

Ex-combatants and the Truth Commission in Colombia: An Analysis of the Participation of Former Military and Ex-guerrillas

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ABSTRACT[∞]

The Colombian Truth Commission (2018 to 2022) provides a unique opportunity to delve into the participation of ex-military personnel and former guerrillas within truth-seeking bodies. While existing literature highlights the importance of their involvement in facilitating the assumption of responsibilities, rebuilding relations with their victims and undergoing personal transformation, it tends to overlook their potential contribution to truth and memory. After conducting interviews with former Commissioners, staff, soldiers and ex-guerrillas over a two-year period, our research reveals that former fighters maintained confrontational attitudes toward their previous adversaries. They primarily focused on promoting historical memory narratives rather than making substantial contributions to uncovering the truth. Conversely, the Commission took a moral stance in supporting the victims but failed to prevent conflicting narratives from hindering the path to reconciliation. The Colombian experience underscores the need for strategies to ensure that truth-seeking and memory spaces play a constructive role post-conflict, and to accommodate perpetrators' contributions to historical clarification without condoning their actions.

KEYWORDS: Colombia, ex-combatants, historical memory, postconflict, truth commissions

INTRODUCTION

According to the theories underlying truth commissions worldwide, accountability for human rights violations should assist in addressing a violent past and fostering a new social cohesion

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founded on consensus.¹ The coexistence of divergent historical narratives, it is understood, lies at the heart of divisions in postconflict societies.² Conversely, a shared understanding of history should empower societies to critically distance themselves from the past and endorse a new status quo, revitalizing interactions between society and institutions.³

However, the pursuit of historical consensus inevitably demands concessions from participants. This presents a paradox: many individuals who experienced the conflict from specific perspectives may find it unacceptable to relinquish their personal truths and memories in favor of a collective consensus.

The reluctance of victims, combatants and segments of society to surrender elements of truth and memory, integral to their identities, creates boundaries for constructing official truth and memory. In Colombia, for example, multiple narratives exist regarding the origins of the armed conflict, emphasizing various events such as agrarian struggles, communist conspiracies, insurgent militarization, civil wars, bipartisan power-sharing regimes and military takeovers. These diverse perspectives shape reference points and frameworks intertwined with distinct interpretations of the conflict's causes, motives and, crucially, the responsibilities of key players.⁴

We argue that a significant flaw in the institutional design of truth commissions is the exclusive focus on victims' testimonies, neglecting important narratives that deviate from official reports. Consequently, these initiatives fall short of resolving the ongoing clash of conflicting narratives among former factions and their constituencies. Instead of defusing tensions, some truth and memory initiatives can exacerbate opposing positions, impeding the path to reconciliation.

In the following section, we present a theoretical framework aimed at shedding light on the role of ex-combatants' testimonies in truth and memory endeavors. Subsequently, we outline the institutional avenues provided for ex-combatants to engage with the Colombian Truth Commission. We then analyse the divergent strategies employed by military personnel and demobilized ex-guerrillas to promote their respective narratives and perspectives. Finally, we conclude by drawing lessons from ex-combatant participation in Colombia and proposing a new approach to realign truth commissions with a more pragmatic reconciliation roadmap.

TRUTH AND MEMORY IN TRANSITIONAL CONTEXTS

The accumulated evidence demonstrates the enduring and profound divisions within postconflict societies, and how the enduring legacy of such division has, in certain instances, propelled societies toward renewed cycles of violence.

In South Africa, for example, researchers have verified in the last two decades that reconciliation 'has failed, or at least has not lived up to the expectations of most South Africans.'⁵ Despite the issue receiving both international and local attention, the white and black segments of society remain divided due to longstanding racial tensions and unresolved controversies surrounding human rights violations.⁶ As explained by some scholars, ordinary citizens continue

¹ Guillermo O'Donnell, Philippe C. Schmitter and Laurence Whitehead, *Transitions from Authoritarian Rule*, Vol. 2: Latin America (Baltimore: The Johns Hopkins University Press, 1986).

² Neil J. Kritz, 'Coming to Terms with Atrocities: A Review of Accountability Mechanisms for Mass Violations of Human Rights,' *Law and Contemporary Problems* 59(4) (1996): 127–152.

³ G. Dancy, H. Kim and E. Wiebelhaus-Brahm, 'The Turn to Truth: Trends in Truth Commission Experimentation,' *Journal of Human Rights* 9(1) (2010): 45–64.

⁴ About different accounts on origins and dynamics of the Colombian armed conflict, see Comisión Histórica del Conflicto y sus Víctimas, *Contribución al entendimiento del conflicto armado en Colombia* (2015). On the version of the Armed Forces, see Juan E. Ugarriza and Nathalie Pabón, *Militares y Guerrillas. La memoria histórica del conflicto armado en Colombia desde los archivos militares 1958–2016*, 2nd edn. (Bogotá: Universidad del Rosario, 2017), 25–54.

⁵ James L. Gibson, 'Overcoming Apartheid: Can Truth Reconcile a Divided Nation?' *The Annals of the American Academy of Political and Social Science* 603 (2006). 86.

⁶ A. R. Chapman and Hugo van der Merwe, eds., *Truth and Reconciliation in South Africa: Did the TRC Deliver?* (Philadelphia: University of Pennsylvania Press 2008).

to harbor resentment toward each other, a situation often exacerbated by widespread poverty and perceived inequality.⁷

In another paradigmatic case, namely Northern Ireland, the cessation of violence has not resulted in a decrease in sectarian behaviors and practices between Catholics and Protestants across various spheres, including schools, shops, political parties, sports, cultural activities, places of worship, friendships and marriages.⁸ The initial peace agreements there facilitated new opportunities for democratic political dialogue but paradoxically reinforced identity fault-lines, fueling the politics of division and mutual accusations.⁹

Despite significant efforts following the 1993 peace agreement between Israel and Palestine, scholars have continued to report 'widespread mutual violence, lack of hope, and broad negative emotions between groups.' This persistent situation occurred despite endeavors to promote not only elite negotiations but also citizen-level intergroup reconciliation initiatives.¹⁰ Discrepant views on victimhood and dynamics of blame have often obstructed progress toward harmonious coexistence.¹¹

In the former Yugoslavia, remembrance has contributed to deepening the divisions and wounds that impede reconciliation between its social segments.¹² A peaceful resolution to enmities between different ethnic groups in the region, sometimes across national borders, remains paramount to avoid current tensions escalating into full-scale violence.

The Colombian case follows a similar pattern. Despite a series of peace agreements signed between armed groups and governments since 1989, harmonious relationships between ex-combatants, victims and receiving communities have not generally materialized.¹³ In fact, antagonisms from wartime have translated into daily prejudice and mistrust,¹⁴ resulting in social and ideological gaps and polarization.¹⁵

Unfortunately, even though truth and memory bodies have fulfilled their missions, societies often remain deeply divided over different narratives about their violent past, whom to honor and remember and whom to blame.¹⁶ Instead, after an intense process of truth-telling, segments of society ended up exhausted, traumatized and more polarized than before.¹⁷

According to theories of democratic consolidation, accountability for the immediate past of violence should serve as a foundation for legitimizing public institutions and the rule of law.

⁷ S. Maddison and L. J. Shepherd, 'Peacebuilding and the Postcolonial Politics of Transitional Justice,' *Peacebuilding* 2(3) (2014): 253–269.

⁸ T. Tam, et al., 'Postconflict Reconciliation: Intergroup Forgiveness and Implicit Biases in Northern Ireland,' *Journal of Social Issues* 64(2) (2008): 303–320.

⁹ Kathy Hayward, 'Deliberative Democracy in Northern Ireland: Opportunities and Challenges for Consensus in a Consociational System,' in *Democratic Deliberation in Deeply Divided Societies: From Conflict to Common Ground*, ed. Juan E. Ugarriza and Didier Caluwaerts (Basingstoke: Palgrave MacMillan, 2014), 11–34.

