Mozambique (1994); Namibia (1990); Nepal (1990, 2006); Nicaragua (1990); Niger (1991, 1999); Nigeria (1999); Pakistan (1988); Panama (1989); Paraguay (1989); Peru (1980, 2000); Philippines (1986); Poland (1989); Romania (1990); Russia (1992); Senegal (2000); Serbia (2000); Sierra Leone (1996); Slovak Republic (1993); Slovenia (1991); South Africa (1992); Taiwan (1992); Thailand (1992); Turkey (1983); Ukraine (1991); Uruguay (1985); Zambia (1991)

NOTE: Some countries underwent more than one democratic transition since the initial transition.

## Countries with Truth Commissions (Starting Year): 1980–2006 (28 Countries)

Argentina (1983); Bolivia (1982); Bosnia (2004); Chile (1990, 2003); Democratic Republic of the Congo (2004); East Timor (2002); El Salvador (1992); Estonia (1999); Ethiopia (1993); Germany (1992, 1995); Guatemala (1997); Haiti (1995); Honduras (1993); Indonesia (2005); Korea, Republic of (2000); Liberia (2006); Lithuania (1998); Nepal (1990); Nigeria (1999); Panama (2001); Paraguay (2004); Peru (2001); Philippines (1986); Serbia (2002); Sierra Leone (2002); South Africa (1995); Uruguay (1985, 2000); Zambia (1993)

**H4:** The new government will more likely adopt a truth commission if one condition is combined with another.

## Research Design

### *Case Selection*

I used the Transitional Justice Database Project (TJDB) database on truth commissions in 71 countries that became democracies between 1980 and 2006 (Table 1). Democratization refers to a situation where a state changes from a repressive and closed regime such as a military, one-party, authoritarian, dictatorial, or communist regime to an open and decentralized government. Usually, the indicator of democratic transition is a free, fair, secret, and direct national election for major government offices including head of state (Huntington, 1991:7). Neither all countries in the world nor the 28 countries with truth commissions constitute an appropriate sample. The former would mean including many irrelevant cases that did not undergo democratization or have a repressive past, and the

TABLE 2  
Summary Statistics and Data Sources

Summary Statistics					
Variable	<i>N</i>	Mean	<i>SD</i>	Min	Max
<b>Dependent Variable</b>					
Year until truth commission	1,066	9.14	5.69	1	27
<b>Independent Variables</b>					
Domestic advocacy groups ( <i>ln</i> )	1,046	2.75	1.34	0	5.50
International involvement (UNPKO)	1,066	0.12	0.33	0	1
Transition type (negotiation)	1,066	0.57	0.49	0	1
Precedents in neighbors	1,066	1.35	1.56	0	6
Precedents in cultural neighbors	1,066	2.03	3.19	0	11
<b>Controls</b>					
Democracy	1,054	6.41	3.11	-7	10
Current level of repression	1,023	3.15	2.13	0	8
Commitment to human rights	1,051	2.37	0.88	0	3
Duration of authoritarianism ( <i>ln</i> )	1,066	2.94	0.99	0.69	4.39
Current military leader	1,047	0.08	0.27	0	1
Past level of political instability ( <i>ln</i> )	1,065	1.09	0.91	0	2.70
Human rights prosecutions	1,066	0.15	0.36	0	1
GDP per capita ( <i>ln</i> )	1,066	7.19	1.24	4.68	10.47
Annual GDP growth rate (%)	1,062	3.04	6.67	-44.9	85.9
Precedents	1,066	15.19	7.45	0	27
Data Sources					
	Variables	Data Sources			
<b>DV</b> <b>IVs</b>	Truth commissions	TJDB project			
	Domestic advocacy groups	Hathaway (2007)			
	International involvement	<a href="http://www.un.org/en/peacekeeping/">http://www.un.org/en/peacekeeping/</a>			
	Transition type (negotiation)	TJDB project			
	Precedents in neighbors	TJDB project; U.N. database			
<b>Controls</b>	Precedents in cultural neighbors	TJDB project; U.N. database; CIA Factbook			
	Democracy	Polity IV data set			
	Current level of repression	CIRI human rights data project			
	Commitment to human rights	U.N. OHCHR			
	Duration of authoritarianism	Polity IV data set			
	Current military leader	Polity IV data set			
	Past level of political instability	Polity IV data set			
	Human rights prosecution	Human rights prosecution data set			
	Global precedents	TJDB project			
GDP per capita; GDP growth rate	U.N. database				

