



## THE ROLE OF FORGIVENESS IN TRUTH AND RECONCILIATION EFFORTS

### INTRODUCTION

As the GOC-FARC peace talks seem to move towards a positive conclusion, and talk of a truth commission becomes ever more real, the question of forgiveness and reconciliation presents itself as a crucial topic that could determine the strength and stability of peace. Reconciliation is a controversial term, which some believe involves simply an acceptance of peaceful coexistence, while others assert that it requires mutual forgiveness and respect. Most agree that all conflicts must go through some kind of reconciliation process in order to reach the beginnings of true peace. However, whether or not this process should also require – or request – forgiveness from one or all sides of the conflict varies between peace processes and conflicts. There is also the question of whether the forgiveness should come directly from the victims, in which case it is personal, or whether it can come from the political arena.<sup>i</sup> Given the importance of reconciliation in Colombia at this historic moment, this spotlight will examine two cases of truth and reconciliation commissions that have taken different approaches to the question of forgiveness, and then address the Colombian case.

### SOUTH AFRICA



Perhaps the most well known – and certainly one of the earliest – cases of a commission that incorporated forgiveness was the Truth and Reconciliation Commission (TRC) in South Africa (1995-2002). The TRC sought healing and reconciliation, and did not require any request for or expression of forgiveness.<sup>ii</sup> However, it did offer perpetrators the opportunity to request amnesty if they told the truth about their crimes in public hearings that were broadcast on national television as well as being open for victims' attendance. Amnesty was approved in 849 of the 7,112 cases in which it was requested.<sup>iii</sup> The perpetrators' testimonies came in a variety of forms, and were in many cases proffered mainly by the perpetrators themselves rather than in a question-and-answer format. In a few, the perpetrators offered apologies and asked for forgiveness from their victims – with varying degrees of perceived sincerity in these requests.<sup>iv</sup> These appeals for forgiveness were met with both acceptance and rejection, with some victims either immediately or later expressing that they had been able to forgive the perpetrators of

crimes that led to the deaths of their loved ones and others, and other victims refusing the possibility that they would ever be able to reach such a point.<sup>v</sup>

Either way, the end of the TRC in 2002 and the subsequent release of its report were hailed as examples of reconciliation at the end of what had seemed to be an unending period of violent repression. However, research has since shown that the TRC had limited effects on forgiveness and reconciliation in South Africa. Instead of focusing on intergroup forgiveness and reconciliation, the TRC focused on drawing them out between individual victims and perpetrators, and forgiveness was rarely 'given' by victims in the hearing context. The TRC's goal of promoting reconciliation and forgiveness was therefore not attained.<sup>vi</sup> In fact, one article found that six to eight years after the TRC, victims' participation in the TRC was inversely correlated with their forgiveness for perpetrators, and positively correlated with the anger and distress they felt towards the perpetrators' groups. However, the research did find that knowledge and acknowledgement of the past increased as a result of the TRC, and that it therefore had a positive overall impact.<sup>vii</sup>

### EL SALVADOR

El Salvador's Truth Commission (1991-1993) focused on verifying the truth about patterns of violence and human rights violations that had occurred during the country's civil war from 1979 to 1992. Five days after the Commission's report was released, then-President Christiani announced an amnesty law that aimed to demonstrate forgiveness for those who had committed the grave violations identified by the report. He also stressed that the law responded to a need for El Salvador to "forgive and forget" its bloody past and move on.<sup>viii</sup> Christiani's carefully chosen language when he made this announcement highlighted the links his government had made between awarding amnesty and supposedly forgiving the perpetrators as a step towards reconciliation. However, in addition to widespread criticism of the amnesty law itself, this news attracted disapproval of the government's seeming equation of political forgiveness with the personal forgiveness necessary for reconciliation. Instead of allowing the victims to decide whether or not they could forgive the perpetrators, the government provided political forgiveness but framed it in the language of reconciliation between victims and perpetrators. The government's interpretation of



forgiveness equates it with the renouncement of justice, preventing any legal action from being taken in order to punish the perpetrators.<sup>ix</sup>

This case raises a number of questions about the relationship between forgiveness, reconciliation, and justice. For example, it shows how controversial political forgiveness can be, as it takes the very personal act of forgiveness and transfers it to the public political sphere. In addition, the legitimacy of the forgiveness supposedly granted by the amnesty law is drawn into doubt given the State's assumption that it can speak on behalf of the victims, especially when it encourages the country as a whole to forgive and forget. Finally, Christiani's language seemed to imply that the State expected forgiveness to substitute justice in the process of seeking reconciliation and stable peace in El Salvador, but most experts agree that this substitution cannot be made, as it damages progress that may be made in the path to peace.<sup>x</sup> Despite these objections and concerns, the El Salvador case was the first of a few (including Angola in 1994 and Guatemala in 1996) in which the State claimed to grant forgiveness through amnesty, and encouraged individuals and society to forgive and forget, rather than construct memory, in order to move past the abuses.<sup>xi</sup>