¹⁰ E. Halperin, K. Sharvit and J. J. Gross, 'Emotion and Emotion Regulation in Intergroup Conflict: An Appraisal-Based Framework,' in *Frontiers of Social Psychology: Intergroup Conflicts and Their Resolution: A Social Psychological Perspective*, ed. Daniel Bar-Tal (New York: Psychology Press 2011), 83–103.

¹¹ I. SimanTov-Nachlieli, N. Shnab and S. Halabi, 'Winning the Victim Status Can Open Conflicting Groups to Reconciliation: Evidence from the Israeli-Palestinian Conflict,' *European Journal of Social Psychology* 45(2) (2015): 139–145.

¹² Janine N. Clark, 'Reconciliation through Remembrance? War Memorials and the Victims of Vukovar,' *International Journal of Transitional Justice* 7(1) (2013): 116–135.

¹³ Juan E. Ugarriza and Enzo Nussio, 'The Effect of Perspective-Giving on Postconflict Reconciliation. An Experimental Approach,' *Political Psychology* 38(1) (2017): 3–19.

¹⁴ Juan Diego Prieto, 'Together after War While the War Goes On: Victims, Ex-Combatants and Communities in Three Colombian Cities,' *International Journal of Transitional Justice* 6(3) (2012): 525–546.

¹⁵ Enzo Nussio, Angelika Rettberg and Juan E. Ugarriza, 'Victims, Nonvictims and Their Opinions on Transitional Justice: Findings from the Colombian Case,' *International Journal of Transitional Justice* 9(2) (2015) 336–354.

¹⁶ Janine N. Clark, 'Reconciliation via Truth? A Study of South Africa's TRC,' *Journal of Human Rights* 11(2) (2012): 189–209; J. R. Neff, *Honoring the Civil War Dead: Commemoration and the Problem of Reconciliation* (Lawrence: University Press of Kansas, 2005); A. Rigney, 'Reconciliation and Remembering: (How) Does It Work?,' *Memory Studies* 5(3) (2012): 251–258; Antonius C. G. M. Robben, 'From Dirty War to Genocide: Argentina's Resistance to National Reconciliation,' *Memory Studies* 5(3) (2012): 305–315; D. Mendeloff, 'Truth-Seeking, Truth-Telling and Postconflict Peacebuilding. Curb the Enthusiasm?' *International Studies Review* 6(3) (2004): 355–380.

¹⁷ Karen Brounéus, 'The Trauma of Truth Telling: Effects of Witnessing in the Rwandan Gacaca Courts on Psychological Health,' *Journal of Conflict Resolution* 54(3) (2012): 408–437.

This is contingent upon it fostering a shared understanding of past violence and representing a clear departure from the systemic conditions that enabled such violence.¹⁸

Both truth and memory play pivotal roles in these accountability efforts. In this context, truth can be understood as the identification of responsibilities for those individuals and groups involved in human right abuses. Precisely, the primary goal of truth commissions is to unveil systematic patterns, and the actors involved in them, and to provide an official account.¹⁹ Memory, on the other hand, encompasses various forms of recollecting recent violence. Initially rooted in individual capacities to remember, memories are then constructed into inter-subjective accounts that coalesce into collective memory. In the case of formalized collectives, their institutional memory reflects the way they intend to be perceived by the rest of society. Historical memory, in turn, seeks to provide arguments and explanations for past events, and unlike other forms of memory, is inherently subject to permanent debate and revision.²⁰

While transitional justice models primarily focus on truth mechanisms to address the past, consensus on both truth and memory is anticipated to strengthen social cohesion,²¹ mitigate divisions arising from differing versions of the past²² and prevent patterns of collective stigmatization.²³ Consequently, commissions typically inquire about responsibilities and also document narratives.

Ex-combatants and Truth Commissions

Although many commissions have been established at the end of armed conflicts, they seldom arise from formal agreements between warring parties within the context of national or internationally brokered peace processes. This was the case of commissions established in postconflict El Salvador (1992), Guatemala (1994), Sierra Leone (2000), Burundi (2002) and the Democratic Republic of Congo (2003).²⁴ The Colombian Truth Clarification Commission (CEV in Spanish), operating from 2018 to 2022, represents the most recent case.

Final reports issued by truth commissions often have a divisive impact. In South Africa, a majority of citizens expressed disillusionment, and some harbored resentment, perceiving the process as allowing perpetrators to evade accountability.²⁵ In Argentina, the report was instrumental in the judicial prosecution of the perpetrators of the 1983 military junta and remains a subject of contention in a society still deeply divided by the scars of the past.²⁶ In Guatemala, the report's findings played a significant role in the judicial prosecution and conviction of a former

¹⁸ Chester A Crocker, Fen Osler Hampson and Pamela Aall, eds., *Herding Cats: Multiparty Mediation in a Complex World* (Washington: United States Institute of Peace, 1999); Lyn Graybill, 'To Punish or Pardon: A Comparison of the International Criminal Tribunal for Rwanda and the South African Truth and Reconciliation Commission,' *Human Rights Review* 2(4) (1999): 3–18; Karl Jaspers, 'The Question of German Guilt,' in *Transitional Justice: How Emerging Democracies Reckon With Former Regimes* Washington, ed. Neil J. Kritz (Washington: United States Institute of Peace Press, 1995), 157–171.

¹⁹ Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* 2nd edn. (New York: Routledge 2011).

²⁰ For an in-depth discussion on the contours of each of these definitions, see Amanda Barnier and John Sutton, 'From Individual to Collective Memory. Theoretical and Empirical Perspectives,' *Memory* 16(3) (2008): 177–182; and David Rieff, *Against Remembrance* (Melbourne: Melbourne University Press, 2011).

²¹ O'Donnell et al., supra n 1.

²² Hayner, supra n 20.

²³ Neil J. Kritz, 'Coming to Terms with Atrocities: A Review of Accountability Mechanisms for Mass Violations of Human Rights,' *Law and Contemporary Problems* 59(4) (1996): 127–152.

²⁴ In the case of the DRC, no report was issued. Other postconflict truth commissions not derived from peace agreements include Peru (2001) and Liberia (2003), and Serbia and Montenegro (2002).

²⁵ Chapman and van der Merwe, supra n 6; and James L. Gibson, *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* (New York: Russell Sage Foundation 2004).

²⁶ F. Lessa, *Memory and Transitional Justice in Argentina and Uruguay. Memory Politics and Transitional Justice* (New York: Palgrave Macmillan, 2013), 81–129.

president in 2013, reigniting the confrontation between former adversaries of the conflict.²⁷ In Peru, the truth report continues to be a source of conflict between supporters and detractors of the authoritarian government of the 1990s and its successors.²⁸ Similarly, reconciliation remains elusive in Chile after the truth commission that was established during the political transition in the early 1990s.²⁹

The participation of ex-fighters in transitional mechanisms has usually been limited to accepting their responsibility in human rights abuses, contributing to symbolic or material reparations and engaging in reconciliation efforts with their victims mediated by repentance, apologies and requests for pardon and forgiveness.