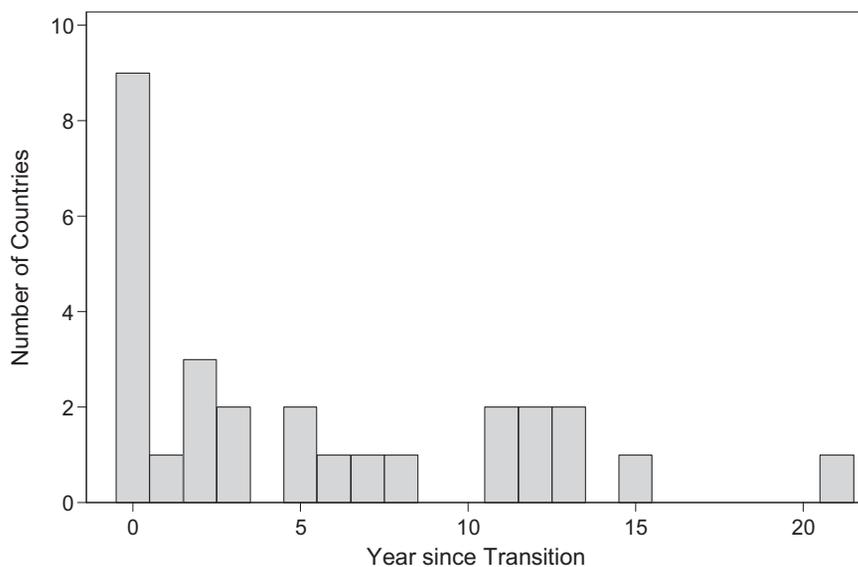
latter would exclude many important cases that did not have trials, although they had a high probability of these.<sup>1</sup>

Following established practice (Mansfield and Snyder, 2002), I identified transitional countries using the data set from the Polity IV Project. I began with all 116 democratic countries with total populations greater than 500,000 in 2006 and followed a two-step

<sup>1</sup>Only transitional countries were examined because my interest was in explaining the use of truth commissions in these countries. I do not assume that truth commissions are created only in these countries. Several authoritarian and democratic countries established truth commissions. However, I believe that the reasons for establishing truth commissions in these countries is qualitatively different from the reasons they are used in transitional countries.

FIGURE 2

Number of Countries with Truth Commissions by Year of Adoption



procedure. First, Regtrans is a six-point scale regime-change variable, wherein “+3” indicates a major democratic transition, “+2” a minor democratic transition, and so on until “-2” shows an adverse regime transition. I found that 53 countries were undergoing a democratic transition (“+3” and two or more consecutive years of “+2” scores in Regtrans) and 18 experiencing a democratic transition simultaneously with state creation (“99”) or transformation (“97”).

### *Dependent Variable*

I created a binary measure of whether and when a country adopted a truth commission. This binary time-series cross-national data set was converted into an event history data set wherein the hazard of establishing a truth commission was measured as the dependent variable. The data show that 28 countries established truth commissions between 1980 and 2006, with a mean duration of 9.14 years after transition and a standard deviation of 5.69 years (Table 2). Figure 2 illustrates variations in the timing of this adoption. More than half the countries (15 countries) adopted truth commissions within three years of transition. However, eight countries (28 percent) established their first truth commissions after 10 years of transition. For example, Korea established its first commission in 2000, 13 years after its democratic transition in 1987. Other countries such as Paraguay and Peru established their first commissions more than 15 years after transition.

### *Independent Variables*

First, two variables were used to measure the impact of transnational advocacy networks. The number of domestic human rights NGOs was measured using the Mosley and Uno

(2007) Human Rights NGOs Dataset, which was coded based on the Human Rights Internet Master List. The role of the United Nations was measured according to the presence of U.N. peacekeeping operations in the country (Ross, 2006; Roper and Barria, 2009; Nauenberg, 2015). Second, power balance was measured using the type of transition in the TJDB database (Skaar, 1999). This dummy variable measured whether the country's transition was negotiated. Third, two variables, namely, precedents in neighbors and precedents in cultural neighbors, were used to measure the diffusion effect. The number of transitional states that established a truth commission among a state's geographic neighbors (precedents in neighbors) and cultural neighbors (precedents in cultural neighbors) was employed to measure the impact of neighbors. First, I used the U.N. Statistics Division's subregional division of the world to define a state's geographic neighbors. Second, to define cultural neighbors, each state was divided into five religion categories (Protestant, Catholic, Orthodox, Muslim, or Buddhism). A religion category was selected when more than 50 percent of the population followed the specific belief system based on the *CIA World Factbook*. Then, the cultural neighbors of a state were defined as countries with the same religion on the same continent.

### ***Controls***

A set of variables was included to control for all other factors that might affect the likelihood of a truth commission (Dancy and Poe, 2006; Roper and Barria, 2009; Olsen, Payne, and Reiter, 2010). First, I controlled for factors facilitating the adoption of a truth commission. Scholars argued that democracy (Herz, 1982), compliance with international human rights norms (Ball, 2000), global precedents of truth commissions (Sikkink, 2011), and economic development (Elster, 2006) positively affect the decision to establish a truth commission. Second, I controlled for factors negatively affecting the likelihood of a truth commission. Previous studies found that the duration of an authoritarian regime (Roper and Barria, 2009), current level of repression (Pion-Berlin, 1994; Nino, 1996), current military leader (Acuña and Smulovitz, 1997), alternative transitional justice measures such as criminal prosecutions (Rotberg and Thompson, 2000), and the previous level of political instability (Sikkink and Kim, 2013) obstruct the decision to establish a truth commission. The data sources and descriptions are provided in Table 2.