## COLOMBIA



The GOC and FARC negotiating teams have announced plans to establish a non-judicial Commission to Clarify Truth and for Coexistence and Non-repetition, which will focus on three objectives: clarifying the truth about grave violations of human rights that happened within the Colombian conflict and explaining these occurrences; recognizing and acknowledging what has happened and the suffering caused to the victims; and promote dialogue and other elements necessary for peaceful coexistence, especially at the local and regional levels. The announcement makes only one mention of forgiveness, which comes in the context of describing the hearings that will take place to hear testimonies from the victims and provide the opportunity for perpetrators to confess, take responsibility for their crimes, and ask for forgiveness. It remains to be seen how these requests for forgiveness will

be presented, and whether any legal benefits for those responsible for the violations will be framed in the language of political forgiveness or not.

One request for forgiveness has already been made in the framework of the GOC-FARC peace talks. On December 6<sup>th</sup> 2015, a FARC delegation arrived in Bojayá, Chocó – the site of a massacre they carried out in 2002 in which at least 79 people were killed. There, they publically recognized what they had done and requested forgiveness, as well as promising to provide reparations for the surviving victims.<sup>xii</sup> The act was followed a couple of days later by an open letter from the Bojayá community, requesting a range of reparations including autonomy for Afro-Colombian and indigenous groups, education, and identification of the victims' remains.<sup>xiii</sup> There have also been reports that after attending (but not participating in) the event, various victims in Bojayá expressed that the FARC's words were not enough for their forgiveness, with some saying they will never be able to forgive the FARC for the massacre.<sup>xiv</sup>

## CONCLUSION

As peace approaches in Colombia, the country would do well to examine lessons from these cases and others, and assess the role that forgiveness could have in reconciliation and justice efforts. This is especially true given public attitudes towards forgiveness – a recent study found that a significant 82% of Colombians believe that forgiveness is essential to peace, and 60% say they would be willing to forgive the FARC. Interestingly, 53% believe that to forgive is the same as to forget.<sup>xv</sup> This data uncovers the need for Colombia to carefully consider the kind of place it will give to forgiveness in its Commission to Clarify Truth and for Coexistence and Non-repetition and other efforts to close the bloody conflict chapter of Colombia's history.

<sup>i</sup> Brahm, E. "Peacebuilding and Reconciliation Stage". Beyond Intractability, October 2003. <http://www.beyondintractability.org/essay/peacebuilding-reconciliation>

<sup>ii</sup> Minow, M. *Between Vengeance and Forgiveness: Facing History After Genocide and Mass Violence*. Beacon Press, 1998.

<sup>iii</sup> Truth Commission: South Africa. USIP Webpage, <http://www.usip.org/publications/truth-commission-south-africa>

<sup>iv</sup> Minow, M. Op. Cit.

<sup>v</sup> Ibid.

<sup>vi</sup> Chapman, A. *Truth Commissions and Intergroup Forgiveness: The Case of the South African Truth and Reconciliation Commission*. *Peace and Conflict: Journal of Peace Psychology*, Volume 13, Issue 1, 2007.

<sup>vii</sup> Stein, D. Et al. *The impact of the Truth and Reconciliation Commission on psychological distress and forgiveness in South Africa*. *Social Psychiatry and Psychiatric Epidemiology*, June 2008, Volume 43, Issue 6, pp 462-468.

<sup>viii</sup> Pope, S. *The Convergence Of Forgiveness And Justice: Lessons From El Salvador*. *Theological Studies* 64 (2003).

<sup>ix</sup> Ibid.

<sup>x</sup> Jeffery, R. *Amnesties, Accountability, and Human Rights*. University of Pennsylvania Press, 2014.

<sup>xi</sup> Ibid.

<sup>xii</sup> "Nunca hubo intención de lastimar a la población civil": Farc" *El Colombiano*, December 6 2015. <http://www.elcolombiano.com/las-farc-pidieron-perdon-a-las-victimas-en-bojaya-GC3235901>

<sup>xiii</sup> "Víctimas de masacre Bojayá esperan cambios tras pedido de perdón de las FARC." *Terra*, December 8 2015. <http://bit.ly/1k5JHx>

<sup>xiv</sup> "No matter how much the FARC cries, victims not yet able to forgive massacre" *Colombia Reports*, December 8 2015. <http://colombiareports.com/no-matter-how-much-the-farc-cries-not-all-victims-able-to-forgive-massacre/>

<sup>xv</sup> El Perdón, *Camino a la Reconciliación*. Fundación Ideas para la Paz, Bogota, Colombia. <http://www.ideaspaz.org/especiales/encuesta-reconciliacion/>