In the case of truth commissions, there are limited incentives for them to actively engage. The disconnection between ex-combatant reintegration processes and truth-seeking bodies has been explained as necessary to avoid disincentives for fighters to demobilize and disarm. The South African Truth and Reconciliation Commission (1990–1994) offered unprecedented judicial benefits to former perpetrators who were willing to contribute to the truth by offering their testimonies. Following this example, the active legal pursuit of perpetrators was used in East Timor and Sierra Leone as an incentive for perpetrators to participate. However, the majority of truth-seeking bodies worldwide neither pose a strong prosecution threat to former fighters nor offer clear judicial benefits to those accused. As a result, the participation of fighters tends to be limited in both quantity and significance.³⁰

The quality of ex-combatants' truth contributions has been seriously questioned, ranging from accusations of bias and incompleteness to outright dishonesty, including 'lies, disinformation, and denial.'³¹ In Sierra Leone, for instance, 'the presence of perpetrators at the hearings hurt more than helped the process,' as they 'brought forth lies, half-truths, and shocking justifications for the terrible destruction in which they participated in the name of liberation.'³² Unsurprisingly, their testimonies have been minimally integrated into official reports at best. Rational motivations to preserve their public image and prospects of reconciliation with local communities, as well as perceptions of truth-seeking bodies as being unfair, have been cited as explanations for such behavior.³³

Yet, a positive outcome of the ex-combatants' participation described by the literature is the potential acknowledgment of responsibilities. In the Ghanaian Truth Commission, the participation of ex-combatants was regarded as valuable for reconciliation 'if and when they apologize[d],' even if 'only a few admitted wrongdoings or asked for forgiveness.'³⁴ In the same logic, former combatants in Sierra Leone 'were called to apologize' at the same time that victims were 'told to forgive.'³⁵

This limited role of former fighters in truth-seeking bodies leaves the problem of their clash-narratives unresolved and keeps the promise of a consensus understanding of the past unfulfilled.

²⁷ Anita Isaacs, 'At War with the Past? The Politics of Truth Seeking in Guatemala,' *International Journal of Transitional Justice* 4(2) (2010): 251–274.

²⁸ Jerónimo Ríos, 'Narratives about Political Violence and Reconciliation in Peru,' *Latin American Perspectives* 46(5) (2019): 44–58.

²⁹ Steve J. Stern, *Reckoning with Pinochet: The Memory Question in Democratic Chile, 1989–2006* (Durham: Duke University Press, 2010).

³⁰ Lars Waldorf, 'Ex-combatants and Truth Commissions,' in *Disarming the Past. Transitional Justice and Ex-combatant*, ed. Ana Cutter, Pablo De Greiff and Lars Waldorf (New York: Social Science Research Council 2009), 108–131.

³¹ *Ibid.*, 118.

³² John Perry and T. Debey Sayndee, *African Truth Commissions and Transitional Justice* (Lanham: Lexington Books, 2015), 9.

³³ Waldorf, *supra* n 31.

³⁴ Perry and Sayndee, *supra* n 33.

³⁵ Ibrahim Bangura, Kate Lonergan and Anders Themné, 'Patrimonial Truth-Telling: Why Truth Commissions Leave Victim and Ex-Combatant Participants Aggrieved,' *Journal of Intervention and Statebuilding* 17(4) (2023): 371–393.

THE COLOMBIAN TRANSITIONAL MODEL

Building upon previous local approaches to addressing truth and justice issues,³⁶ and drawing from international precedents,³⁷ the 2016 peace accord that ended the armed conflict between the Government and the Farc guerrillas introduced the Comprehensive System of Truth, Justice, Reparation and Guarantees for Non-Repetition. Underpinning this system is the principle that

Colombia needs to know what happened and what should never happen again, to forge a future of dignity and general well-being, and [to] contribute to definitively breaking the cycles of violence that have characterized the Colombian history.³⁸

This comprehensive system comprised three principal components: a Truth Commission, a Peace Tribunal³⁹ and a Unit dedicated to locating missing persons. Nevertheless, it fell short of establishing a comprehensive accountability model.⁴⁰ On one hand, it relied on the agreed cessation of violence and the prevention of new human rights abuses by the warring parties, mutual condemnation of past actions, measures for reparations, memory and truth and even criminal prosecution of the perpetrators of abuses. On the other hand, mechanisms for purging or prohibiting abusers from public service or political participation were limited to future judicial sentencing. A unilateral, limited reform to the security services was carried out by the Armed Forces themselves, and notably, the prosecution of perpetrators and those responsible for actions was restricted to former combatant and military commanders, effectively excluding investigations into civilian involvement.

The mandate of the Colombian Truth Commission is arguably the broadest among all previous cases worldwide. As decreed, it was tasked not only with uncovering patterns of all types of human rights abuses and establishing collective responsibilities but also with documenting the human impact on communities, social and political groups, institutions and former combatants. It was also charged with describing the historical context, factors and conditions that contributed to the emergence and dynamics of the armed conflict. Furthermore, it was to highlight positive experiences of community resilience, significant groups and institutional contributions, while explicitly addressing sensitive issues related to the actions of paramilitary units, forced displacement and drug trade activities.⁴¹

The Commission's official report, released as a series of volumes in 2022, departed from the traditional format of previous reports. Instead of compiling a systematic account of abuses and delineating responsibilities, it was structured around narratives detailing overall abuses and their perpetrators,⁴² patterns of violations of humanitarian law,⁴³ historical memory,⁴⁴ collective and

³⁶ Carlo Nasi and Angelika Rettberg, 'Colombia's Farewell to Civil War,' in *How Negotiations End*, ed. I. W. Zartman (Cambridge: Cambridge University Press 2019), 62–82; Jemima García and Andreas Knot, 'Transitional Justice and Victims' Rights before the End of a Conflict: The Unusual Case of Colombia,' *Journal of Latin American Studies* 42(3) (2010): 487–516.

³⁷ Rulings issued by the Inter-American Court of Human Rights, as well as the monitoring performed by the International Criminal Court, helped to shape the transitional system that was ultimately adopted.

³⁸ Colombian Government and Farc, 'Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera' (2016), 130.

³⁹ This Tribunal consisted in a special Court established to judge cases investigated by the Peace Special Jurisdiction (JEP in Spanish).

⁴⁰ Brian Grodsky, 'Re-Ordering Justice: Towards A New Methodological Approach to Studying Transitional Justice,' *Journal of Peace Research* 46(6) (2009): 819–837.

⁴¹ Colombian Presidency, decree 588, 17 April 2017, 'By which the Commission for the Clarification of Truth, Coexistence and Non-Repetition is organized.'

⁴² Comisión de Esclarecimiento de la Verdad, la Convivencia y la No Repetición (CEV). Hallazgos y recomendaciones (Bogotá, 2022).

⁴³ Alejandro Valencia et al., 'Hasta la guerra tiene límites. Violaciones de los derechos humanos, infracciones al derecho internacional humanitario y responsabilidades colectivas.'

⁴⁴ Marta Ruiz and many authors, *No matarás. Relato histórico del conflicto armado* (Bogotá: CEV, 2022).

individual memories,⁴⁵ thematic⁴⁶ and regional cases,⁴⁷ assessments of human suffering⁴⁸ and a political declaration.⁴⁹

In the endeavor to comprehend the contemporary transitional processes in Colombia, early studies initially aimed to delineate the various mechanisms at play and their functionality,⁵⁰ while also highlighting the defining characteristics that render this experiment pivotal. Among these attributes are the central role of victims,⁵¹ the comprehensive nature of the different mechanisms in contrast to the idea of simultaneity⁵² and the prominence of ethnic and gender perspectives.⁵³

In addition to grasping the fundamental tenets of the model, certain studies adopted critical perspectives to interrogate some of its assumptions. On one hand, they illuminated the potential for interest groups to exploit the current system to further their political agendas.⁵⁴ On the other hand, they sought to temper expectations concerning its potential impact on reconciliation,⁵⁵ and its ability to meet satisfactory participatory standards, along with providing solutions to systemic violence issues.⁵⁶

In a subsequent phase, studies began to emerge concerning the actual performance of the system's mechanisms and their societal impacts. Some of these works delineate the adverse effects of a challenging political environment during the implementation of these mechanisms, impeding their ability to fulfill the expectations set forth.⁵⁷ Additionally, they substantiated concerns regarding the instrumentalization and lack of empowerment experienced by many victims engaged in the system.⁵⁸ Certain perspectives also incorporated insights from former truth commissioners, who highlighted the constraints in utilizing their mandate of 'listening' to effect immediate social transformations.⁵⁹

Throughout these inquiries, the inquiry into the role of perpetrators within a system primarily focused on victims has been addressed only tangentially. A handful of authors delved into the

⁴⁵ Alejandro Castillejo et al., *Cuando los Pájaros no cantaban. Historias del conflicto armado en Colombia. Volumen testimonial* (Bogotá: CEV, 2022).