### ***Models***

Cox proportional hazard models were used to explain the adoption of a truth commission. The Cox model provides a prediction for hazard rates, namely,  $h_i(t)$ , which is the rate at which a state  $i$  holds trials at time  $t$  given that the state did not have a trial until time  $t$  (Box-Steffensmeier and Jones, 2004:13). By estimating the hazard rates, both *whether* and *when* a state established a truth commission is considered, since the rate is conditional on duration. Unlike other parametric or logit models, the Cox model provides estimates of the coefficients without making assumptions regarding the baseline hazard function, which is an advantage of this model. In addition, the Cox model shares many asymptotic properties such as consistency, efficiency, and normality associated with other maximum likelihood estimates and provides useful diagnostics (Singer and Willett, 2003:516). Cox models with

the exact partial likelihood to handle tied observations and robust standard errors adjusted for clustering by country were used.<sup>2</sup> The functional form is as follows:

$$h_i(t) = h_0(t)e^{(\beta'X)},$$

where  $h_0(t)$  is an unspecified baseline hazard function and  $\beta'X$  is the regression parameter and covariates.

The correlations among the independent variables were checked for multicollinearity, and three diagnostics used: (1) a test for the proportional hazards assumption using rescaled Schoenfeld residuals, (2) a test for an appropriate functional form of the covariates using Martingale residuals, and (3) a test for a general model fit using Cox-Snell residuals (Box-Steffensmeier and Jones, 2004). The global test by Grambsch and Therneau did not yield a significant test statistic, suggesting no violations of the proportional hazards assumption.<sup>3</sup>

## Findings

Tables 3 and 4 report the effects of the independent and control variables on the adoption of a truth commission. Model 1 is a baseline model, while Models 2, 3, and 4 test the robustness of key independent variables using alternative measures. The coefficients measure the impact of the independent and control variables on the likelihood of adopting a truth commission. The positive (negative) coefficients imply that the likelihood of adopting a truth commission increases (decreases) as an independent variable increases. The results strongly support both transnational advocacy networks and diffusion explanations, and reject the power balance explanation and the interaction effect.<sup>4</sup> For the control variables, the level of democracy and economic development were statistically significant.

### *Transnational Advocacy Networks*

The results strongly support the role of transnational advocacy networks in adopting a truth commission in transitional countries. Across all models, variables measuring the impact of transnational advocacy networks were highly significant. In Model 1, tests for the joint effect of the domestic and international advocacy variables were significant ( $\chi^2 = 7.07$ ,  $df = 2$ ,  $p = 0.029$ ).<sup>5</sup> In addition, a bivariate relationship exists between the transnational advocacy networks variables and dependent variable, confirming that the relationship is not spurious. The coefficients of the domestic advocacy group variable and international involvement variable in a separate bivariate Cox model were, respectively,  $\beta = 0.283$  (SE = 0.121,  $p = 0.020$ ) and  $\beta = 0.979$  (SE = 0.398,  $p = 0.014$ ). As such, a state with strong domestic advocacy groups and international involvement is more likely to establish a truth commission after political transition.

<sup>2</sup>I also estimated logit models that addressed time dependence through a cubic spline (Beck, Katz, and Tucker, 1998). The results, which are available upon request, were similar.

<sup>3</sup>The results of these diagnostics and tests are available upon request. Wald or score tests provide the same results.

<sup>4</sup>Models measuring the interaction effect of three key variables are available upon request. None of the interaction effects were statistically significant.

<sup>5</sup>Tests for the joint effect of the domestic and international advocacy variables are also significant in Model 2 ( $\chi^2 = 7.61$ ,  $df = 2$ ,  $p = 0.022$ ), Model 3 ( $\chi^2 = 7.96$ ,  $df = 2$ ,  $p = 0.018$ ), and Model 4 ( $\chi^2 = 7.25$ ,  $df = 2$ ,  $p = 0.026$ ).

TABLE 3  
Structural Determinants of Truth Commissions (Baseline Models)

	Model 1			Model 2		
	Coef.	Std. Err.	p-Value	Coef.	Std. Err.	p-Value
<b>Transnational advocacy networks</b>						
Domestic advocacy groups ( <i>ln</i> )	0.503	0.242	0.038	0.500	0.237	0.035
International involvement (UNPKO)	0.955	0.486	0.050	1.024	0.483	0.034
<b>Power balance</b>						
Transition type (negotiation)	-0.816	0.349	0.019			
Transition type (government led)				-1.021	0.394	0.010
Transition type (opposition led)				-0.512	0.501	0.306
<b>Diffusion</b>						
Precedents in neighbors	-0.392	0.180	0.030	-0.398	0.184	0.031
Precedents in cultural neighbors	0.189	0.097	0.054	0.215	0.103	0.037
<b>Controls</b>						
Democracy	0.201	0.105	0.057	0.211	0.105	0.045
Current level of repression	-0.136	0.112	0.225	-0.135	0.112	0.229
Commitment to human rights	-0.279	0.245	0.256	-0.237	0.253	0.350
Duration of authoritarianism ( <i>ln</i> )	0.227	0.242	0.350	0.222	0.236	0.347
Current military leader	-0.332	0.646	0.607	-0.278	0.617	0.652
Past level of political instability ( <i>ln</i> )	0.363	0.267	0.174	0.329	0.254	0.195
Human rights prosecutions	0.150	0.639	0.814	0.127	0.654	0.846
GDP per capita ( <i>ln</i> )	-0.381	0.230	0.098	-0.420	0.231	0.070
Annual GDP growth rate (%)	0.103	0.042	0.015	0.098	0.041	0.017
Global precedents	-0.043	0.032	0.186	-0.053	0.034	0.120
Time at risk			984			984
Number of subjects			67			67
Number of events			26			26
Log pseudolikelihood			-88.51			-88.27
Chi-squared			31.26			31.34

Figure 3 shows the changes in hazards (likelihood) of establishing a truth commission after transition as the number of domestic human rights NGOs increases from the minimum to maximum value (at a 95 percent confidence interval). The likelihood of adopting a truth commission is 16 times greater if a country shifted from the minimum to maximum level of domestic advocacy. In addition, international pressure increases the likelihood of creating a truth commission by a factor of 2.6. If combined, the likelihood of establishing a truth commission is 41 times greater in countries with the highest level of domestic and international advocacy than in those facing no pressure.

This finding indicates that transnational advocacy networks are an important determinant of truth commissions. The existence of active and strong domestic advocacy groups is a significant factor affecting a state's decision to establish a truth commission. This finding is consistent with the observations of scholars and practitioners concerning the role of domestic civil society. This finding is significant because the importance of domestic advocacy groups in the transitional justice process, which is based on case studies, is now additionally confirmed by a cross-national study. Furthermore, the involvement of international actors is highly significant. This finding strongly supports the arguments of many scholars and

TABLE 4  
Structural Determinants of Truth Commissions (Robustness Checks)

	Model 3			Model 4		
	Coef.	Std. Err.	<i>p</i> -Value	Coef.	Std. Err.	<i>p</i> -Value
<b>Transnational advocacy networks</b>						
Domestic advocacy groups ( <i>ln</i> )	0.461	0.240	0.054	0.526	0.247	0.034
International involvement (UNPKO)	1.316	0.490	0.007	0.990	0.482	0.040
<b>Power balance</b>						
Transition type (negotiation)	-0.782	0.325	0.016	-0.779	0.341	0.023
<b>Diffusion</b>						
Precedents in neighbors				-0.472	0.211	0.026
Precedents in neighbors (continent)	-0.639	0.370	0.084			
Precedents in cultural neighbors	0.506	0.265	0.056			
Precedents in cultural neighbors (language)				0.256	0.119	0.032
<b>Controls</b>						
Democracy	0.227	0.106	0.038	0.195	0.110	0.077
Current level of repression	-0.091	0.110	0.407	-0.147	0.113	0.193
Commitment to human rights	-0.252	0.243	0.301	-0.291	0.237	0.220
Duration of authoritarianism ( <i>ln</i> )	0.113	0.241	0.636	0.236	0.237	0.321
Current military leader	-0.187	0.669	0.779	-0.325	0.643	0.613
Past level of political instability ( <i>ln</i> )	0.340	0.261	0.194	0.374	0.271	0.167
Human rights prosecutions	0.115	0.638	0.856	0.144	0.661	0.827
GDP per capita ( <i>ln</i> )	-0.363	0.232	0.117	-0.415	0.247	0.093
Annual GDP growth rate (%)	0.090	0.034	0.010	0.094	0.041	0.023
Global precedents	0.052	0.058	0.372	-0.033	0.030	0.270
Time at risk			984			984
Number of subjects			67			67
Number of events			26			26
Log pseudolikelihood			-88.76			-88.04
Chi-squared			33.82			31.96

the position of those propagating the leading role of the United Nations in transitional justice.