⁴⁶ Diana Britto et al., *No es un mal menor. Niños, niñas y adolescentes en el conflicto armado* (Bogotá: CEV, 2022); Carlos Beristain et al., *La Colombia fuera de Colombia. Las verdades del exilio* (Bogotá: CEV, 2022); Alejandra Miller et al., *Mi cuerpo es la verdad. Experiencias de mujeres y personas LGBTQ+ en el conflicto armado* (Bogotá: CEV, 2022); María Patricia Tobón et al., *Resistir no es aguantar. Violencias y daños contra los pueblos étnicos de Colombia* (Bogotá: CEV, 2022).

⁴⁷ Many authors, *Colombia adentro. Relatos territoriales sobre el conflicto armado* (Bogotá: CEV, 2022).

⁴⁸ Saúl Franco et al., *Sufrir la guerra y rehacer la vida. Impactos, afrontamientos y resistencias*.

⁴⁹ Francisco De Roux et al., *Convocatoria a la paz grande. Declaración de la Comisión de Esclarecimiento de la Verdad, la Convivencia y la No Repetición* (Bogotá: CEV, 2022).

⁵⁰ Camila De Gamboa and Fabio A. Díaz, 'The Transitional Justice Framework Agreed Between the Colombian Government and the Farc-EP,' in *Truth, Justice and Reconciliation in Colombia: Transitional from Violence*, ed. Fabio A. Díaz (Abingdon and New York: Routledge, 2018), 66–84.

⁵¹ Jason Michael Quinn and Madhav Joshi, 'Transitional Justice in the Colombian Final Accord. Text, Context, and Implementation,' in *As War Ends What Colombia Can Tell Us About the Sustainability of Peace and Transitional Justice*, ed. James Meernik, Jacqueline H. R. DeMeritt and Mauricio Uribe-López (Cambridge: Cambridge University Press, 2019), 207–229.

⁵² Hector Olasolo and Joel Ramirez, 'The Colombian Integrated System of Truth, Justice, Reparation and Non-Repetition,' *Journal of International Criminal Justice* 15(5) (2017): 1011–1047.

⁵³ Juliana González and Pascha Bueno-Hansen, 'The Promise and Perils of Mainstreaming Intersectionality in the Colombian Peace Process,' *International Journal of Transitional Justice* 15(3) (2021): 553–575.

⁵⁴ Jamie Rowen, 'We Don't Believe in Transitional Justice. Peace and the Politics of Legal Ideas in Colombia,' *Law & Social Inquiry* 42(3) (2018): 622–647; Saskia Dunkell, 'From Global Norms to National Politics: Decoupling Transitional Justice in Colombia,' *Peacebuilding* 9(2) (2021): 190–205.

⁵⁵ Gabriel Ruiz and Marije Hristova, 'Commissioning the Truth and Memory in Society,' *Colombia Internacional* 97 (2019): 3–26.

⁵⁶ Laly C. Peralta, 'Una aproximación conceptual y metodológica a la comisión para el esclarecimiento de la verdad en Colombia: clarificando expectativas,' *Análisis Político* 93 (2018): 60–78.

⁵⁷ Camilo Ramírez-Daniel R. Quiroga-Villamarín, 'Shredded: Colombia's Special Jurisdiction for Peace in an Increasingly Illiberal Context of Misinformation and Backlash,' *Journal of International Criminal Justice* 20(1) (2022): 139–166.

⁵⁸ Roddy Brett, 'Victim-Centred Peacemaking: The Colombian Experience,' *Journal of Intervention and Statebuilding* 16(4) (2022): 475–497.

⁵⁹ Alejandro Castillejo-Cuellar, 'A Listening Device: Colombia's Truth Commission and the Politics of the Audible,' *Journal of Human Rights Practice* 15(3) (2023), 763–772. <https://doi.org/10.1093/jhuman/huad046>.

redefinition of self-identity undergone by ex-combatants as transitional subjects,⁶⁰ and political agents,⁶¹ alongside the challenges they faced in assuming responsibility for their heinous actions.⁶² Regarding the ideal role of perpetrators, one initial response suggested that they could 'contribute by providing factual information that clarifies the past, but they can also express and pursue their desire for redemption.'⁶³

In the subsequent sections, we systematically outline our study centered on the participation of former combatants in Colombia's Truth Commission, examining the extent to which it adhered to various expectations.

METHODOLOGICAL APPROACH

We employed an inductive approach, relying on both human sources and documents to elucidate and compare the differing logics of former military personnel and ex-guerrillas regarding their participation procedures and content.

Our data collection strategy comprised three main components. Firstly, we conducted a two-phase fieldwork endeavor designed to capture the perspectives of rank-and-file ex-military and ex-guerrillas actively engaged in the Truth Commission. To accomplish this, we leveraged participants enrolled in a program jointly facilitated by academic and official institutions for former military and ex-guerrilla members between 2020 and 2022. This program offered practical training on the workings of the transitional justice system, enabling ex-combatants to participate effectively and access potential legal benefits within the Peace Jurisdiction by contributing to the Truth Commission.⁶⁴ Sessions, typically led by academic experts well-versed in basic transitional justice concepts and practical procedures, involved around 280 individuals.⁶⁵ We engaged in small-group discussions, outlining the objectives of our study, with 120 ex-Farc members and 90 former military personnel, who provided a first round of qualitative data. In all cases, short individual interviews were conducted in private classrooms prior to or after the sessions, and were preceded by formal informed consent.⁶⁶

Meetings with former Farc combatants and ex-military personnel were conducted separately. Initially planned to be held in classrooms at the Universidad del Rosario's main campus, the global health emergency necessitated a transition to a remote environment. Participants convened for regular group videoconference meetings, which served as the central activity of the training program.

As part of their registration process, and as the first round of qualitative data collection, individuals were asked to voluntarily complete a brief semi-structured oral survey, administered by seven research assistants. This survey focused primarily on five key areas: (1) current status and living conditions, (2) contextual background and overall experiences within the group, (3) perceptions of the transitional system, (4) attitudes toward the Peace Jurisdiction and (5) views on the Truth Commission. This initial survey laid the groundwork for inviting participants to engage in more in-depth interviews on these topics.

⁶⁰ A. F. Suárez, 'De combatiente a compareciente. La conflictiva transición del conflicto armado a la justicia transicional,' *Trabajo Social* 25(2) (2023): 29–54.

⁶¹ Juan E. Ugarriza et al., 'Transitioning Guerrillas, An Analysis of Internal Cohesion of the Former Farc Guerrillas in Their Transit from War to Democracy,' *Latin American Politics and Society* (2023), FirstView, <https://cup.org/47Z6TZ5>.

⁶² Ivan Orozco, Laly C. Peralta and Gonzalo Sánchez, 'Tres soldados de a pie confiesan sus crímenes: reflexiones sobre la escena judicial transicional,' *Análisis Político* 35(105) (2023): 179–209.

⁶³ Peralta, supra n 57.

⁶⁴ At the time of this research, a total of 1,600 ex-military were formally accepted in legal processes at the Peace Jurisdiction. In the case of former guerrillas, there were about 9,867 active. Yet only a fraction of them sought benefits from participating in the Truth Commission.

⁶⁵ The program was offered by the Universidad del Rosario. Sessions were led by staff from the Peace Jurisdiction and the Truth Commission.

⁶⁶ Participants were asked to read and sign a consent form as approved the Universidad del Rosario ethics committee (Minute DVO005-063-CS048, 8 February 2018, and DVO005-234-CS048, 22 August 2019).

Care was taken to invite both participants and non-participants in both the Peace Tribunal and the Truth Commission, with some individuals reporting involvement in both. Among former guerrillas, efforts were made to include individuals settled in each of the country's seven major regions.⁶⁷

A total of 95 ex-military personnel and 46 former Farc members participated in individual in-depth interviews, which were audio-recorded by the research assistants. There, assistants had the opportunity to request expanded responses from the participants. Subsequently, they were tasked with identifying key excerpts related to the aforementioned five topics. The responses were then organized into two separate matrices, which are available as supplementary material. Each matrix reflects the actual knowledge and/or participation of each participant in the system, as well as their understanding of its main pillars.

The second component of our data collection strategy involved conducting a systematic review of official documentation from both the Military Forces and the newly established Comunes political party, which represented the official stance of the former Farc guerrillas. This review aimed to shed light on the respective leaderships' attitudes toward the Truth Commission and the Peace Jurisdiction. Our access primarily comprised public documents and those formally submitted to the Truth Commission. Additionally, we consulted sources from the Military Joint Command for Transition, responsible for overseeing most of the military documents submitted to the Truth Commission, as well as those from the Comunes party bureau, tasked with the legal defense of the former guerrillas. Importantly, none of the documents cited in this article were considered confidential by the parties involved.⁶⁸

Regarding these documents, our primary analytical approach involved initially delineating the official narratives, followed by a comparative exercise with individual accounts. The presentation of the data in the subsequent section will adhere to this structure, with official narratives preceding individual accounts. Subsequent analysis will highlight both the commonalities and differences between the individual and collective contributions of each party involved.

As the third component of our strategy, we conducted a series of interviews with three out of the 11 Commissioners who led the Truth Commission. We asked them about the procedures employed by the Commission to ensure the effective participation of former combatants, as well as their overall perception of the experience.⁶⁹

The information gathered from these three sources – ex-military, former guerrillas and commissioners – enabled us to estimate the extent of former fighters' participation, as outlined in Table 1.

While numbers themselves may not inherently reflect quality or impact, they serve to contextualize three primary participation dynamics. Firstly, the participation was not extensive in terms of individuals. Despite approximately 6,500 guerrillas demobilizing as a result of the peace process in 2017, only about 350 of them contributed to the Truth Commission. According to the Comunes political party, roughly 1,200 ex-combatants, constituting 18 percent of their total, initially expressed interest in participation directly to the Commission or the party.⁷⁰ As one commissioner stated, 'there was neither obligation nor capacity' to accommodate a larger number of participants.

⁶⁷ Eastern (24 percent), Central (24 percent), South (13 percent), Magdalena Medio (13.5 percent), North (2.7 percent), North-Western (16.2) and South-Western (18.9 percent).

⁶⁸ A complete citation of each of the documents consulted is provided in footnotes as they are referenced in the next section.

⁶⁹ We consulted the three key Commissioners who followed the participation of ex-combatants: Carlos Ospina, a former Army Office in charge of assisting the ex-military participation; Marta Ruiz, a journalist who assisted the participation of the former Farc guerrillas; and Alejandro Valencia, a lawyer who certified effective participation of each individual so they could access further legal benefits.

⁷⁰ Interview, Comunes defense bureau representative, Bogotá, 12 March 2023.

Table 1. Participation of Ex-combatants in the Colombian Truth Commission.

Type of Participation	Number of Participants	
	Ex-Farc	Ex-military
Spaces for Truth Contribution (three events)	15	4
Truth Contribution Days (one event)	40	10
Truth Encounter Gatherings (seven events)	140	56
Listening Spaces (eight national events, 56 regional)	180	40
Technical Working Groups (one group)	45	20
In-depth individual interviews	110	138
Group interviews	235	11
Ex-combatant gatherings	8	5
Official documentation	11	169
Total participants (interviews)	345	149

Note: All numbers provided are estimates derived from official figures and interviews conducted by the authors.

For ex-military personnel, the Commission established a direct channel to communicate with active and retired officers to facilitate their contributions. Apart from reports from former military personnel invited to participate in private and public events, and the conduct of some in-depth interviews as described in Table 1, there is no evidence of a widespread interest among soldiers in making formal contributions.

Secondly, ex-combatants' interest in contributing to the Commission was heavily influenced by the perception of potential legal benefits. The Comunes party criticized the Commission for showing interest in selecting only a few individuals as potential contributors.⁷¹ In contrast, a commissioner noted that the military generally did not perceive clear benefits in contributing to the Commission, prioritizing their legal defense before the Peace Tribunal.⁷²

Thirdly, there was a significant disparity in the contributions provided by the ex-Farc and the military in terms of documentation. While the Comunes party submitted eleven main documents, the military presented approximately 169 books and papers specifically prepared for the Commission.⁷³ As we will discuss in the following sections, this discrepancy suggests divergent strategic choices.

In the following sections, we will describe how the former Farc guerrillas and decommissioned ex-military simultaneously addressed the concerns of the truth body and their own strategic interests.

PARTICIPATION OF THE FORMER FARC

The former Farc guerrillas' participation was coordinated by a dedicated working group led by one of the Commissioners. This effort primarily involved organizing regional task groups mirroring the guerrillas' wartime organizational structure, which divided the country into seven operational theaters. As a result, seven regional workshops were conducted, providing the Commissioners with insights into local war history and dynamics.

According to the Comunes party, they participated in 27 formal acts of accountability before victims in the field between 2019 and 2022. In most instances, former mid-ranking and

⁷¹ *Ibid.*

⁷² Interview, CEV Commissioner, Bogotá, 27 February 2023.

⁷³ This figure was provided to the authors by one of the Commissioners, who estimated that only a fraction of them were effectively incorporated in the CEV's digital database.

high-ranking commanders attended these meetings.⁷⁴ However, it was often the rank-and-file members who offered the most valuable information. They explained that a significant amount of material evidence had been destroyed. ‘We burned them, because it could be used as evidence against us,’ they clarified. As they described it, ‘the historical reconstruction involved the participation of individuals without command positions but with seniority. These individuals possessed fragmented knowledge; compartmentalization⁷⁵ prevented everyone from knowing everything, creating a puzzle-like situation.’

These regional meetings served as the primary avenue of participation for former Farc members, both in terms of numbers and impact. Out of the 180 ex-Farc participants, 37 were women. In January 2020, the Commission officially received seven documents prepared by Comunes during the regional meetings. Former commanders of each regional bloc led formal presentations on six of these documents, covering historical accounts related to land ownership inequality and the armed conflict, the responsibility of counter-insurgent forces in human rights violations, the rationale behind insurgent actions, the Farc’s organizational structure, its relations with the civilian population and the internal regime of the guerrillas. The seventh document focused on assuming responsibility for war crimes and human rights abuses.

Four additional documents were prepared and submitted outside of these regional meetings. They presented the party’s responses to four lines of prosecution led by the peace tribunal: sexual violence against female guerrillas; war crimes and human rights abuses attributed to the Armed Forces and state security forces; torture and cruelty against Farc victims of kidnapping; and security threats against demobilized ex-combatants.⁷⁶ Additionally, an extra document originally intended for the Peace Tribunal was nonetheless provided to the Commission, where former Farc commanders once again accused the military of systematic human rights violations.⁷⁷

Subsequently, approximately 120 ex-combatants were summoned by the Commissioners to contribute through in-depth individual and collective interviews. These interviews primarily focused on topics such as the impact of war on medical missions, the connections between guerrillas and the drug trade, the dynamics of urban conflict and their responses to Colombian Army military operations.