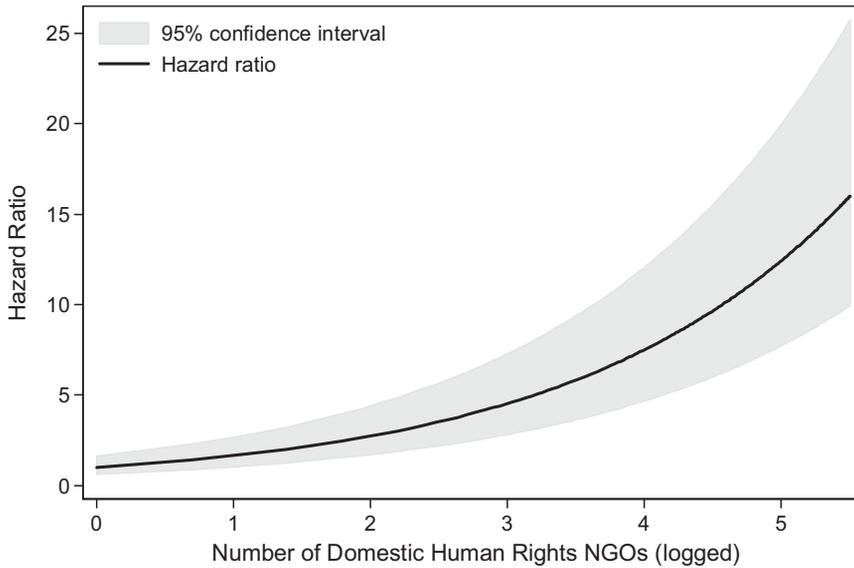
### ***Power Balance***

The results show that contrary to the findings of earlier studies, the power balance between old and new elites negatively affects a state's decision to establish a truth commission. In other words, if the old and new elites negotiate a political transition, a truth commission is less likely to be established. Across all models, the variables measuring the impact of the power balance were highly significant. In Model 1, negotiated transition decreases the likelihood of using a truth commission by a factor of 0.44. The results from Models 3 and 4 also confirm this finding and suggest that the power balance between elites negatively affects the likelihood of employing a truth commission. However, this effect cannot be confirmed because the coefficients of the power balance variable in a separate bivariate Cox model were not significant ( $\beta = -0.203$ ,  $SE = 0.309$ ,  $p = 0.510$ ).

One reason for the reverse effect of the power balance variable is the different effects of government-led and opposition-led negotiation. Truth commissions are a negotiated solution between the old elites in the outgoing government and the new elites in the

FIGURE 3

Changes in Hazards Based on the Number of Domestic Human Rights NGOs



opposition. The power balance after negotiation could have a different impact depending on whether the negotiation was led by the government or the opposition. Model 2 examines the possible different effects of the power balance variables. The variable measuring the impact of government-led negotiation was statistically significant, while that measuring the impact of opposition-led negotiation was not. Model 2 shows that having a government-led negotiated transition decreases the likelihood of using a truth commission by a factor of 0.36. However, again, this effect cannot be confirmed because the coefficients of both variables in a separate bivariate Cox model were not significant.<sup>6</sup>

### Diffusion

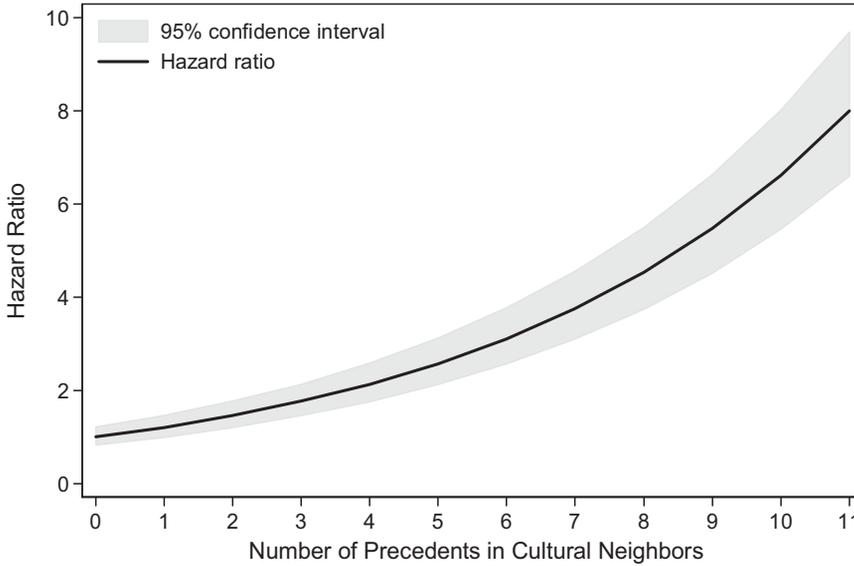
Diffusion theory was confirmed as being valid in explaining the establishment of a truth commission. Transitional countries are more likely to establish a truth commission if one was already employed by its neighbors. In Model 1, tests for the joint effect of all diffusion variables were significant ( $\chi^2 = 6.39$ ,  $df = 2$ ,  $p = 0.040$ ).<sup>7</sup> Precedents among neighbors—both cultural and geographic—were a key factor affecting the likelihood of establishing a truth commission. This finding confirms the diffusion theory derived from the policy studies and international norms literature. When many relevant domestic factors are controlled for, the experience among neighboring countries remains significant. This also confirms the existence of the international opportunity structure for transitional justice advocacy.

<sup>6</sup>For government-led negotiation, the coefficient is  $\beta = -0.204$ ,  $SE = 0.327$ ,  $p = 0.533$ , and for opposition-led negotiation, it is  $\beta = -0.040$ ,  $SE = 0.414$ ,  $p = 0.922$ .

<sup>7</sup>Tests for the joint effect of all diffusion variables were also significant in Model 4 ( $\chi^2 = 6.28$ ,  $df = 2$ ,  $p = 0.043$ ).

FIGURE 4

Changes in Hazards Based on the Number of Precedents in Cultural Neighbors



Of the two possible diffusion paths, cultural similarity rather than simple geographic proximity determines the diffusion of truth commissions. The coefficient of the diffusion variable measured by cultural similarity shows a positive sign and is statistically significant in all the models. The coefficient of the variable precedents in cultural neighbors in a separate bivariate Cox model was  $\beta = 0.104$  ( $SE = 0.056$ ,  $p = 0.062$ ). Alternatively, cultural similarity, which was measured according to religion, was also measured using language in Model 4 to test the robustness of the findings. Here, cultural neighbors were defined as countries with the same language on the same continent. Language was used to capture the cognitive influence of truth commissions in neighboring countries (Nauenberg, 2015). The coefficient of the variable precedents in cultural neighbors shows a positive sign and is statistically significant. The coefficient in a separate bivariate Cox model was also positive and highly significant ( $\beta = 0.128$ ,  $SE = 0.058$ ,  $p = 0.029$ ).

Figure 4 shows the changes in hazards (likelihood) of establishing a truth commission after transition as the number of precedents in cultural neighbors increases from the minimum (0) to maximum value (11) value (at a 95 percent confidence interval). The likelihood of adopting a truth commission was about eight times greater if a country shifted from the minimum to maximum level of the number of precedents in cultural neighbors. The average number of precedents in cultural neighbors varies by continent. On average, Asia has 0.05 precedents in cultural neighbors while Latin America has six. When compared, the likelihood of using a truth commission in Latin America was about three times greater than in Asia. Model 1 predicted that for each additional increase in a neighboring country's truth commissions, the likelihood of establishing a commission in that country increased by a factor of 1.2. The same is true when language was used to measure cultural neighbors. In Model 4, the likelihood of establishing a truth commission was about 13 times greater if a country shifted from the minimum (0) to maximum level (10) of the number of precedents in cultural neighbors.

In contrast, the coefficient of the diffusion variable measured according to geographic proximity showed a negative sign and was statistically significant. However, this effect cannot be confirmed because the coefficients of the variable precedents in geographic neighbors in a separate bivariate Cox model were not significant.<sup>8</sup> This finding has important theoretical implications. The finding supports the constructivist diffusion theory, suggesting that communication and shared understanding among like-minded states are more important than simple geographic proximity in the diffusion process (Finnemore and Sikkink, 1998). My findings indicate that the diffusion process, when various domestic and international factors are controlled for, is driven by the mechanism of cultural similarity rather than geographic proximity.<sup>9</sup>

### ***Other Determinants***

In addition, I determined that the level of democracy and economic development affects a state's decision to establish a truth commission. First, countries with a high level of democracy, as measured by the Polity IV score, are more likely to establish truth commissions. This finding supports the argument that democratic regimes are more likely to adopt transitional justice measures after transition because new regimes face a strong demand from the people and democracies effectively channel such demands (Herz, 1982). Second, my findings show that truth commissions are more likely in countries experiencing economic growth after democratization. The variable measuring economic growth was statistically significant, suggesting that countries with increasing economic resources can devote more of their political focus to the issue of past human rights violations (Elster, 2006).<sup>10</sup>

### **Conclusion**

In this article, I questioned why states establish a truth commission after political transition to investigate human rights violations in previous regimes. I tested three key theories, namely, transnational advocacy networks, the balance of power between old and new elites, and diffusion theory. I found strong evidence supporting the transnational advocacy networks and diffusion explanations. My analysis prompts avenues for future research. The dialogue between quantitative and traditional qualitative research should continue to construct a theory explaining the adoption of a truth commission. I identified an important juncture wherein researchers with different approaches can collaborate, namely, theory building.

Furthermore, I found empirical evidence supporting the relevance of diffusion, domestic advocacy groups, and international actors. Some findings in this study, notably those on domestic advocacy groups and international actors, are well explained by existing studies and supported by field observations. However, another important empirical finding, namely, diffusion, lacks plausible theories or causal stories. Further research is needed to

<sup>8</sup>For the variable precedents in neighbors used in Model 1,  $\beta = -0.041$  (SE = 0.131,  $p = 0.751$ ), and for the variable precedents in neighbors (continent) used in Model 3,  $\beta = -0.072$  (SE = 0.083,  $p = 0.383$ ).

<sup>9</sup>The robustness of this finding was checked by including only one diffusion variable at a time, rather than simultaneously. The results did not differ.

<sup>10</sup>The variable measuring the current level of economic development is significant in Models 1, 2, and 4. However, the results are not consistent for all four models. Moreover, the coefficients of the economic standing variable in a separate bivariate Cox model were not significant ( $\beta = -0.066$ , SE = 0.139,  $p = 0.637$ ).

explore what aspects of cultural similarity play key roles in the diffusion process and how. A next step would be exploring the exact diffusion paths of truth commissions using case studies and determining the underlying causes of diffusion.

Furthermore, studies on truth commissions have a further implication in the development of global investigative norms. Truth commissions have become an important model for domestic and international human rights investigation. Human rights investigations have exponentially increased over the last 20 years, both in the international realm and domestic politics, by official governments and many nongovernmental civil society actors. For example, the United Nations has established nine commissions of inquiry to investigate serious human rights violations. The fact that five of the nine were created in 2013 and 2014 demonstrates the recent surge of commissions. Human rights investigations are not only conducted by the United Nations but also increasingly by NGOs. For example, in response to the mistaken bombing of Kunduz Hospital by an American bomber in Afghanistan, Doctors Without Borders called on the International Humanitarian Fact-Finding Commission to independently investigate the incident. More domestic and international NGOs are demanding that states and international organizations determine the truth (Bickford, 2007).