The Farc's Truth

Representatives of the former Farc accepted responsibility for cases of mass killings, bombings, forced disappearances, high-profile assassinations, child recruitment, kidnapping, damages to civilian infrastructure and the collective victimization of ethnic groups and populations targeted in military actions.⁷⁸ However, throughout the process, they contested the notion of the use of sexual violence against women within their ranks, a theme strongly emphasized by the Commissioners.⁷⁹

The former Farc’s narrative emphasized the unequal distribution of responsibilities between the former guerrillas on one side and state forces, political elites and paramilitary groups on the other. They also highlighted the legitimacy of their armed insurrection within the context of objective social and political grievances. This argument aligns with the Farc’s public discourse

⁷⁴ Some meetings had to be held through video-conferences due to the Covid pandemic.

⁷⁵ In military terms, compartmentalization refers to a practice in which individuals only know disconnected pieces of information, in order to avoid the enemy acquiring full and coherent intelligence information from them, in case of desertion or capture.

⁷⁶ Information provided by the Truth Commission on 29 March 2023.

⁷⁷ Many authors, ‘Informe para presentar a la jurisdicción especial de paz. (jep.) Por parte de miembros del secretariado y del estado mayor central de las Farc-EP, firmantes del acuerdo de paz; por los crímenes de guerra y violaciones a los D.H. cometidos por las fuerzas militares y organismos de seguridad del estado en el periodo de 1964–2016,’ Report handed both to the Peace Tribunal and the truth commission (2020).

⁷⁸ Comunes, *Renace la Esperanza*. Bogotá: Centro de Análisis y Diálogo Político (Bogotá: Cepadipo 2023), 224–226.

⁷⁹ *Ibid.*, 212–222.

during wartime.⁸⁰ Furthermore, they presented themselves not only as perpetrators but also as victims. At least three documents submitted by third parties to the Commission directly accused the Armed Forces of committing human rights violations against guerrillas, including torture, forced disappearances and illegal detentions;⁸¹ mistreatment of prisoners;⁸² and extrajudicial execution of both the rank and file and commanders.⁸³

According to the Commission's perception, the victimization discourse was initially prominent in the early stages of the Farc's contributions but diminished as it faced rejection in the process, as such discourses were deemed 'offensive against the victims.'⁸⁴

A major argument put forth by the former Farc in their acts of accepting responsibility was that 'erroneous policies [...] led to war crimes, [and] there were instances of indiscipline and decisions that violated our own rules, resulting in serious effects on the people.'⁸⁵

During hearings conducted in collaboration with the Peace Tribunal, former Farc commanders denied personal involvement in issuing orders that led to abuses, although the Farc as an organization could bear responsibility.⁸⁶ Consequently, the narrative embedded in the ex-combatants' contributions to the Commission and the Peace Tribunal revolved around the assumption of collective responsibility, with commanders disavowing personal roles as material or ultimate decision-makers.⁸⁷

In our interviews, ex-combatants generally had a positive view of their former organization's decision to assume collective responsibility. They believed it was necessary for them to contribute as part of the peace agreement, and in line with the 'party's orientation.' They mentioned several benefits of building a collective truth and assuming collective responsibility. According to them, it 'makes it more comfortable to tell the truth,' as their version tended to be more 'complete' and 'consistent' compared to 'individual memory that could be fallible.' They believed it reduced the likelihood of fabricated information and relieved the pressure of facing accusations as individuals. They placed moral value on the fact that 'we did everything collectively [at war], and thus we must respond collectively.' However, they also acknowledged some downsides to the collective responsibility approach. They felt they 'were forced to assume responsibility that did not solely belong to us,' and they faced 'restrictions on expressing ourselves freely' due to 'pressures to adhere to the chain of command.'

Another consequence was that the high-ranking commanders had to 'assume responsibility even if they didn't have direct responsibility for certain actions.' This approach was viewed as a means to facilitate the truth-telling process for middle- and lower-ranking members. The ex-combatants described their top commanders as 'intellectual determiners' but acknowledged instances where 'they were deceived' by those in middle and lower ranks. Commanders may have 'given orders that differed from what was actually executed,' and some guerrillas acted on 'their own initiative.' Consequently, this collective responsibility approach ended up shaping the 'type of truth' that was ultimately produced.

Although the former Farc described their involvement in the Commission as 'addressing the victims' needs [...], seeking forgiveness, [and] making a commitment to non-repetition,' they also complained that such contributions received limited publicity due to 'government pettiness.'⁸⁸

⁸⁰ Sandra Ramírez, 'Tierra y territorio,' document presented to the CEV, 15 January 2020.

⁸¹ Corporación Solidaridad Jurídica, *Violencia contrainsurgente. Informe sobre violaciones a los derechos humanos atribuibles al Estado* (Bogotá: Corporación Solidaridad Jurídica, 2020).

⁸² Corporación Solidaridad Jurídica, *Prisioneros políticos de las Farc-EP como víctimas del Estado en el marco del conflicto armado: impactos y procesos de afrontamiento a través de colectivos carcelarios* (Bogotá: Corporación Solidaridad Jurídica, 2020).

⁸³ Many authors, supra n 76.

⁸⁴ *Ibid.*

⁸⁵ Comunes, supra n 78 at 240.

⁸⁶ Jaime Parra and Ricardo Téllez, 'La política de las Farc,' document presented to the CEV, 15 January 2020.

⁸⁷ Germán Gómez, 'Autocrítica'; Pastor Alape, 'Bloques y frentes,' documents presented to the CEV, 15 January 2020.

⁸⁸ Comunes, supra n 78 at 207–208.

Many former guerrillas harbored resentment toward what they perceived as a truth-seeking process tainted by ‘preconceptions and the questioning of ex-combatants’ contributions to the truth.⁸⁹ According to one Commissioner, tensions arose in the relationship between the Commission and the former Farc. The post-demobilization elite sought to ‘control the narrative,’ leading the Commission to create spaces in the regions where rank-and-file and middle-rank commanders could freely express themselves. In the light of this effort, ‘many exFarc members felt that the Commission actively sought testimonies against the leadership.’ However, the Commission found that the collective and individual accounts provided by both the former commanders and the guerrillas were complementary rather than contradictory, as ‘each individual held a piece of the truth.’ Nonetheless, the Commission did note that there were ‘unequal exercises of sincerity’ among those consulted.⁹⁰

PARTICIPATION OF THE FORMER MILITARY

One of the 11 Commissioners was a former Army officer who effectively acted as the formal representative for the military. This Commissioner often held divergent positions compared to his colleagues during deliberative discussions. Like the others, he was responsible for leading the Commission’s fieldwork in a major geographical region, and conducting research on specific topics, such as the role of the military in the armed conflict.

Most of the 149 former military participants in the Commission engaged through in-depth interviews, often conducted by the ex-military Commissioner himself. In addition to their formal representation within the Commission, the active military chain of command was actively invited to contribute in a series of sessions. These meetings provided an opportunity for them to present the ‘positive transformations’ achieved by the military forces during the conflict. Yet only a small number of active officers participated in these private venues.⁹¹

The President of the Commission led several official events where the active Armed Forces presented their contributions in the form of documents and books. These materials were specifically elaborated to ensure that the military’s perspectives would be considered. Although the ex-military Commissioner estimated that around 169 documents were officially handed over by the military and the Police, the Commission’s official figures acknowledge only 79.⁹² According to the ex-military Commissioner, many documents were not formally registered or uploaded to the internal digital database, resulting in their omission. Similarly, he noted that ‘many interviews were not uploaded either,’ making it difficult to trace them now.⁹³

A Military Truth

The documents provided by the military to the Commission covered a range of topics, including military support for education, healthcare, civil infrastructure and the protection of human rights for civilians.⁹⁴ They also aimed to defend the legality of military activities and operations,⁹⁵ counter accusations of ties with illegal paramilitary units,⁹⁶ address the victimization

⁸⁹ *Ibid.*, 78.