## REFERENCES

- Acuña, C. H., and C. Smulovitz. 1997. "Guarding the Guardians in Argentina: Some Lessons About the Risks and Benefits of Empowering the Courts." Pp. 93–122 in A. J. McAdams, ed., *Transitional Justice and the Rule of Law in New Democracies*. Notre Dame, IN: University of Notre Dame Press.
- Backer, D. 2003. "Civil Society and Transitional Justice: Possibilities, Patterns and Prospects." *Journal of Human Rights* 2(3):297–313.
- Ball, P. 2000. "State Terror, Constitutional Traditions, and National Human Rights Movement: A Cross-National Quantitative Comparison." Pp. 54–75 in J. A. Guidry, M. D. Kennedy, and M. N. Zald, eds., *Globalizations and Social Movements: Culture, Power, and the Transnational Public Sphere*. Ann Arbor, MI: University of Michigan Press.
- Bassiouni, M. C. 2002. "The United Nations Commission of Experts Established Pursuant to Security Council Resolution 780 (1992) to Investigate Violations of International Humanitarian Law in the Former Yugoslavia." Pp. 429–57 in M. C. Bassiouni, ed., *Post-Conflict Justice*. Ardsley, NY: Transnational Publishers.
- Beck, N., J. N. Katz, and R. Tucker. 1998. "Taking Time Seriously: Time-Series-Cross-Section Analysis with a Binary Dependent Variable." *American Journal of Political Science* 42(4):1260–88.
- Bickford, L. 2007. "Unofficial Truth Projects." *Human Rights Quarterly* 29(4):994–1035.
- Bleeker, M., and J. Sisson. 2004. *Dealing with the Past: Critical Issue, Lessons Learned, and Challenges for Future Swiss Policy*. Bern: Swisspeace.
- Bongiorno, C. 2001–2002. "A Culture of Impunity: Applying International Human Rights Law to the United Nations in East Timor." *Columbia Human Rights Law Review* 33(3):623–92.
- Box-Steffensmeier, J. M., and B. S. Jones. 2004. *Event History Modeling: A Guide for Social Scientists*. Cambridge: Oxford University Press.
- Brahm, E. 2007. "Uncovering the Truth: Examining the Truth Commission Success and Impact." *International Studies Perspectives* 8(1):16–35.
- Buergenthal, T. 1994. "The United Nations Truth Commission for El Salvador." *Vanderbilt Journal of Transnational Law* 27(3):497–544.
- Dancy, G., H. Kim, and E. Wiebelhaus-Brahm. 2010. "The Turn to Truth: Trends in Truth Commission Experimentation." *Journal of Human Rights* 9(1):45–64.
- Dancy, G., and S. C. Poe. 2006. "What Comes Before Truth? The Political Determinants of Truth Commission Onset." Paper presented at the International Studies Association Annual Convention, San Diego, CA.

- Elster, J. 2004. *Closing the Books: Transitional Justice in Historical Perspective*. Cambridge: Cambridge University Press.
- . 2006. *Retribution and Reparation in the Transition to Democracy*. Cambridge: Cambridge University Press.
- Finnemore, M. 1996. *National Interests in International Society*. Ithaca, NY: Cornell University Press.
- Finnemore, M., and K. Sikkink. 1998. "International Norm Dynamics and Political Change." *International Organization* 52(4):887–917.
- Gibson, J. L. 2002. "Truth, Justice, and Reconciliation: Judging the Fairness of Amnesty in South Africa." *American Journal of Political Science* 46(3):540–56.
- . 2006. "The Contributions of Truth to Reconciliation: Lessons from South Africa." *Journal of Conflict Resolution* 50(3):409–32.
- Guest, I. 1995. *On Trial: The United Nations, War Crimes, and the Former Yugoslavia*. Washington, DC: Refugee Policy Group.
- Hayner, P. B. 2002. *Unspeakable Truths: Facing the Challenge of Truth Commissions*. New York: Routledge.
- . 2010. *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions*. New York: Routledge.
- Herz, J. H. 1982. *From Dictatorship to Democracy: Coping with the Legacies of Authoritarianism and Totalitarianism*. Westport, CT: Greenwood Press.
- Huntington, S. P. 1991. *The Third Wave: Democratization in the Late Twentieth Century*. Norman, OK: University of Oklahoma Press.
- Huyse, L. 1995. "Justice After Transition: On the Choices Successor Elites Make in Dealing with the Past." *Law and Social Inquiry* 20(1):51–78.
- Jeffery, R., and H. J. Kim, eds. 2013. *Transitional Justice in the Asia-Pacific*. Cambridge: Cambridge University Press.
- Keck, M. E., and K. Sikkink. 1998. *Activists Beyond Borders: Advocacy Networks in International Politics*. Ithaca, NY: Cornell University Press.
- Kim, H., and K. Sikkink. 2010. "Explaining the Deterrence Effect of Human Rights Prosecutions for Transitional Countries." *International Studies Quarterly* 54(4):939–63.
- Krueger, A. K. 2016. "The Global Diffusion of Truth Commissions: An Integrative Approach to Diffusion as a Process of Collective Learning." *Theory and Society* 45:143–68.
- Mallinder, L., and C. O'Rourke. 2016. "Databases of Transitional Justice Mechanisms and Contexts: Comparing Research Purposes and Design." *International Journal of Transitional Justice* 10:492–515.
- Mansfield, E. D., and J. Snyder. 2002. "Democratic Transition, Institutional Strength, and War." *International Organization* 56(2):297–337.
- Matheson, M. J. 2006. *Council Unbound: The Growth of UN Decision Making on Conflict and Postconflict Issues After the Cold War*. Washington, DC: U.S. Institute of Peace Press.
- McAdams, D., J. D. McCarthy, and M. N. Zald. 1996. *Comparative Perspectives on Social Movements*. New York: Cambridge University Press.
- Mosley, L., and S. Uno. 2007. "Racing to the Bottom or Climbing to the Top? Economic Globalization and Collective Labor Rights." *Comparative Political Studies* 40(8):923–48.
- Nauenberg, S. 2015. "Spreading the Truth: How Truth Commissions Address Human Rights Abuses in the World Society." *International Sociology* 30(6):654–73.
- Nino, C. S. 1996. *Radical Evil on Trial*. New Haven, CT: Yale University Press.
- Olsen, T. D., L. A. Payne, and A. G. Reiter. 2010. *Transitional Justice in Balance: Comparing Processes, Weighing Efficacy*. Washington, DC: U.S. Institute of Peace Press.
- Pasqualucci, J. M. 1994. "The Whole Truth and Nothing But the Truth: Truth Commissions, Impunity, and the Inter-American Human Rights System." *Boston University International Law Journal* 12(2):321–70.