⁹⁰ Personal interview, CEV Commissioner, Bogotá, 15 February 2023.

⁹¹ We did not have access to these interviews, and they remained confidential at the Truth Commission’s official repository.

⁹² As corroborated by the authors of this article, the official figures are incomplete. See Comisión de la Verdad, ‘Sistematización de casos e informes recibidos por la Comisión de la Verdad (2018–2022),’ <https://www.comisiondelaverdad.co/sistematizacion-de-casos-e-informes-recibidos-por-la-comision-de-la-verdad-2018-2022-0> (accessed 13 April 2023).

⁹³ Personal interview, CEV Commissioner, Bogotá, 16 February 2023.

⁹⁴ Department of Integral Action and Development, *Aportes a la construcción de país: un compromiso del Ejército Nacional. Volumes I and II* (Bogotá: Colombian Army 2020).

⁹⁵ Ana Reyes and Ivonne Hernández, *Una batalla en el silencio. Relatos de militares que defienden su inocencia* (Bogotá: Colombian Army and Universidad Autónoma del Cauca, 2020); Colombian Air Force, *Entre la guerra y el derecho: el asesor jurídico operacional en la Fuerza Aérea colombiana* (Bogotá: Colombian Air Force, Department of Strategic Legal Issues and Human Rights, 2020).

⁹⁶ Joint Legal Department, *Análisis sobre el fenómeno de las autodefensas en los territorios desde la perspectiva del Ejército Nacional* (Bogotá: Colombian Army, 2020).

of soldiers by illegal groups,⁹⁷ discuss the organizational re-engineering of the Armed Forces,⁹⁸ denounce human rights violations by guerrillas⁹⁹ and highlight successful military actions during the conflict.¹⁰⁰

The narrative included in these documents was replicated in an alternative series of volumes unilaterally published by the military Commissioner. The relationship between him and the Commission was tense and eventually reached breaking point a few months before the official report was published. Citing marginalization in the final discussions, the ex-military Commissioner chose to resign and self-publish his own report in a series of volumes. These documents primarily focused on denouncing the responsibility of the Farc guerrillas in human rights violations against civilians and the military.¹⁰¹

This alternate publication followed the same discursive logic as the previous official contributions made by the military. It avoided assuming institutional responsibility for human rights violations and instead attributed it to individual personnel, who were now discharged, as a consequence of ‘deviant’ and ‘dishonorable’ behavior. Again, a key theme was the self-attributed category of ‘victim’ applied to their own members as a result of the physical and mental harm suffered in the context of war.

The series of interviews we conducted with military personnel did not contradict the institutional narrative. Individuals involved with the truth commission and the transitional justice system as a whole tended to present accounts that portrayed the military in a favorable light. They emphasized that the military should not be seen as ‘the bad guys’ and argued that while ‘bad things’ were done, it was impossible to control the actions of thousands of soldiers. Thus, they attributed the failures to ‘some men’ rather than the institution itself.

Their primary explanation for major human rights violations expressed in these interviews was the ‘pressure we were subjected every day,’ whether from superiors or even their comrades.

It is not that I woke up one morning willing to kill somebody. My general told us to spill not only litters of blood, but rather full tanks [...] From then on, that was what privates, lieutenants, captains did, they committed crimes.

One former military explained he made the decision to commit abuses ‘because I was told, even knowing it was wrong, but I believed in my superior [...] “If he says so” ...’ Another testimony

⁹⁷ Joint Legal Department, *Daños causados por las farc a miembros de la fuerza pública y sus familias en la jurisdicción de la tercera división del Ejército Nacional entre 1961 y 2017* (Bogotá: Colombian Army and Universidad Javeriana 2020); Corporación Mil Víctimas, *La devastación de un pueblo* (Bogotá: Colombian Army 2020); Colombian Air Force, *Segundo informe colectivo de miembros de la fuerza aérea colombiana víctimas del conflicto armado interno* (Bogotá: Colombian Air Force, Strategic Department of legal issues and human rights, 2020); Joint Legal Department, *Huellas de dolor afectaciones causadas a los militares tras la incursión de las Farc en el Magdalena Medio y el Catatumbo (1989–2015)* (Bogotá: Colombian Army and Universidad Javeriana 2020); Colombian Army, *Memorias del Azul de la bandera* (Bogotá: Colombian Navy 2019); Acomides, *Informe sobre militares víctimas en el marco del conflicto* (Bogotá: Colombian Army 2020); Javier Ayala, (ret. Gen.) and Luis Abella, *Los miembros de la Fuerza Pública víctimas en Colombia. Una aproximación desde la justicia transicional* (Bogotá: Ibáñez and Colombian Army, 2019); Joint Legal Department, *Cartilla Militares víctimas de desaparición forzada* (Bogotá: Colombian Army 2020); Jorge Cardona (ret. Cpt.), Laura Gaitán and Carlos Velásquez (ret. Col.), *Los soldados regulares víctimas del secuestro y de la desaparición forzada. El servicio militar obligatorio 1996–1998* (Bogotá: Colombian Army, 2020).

⁹⁸ Colombian Army, *Informe Jano. Transformación del Ejército Nacional 1978–2018* (Bogotá: Colombian Army 2020); Colombian Air Force, *Poder aéreo en Colombia. Evolución de capacidades en las bases de la fuerza aérea colombiana 1916–2019* (Bogotá: Colombian Air Force, Strategic department of legal issues and human rights, 2020); Colombian Army, *De soldados voluntarios a soldados profesionales historia de la escuela de soldados profesionales ‘Soldado Pedro Pascasio Martínez Rojas’ 2000–2018* (Bogotá: Colombian Army, 2019); Colombian Army, *Ejército Nacional. 50 años de transformación* (Bogotá: Ibáñez and Colombian Army, 2022).

⁹⁹ Armed Forces General Command, *Informe Aletheia* (Bogotá: Armed Forces General Command, 2021).

¹⁰⁰ Colombian Army, *La división de asalto aéreo en el conflicto armado interno colombiano* (Bogotá: Armed Forces General Command, 2019).

¹⁰¹ This collection of volumes was compiled in digital form under the title *Sumando Verdades* and was circulated by the ex-Commissioner in meetings and events.

stated that ‘some of us were used, and some others made the decision to take part in acts that should have never happened.’

Importantly, they stressed that their responsibility should be viewed differently from that of the former guerrillas, asserting, ‘we are not career criminals like the Farc bandits.’ When discussing the Commission and its report, one testimony expressed that ‘mistakes were made, but we should avoid the idea that all military were the wrongdoers, and the guerrillas were the good guys. I hope that does not happen.’

They frequently distinguished between the judicial truth and the one promoted by the Commission. One individual explained that due to legal strategy, ‘I was compelled to lie to the ordinary justice system [but] now I have the opportunity to bring certain truths to light.’ When facing judicial bodies like the Peace Tribunal, they ‘were required to provide evidence [...] I couldn’t present a version of the facts that lacked support.’ However, at the Commission, they could share personal experiences and say ‘I saw that, I lived through that.’

This individualistic approach to responsibilities was valued by some ex-military members as a means to come to terms with their actions, but it also burdened them with the need to align with broader military narratives. In their testimonies, they highlighted that ‘the biggest obstacle to acknowledging the truth is that some military members are still active,’ and certain officials and lower-ranking individuals ‘have their backs covered.’ As one testimony asserted, ‘one feels under pressure by [our] fellows. “This is the way to tell,” or they say you are a traitor.’

Despite these constraints, many individuals saw their participation as a way to reconcile with themselves. ‘We are all humans, and have the right to redirect our lives and find the right path,’ one said. The Truth Commission could ‘uncover the origins of the conflict, why the military forces were overwhelmed, and why us, as human beings, had also failed.’ This space provided them with an opportunity to ‘release pent-up emotions, to express everything we had experienced, to seek repentance, ask for forgiveness, and strive for non-repetition of the harm we caused to others.’

According to one Commissioner’s assessment, ‘the military made a mistake by focusing solely on individual responsibilities. They maintained a heroic narrative and regarded their fallen comrades as victims.’ Just like in the case of the former Farc, Commissioners believed this perspective was ‘offensive to the actual victims.’¹⁰²

DISCUSSION

Antagonistic discourses and attitudes, along with the ongoing dispute over victimization status, reveal a significant dissonance between the intentions of ex-soldiers and ex-guerrillas in contributing to the Truth Commission and what was expected by the Commission. Both sides of the war focused more on historical, collective and institutional memory, only partially addressing truth-seeking. Consequently, the Commission’s efforts encountered a reproduction of wartime discourses. Enemies continued to blame each other for abuses, perpetuating a central dilemma in postconflict scenarios: how to reconcile victim and perpetrator identities. The ex-military and former guerrillas engaged in a controversy over ultimate responsibility, with their incentives centered more on how they would be remembered than on seeking the truth.

The Farc, much like the military, ‘had prepared to advance their historical memory, but not so much their truth,’¹⁰³ and this was evident not only in their spoken accounts but also in their written contributions. In response, the Commission opted to suppress such narratives, resulting in hardly any contributions found in the lengthy final report.

¹⁰² Interview, CEV Commissioner, Bogotá, 15 March 2023.

¹⁰³ Interview, CEV Commissioner, Bogotá, 15 February 2023.

However, their contributions served to advance a notion of responsibility that differed from a complete truth. While their versions may be unsatisfactory to the Commissioners and perhaps to victims as well, they helped solidify the idea of holding individuals and collective bodies accountable, whether ex-guerrillas or the ex-military. Moreover, participants seemed to undergo a process of individual and collective transformation. As one Commissioner noted, 'there was an increase in their levels of self-criticism, driven by both legal and moral considerations. This shift contributed to their progression from total denial to acknowledgment.'

Analyzing the discourse presented by the active and ex-military, as well as the former guerrilla combatants, we can identify contrasts in terms of substance and form. In terms of substance, both sides claimed a higher moral ground based on their intended missions: the protection of institutional order, as claimed by the Armed Forces, or the pursuit of social justice, as claimed by ex-guerrillas. They also emphasized the intrinsic responsibility derived from their roles in society, with the Armed Forces considering the guerrillas as mere 'bandits,' while ex-guerrillas described themselves as political actors. Moreover, they disputed their mutually exclusive categorizations as 'victims' and attributed the larger share of responsibility for human rights violations to the other. Notably, even in the presence of claims about the responsibilities of other social segments or the State as a whole, the former adversaries seemed to continue their confrontation.

Both discourses also exhibited a tendency to exempt their respective institutions from major responsibilities in the commission of systematic human rights violations. As one participant stated, applicable to both sides, 'the institution shall not be stained.' The military completely absolved their institution of any systematic abuse, while the former Farc, while acknowledging their responsibility in terms of resorting to kidnappings, considered them less impactful compared to the misconduct of state forces.

The former Farc members were willing to take responsibility for the abuses attributed to them, but only as members of the collective, not as individual perpetrators. High-level commanders never self-attributed any responsibility for systematic crimes (except for kidnapping), while the mid-ranks were held responsible for violating the guerrilla's internal norms. Yet, individual responsibilities were diluted among the thousands of guerrilla members by self-assigning a collective blame.

On the other hand, the military took a different approach. While absolving the formal organization, they held individuals responsible on a one-to-one basis, and never presented the cases as permeating the collective. In the military accounts, human rights violations were explained as a result of individual-level decisions at the tactical level on the field, rarely at the operational level (such as in extra-legal killings planned in military bases), and never at the strategic level. While the guerrillas were willing to assume collective responsibility for the individual failures of their members, the military as an institution, and a collective, detached itself from any responsibility stemming from soldiers' misbehavior, placing the burden solely on individuals for their actions.

There were also significant differences in the forms of their participation. First, the number of former guerrillas actively contributing was nearly double that of the military. While the number of individual interviewees was relatively balanced between both groups, the guerrillas provided a much larger share of collective testimonies. In contrast, there were fewer collective interviews conducted with retired military personnel. Complementarily, the former Farc's leadership crafted a smaller number of documents for the Commission, while the active Armed Forces counted on better-funded initiatives for the production of a larger body of volumes. These formal differences may reflect both the particular focus of the Commission's work and the differing strategic considerations of the two sides.

The Colombian experience demonstrates that, although versions provided by former fighters' institutions and organizations may be clouded by justifications and biases, they do not

necessarily clash with individual contributions. And collective contributions across groups, in turn, do not necessarily have to be seen as contradictory; in some cases, they complement each other. This consideration aligns with the realization that their differing contributions may be valued as pieces in a broader tapestry of divergent, multiple, rather than consensual, understandings of what happened and why. Yet, this potential for reconciliation remained unexplored.

A NEW APPROACH TO TRUTH AND MEMORY

Not all expressions of truth and memory contribute to reconciliation, and official narratives frequently prove inadequate in this regard. The Colombian experience illustrates that endeavors to establish an official account not only fail to unify divergent perspectives but may also impede the reconciliation process between former antagonists. Imposing a singular, consensus-driven truth through coercion does little to address disparities or foster agreement. Instead, it risks sowing the seeds for renewed conflict.

Politically and morally, truth commissions need to acknowledge and legitimize the versions, memories and sufferings of victims as integral parts of their identities.¹⁰⁴ But perspectives and recollections offered by only some segments of society do not necessarily provide an accurate reflection of reality. Hence, a moral stance in favor of victims' truths should not be confused with the construction of a more complete truth or memory. Relying solely on victim narratives, while morally commendable, amplifies the deficiencies and limitations that truth commissions face in addressing past violence, and limits the possibilities to have a better understanding of what happened and why.

Listening to others requires not only accepting that there may be varying interpretations of 'undeniable facts' but also acknowledging that different versions of the facts themselves exist. Ensuring a place for the fighters' perspectives in a society's overall accountability efforts should provide an opportunity not only to put official truths and memories in a broader context but also to deal with and accommodate conflicting accounts in a way that does not stand in the way of reconciliation.

Recent definitions of memory describe it as 'the ability to construct plausible representations of past events.'¹⁰⁵ A more inclusive approach to the mission of truth commissions may involve recognizing and validating not necessarily all the contents but at least the existence itself of a range of narratives that constitute an interconnected system of truths, memories, institutional memories and historical memories. These could be accommodated within the commissions themselves, or systemically across different bodies within well-defined and distinct purposes. This approach could facilitate more inclusive processes and enhance the prospects of reconciliation without compromising the dignity and reparations owed to the victims, nor undermining the identification of responsibilities for human rights abuses.

¹⁰⁴ A. Wilson and M. Ross, 'The Identity Function of Autobiographical Memory: Time is on Our Side,' *Memory* 11(2) (2003) 137–149.

¹⁰⁵ F. De Brigard, 'Is Memory for Remembering? Recollection as a Form of Episodic Hypothetical Thinking,' *Synthese* 191 (2014) 155–185; K. Michaelian, *Mental Time Travel: Episodic Memory and Our Knowledge of the Personal Past* (Cambridge: MIT Press, 2016); D. L. Schacter, *The Seven Sins of Memory: How the Mind Forgets and Remembers* (Boston: Houghton, Mifflin & Company, 2001).