- Pion-Berlin, D. 1994. "To Prosecute or to Pardon? Human Rights Decisions in the Latin American Southern Cone." *Human Rights Quarterly* 16(1):105–30.
- Risse, T., S. C. Ropp, and K. Sikkink, eds. 2013. *The Persistent Power of Human Rights: From Commitment to Compliance*. Cambridge: Cambridge University Press.
- Roht-Arriaza, N. 2002. "Civil Society in Processes of Accountability." Pp. 98–114 in M. C. Bassiouni, ed., *Post-Conflict Justice*. Ardsley, NY: Transnational Publisher.
- Roper, S. D., and L. A. Barria. 2009. "Why Do States Commission the Truth? Political Considerations in the Establishment of African Truth and Reconciliation Commissions." *Human Rights Review* 10(3):373–91.
- Ross, A. 2006. "The Creation and Conduct of the Guatemalan Commission for Historical Clarification." *Geoforum* 37:69–81.
- Rotberg, R. I., and D. Thompson. 2000. *Truth v. Justice: The Morality of Truth Commissions*. Princeton, NJ: Princeton University Press.
- Rowen, I., and J. Rowen. 2017. "Taiwan's Truth and Reconciliation Committee: The Geopolitics of Transitional Justice in Contested States." *International Journal of Transitional Justice* 11(1):92–112.
- Sikkink, K. 2011. *The Justice Cascade: How Human Rights Prosecution Are Changing World Politics*. New York: W.W. Norton.
- Sikkink, K., S. Khagram, and J. V. Riker. 2002. *Restructuring World Politics: Transnational Social Movements, Networks, and Norms*. Minneapolis, MN: University of Minnesota Press.
- Sikkink, K., and H. J. Kim. 2013. "How Do Human Rights Prosecutions Improve Human Rights After Transition?" *Interdisciplinary Journal of Human Rights Law* 7(1):69–90.
- Sikkink, K., and C. B. Walling. 2007. "The Justice Cascade and the Impact of Human Rights Trials in Latin America." *Journal of Peace Research* 44(4):427–45.
- Singer, J. D., and J. B. Willett. 2003. *Applied Longitudinal Data Analysis: Modeling Change and Event Occurrence*. New York: Oxford University Press.
- Skaar, E. 1999. "Truth Commissions, Trials—or Nothing? Policy Options in Democratic Transition." *Third World Quarterly* 20(6):1109–28.
- Sprout, H., and H. Sprout. 1969. "Environmental Factors in the Study of International Politics." Pp. 41–56 in J. N. Rosenau, ed., *International Politics and Foreign Policy*. New York: Free Press.
- Tarrow, S. 1998. *Power in Movement: Social Movements and Contentious Politics*. Cambridge: Cambridge University Press.
- Taylor, L. K., and A. Dukalskis. 2012. "Old Truths and New Politics: Does Truth Commission 'Publicness' Impact Democratization?" *Journal of Peace Research* 49(5):671–84.
- Teitel, R. G. 2003. "Transitional Justice Genealogy." *Harvard Human Rights Journal* 16:69–94.
- Tutu, D. 2000. *No Future Without Forgiveness*. New York: Image.
- Wiebelhaus-Brahm, E. 2010. *Truth Commissions and Transitional Societies: The Impact on Human Rights and Democracy*. New York: Routledge.
- Yusuf, H. O. 2007. "Travails of Truth: Achieving Justice for Victims of Impunity in Nigeria." *International Journal of Transitional Justice* 1(2):268–86.
- Zalaquett, J. 1992. "Balancing Ethical Imperatives and Political Constraints: The Dilemmas of New Democracies Confronting Past Human Rights Violations." *Hastings Law Journal* 43(6):1425–38.