

ATTITUDE TOWARDS CRIMES AGAINST HUMANITY IN THE CONTEXT OF THE RUSSIAN-UKRAINIAN WAR

СТАВЛЕННЯ ДО ЗЛОЧИНІВ ПРОТИ ЛЮДЯНОСТІ В УМОВАХ РОСІЙСЬКО-УКРАЇНСЬКОЇ ВІЙНИ

The article presents the results of a theoretical and empirical study of the peculiarities of attitudes towards crimes against humanity in the context of the Russian-Ukrainian war. It is shown that political forgiveness involves collective reconciliation and exerts excessive pressure on victims. It is shown that politics and forgiveness are two independent phenomena, since the sphere of forgiveness is interpersonal relations, not political or legal relations. It is shown that true forgiveness cannot be a political act. The specifics of transitional justice policy with its extrajudicial institutions, such as the Truth and Reconciliation Commission, are analyzed. It is shown that truth and reconciliation commissions represent an alternative justice mechanism that aimed not at punishment, but at establishing the truth and providing opportunities for reconciliation. It is established that the inclusion of forgiveness in the sphere of politics distorts, devalues the meaning of true forgiveness, changes its main features, and abolishes its exceptional and unique character. It is shown that pardons after unfair trials and unconditional amnesties after crimes against humanity lead to the sacrifice of justice. The results of an empirical study are presented, in which male civilians (226 males: 119 young and 107 middle-aged) participated; female civilians (372 females: 198 young and 174 middle-aged); wives of active combatants (114 females: 58 young and 56 middle-aged); internally displaced female persons (226 females: 117 young and 109 middle-aged). The author's research questionnaire "Diagnostics of Attitudes to Forgiveness, Life, and Military-Political Events" was applied. It was found that the majority of respondents among civilian men and women, wives of active combatants, and internally displaced women believe that crimes against humanity are unforgivable. It was determined that the majority of respondents among civilian men and women, wives of active combatants, and internally displaced women have a negative attitude towards the idea of reconciliation with the invaders/enemies of Ukraine.

Key words: forgiveness, unforgiveness, reconciliation, crimes against humanity, Russian-Ukrainian war.

В статті представлено результати теоретико-емпіричного дослідження особливостей ставлення до злочинів проти людяності

*в умовах російсько-української війни. Показано, що політичне прощення передбачає колективне примирення і здійснює надмірний тиск на жертв. Показано, що політика і прощення є два незалежні феномени, оскільки сферою прощення є міжособові стосунки, а не політичні чи правові відносини. Показано, що справжнє прощення не може бути політичним актом. Проаналізовано особливості політики правосуддя перехідного періоду з її позасудовими установами, такими як Комісія з встановлення правди та примирення. Показано, що комісії з встановлення правди та примирення являють собою альтернативний механізм правосуддя, який мав на меті не покарання, а встановлення істини і можливості для примирення. Встановлено, що включення прощення в сферу політики спотворює, знецінює значення справжнього прощення, змінює його основні риси, скасовує винятковий і унікальний характер. Показано, що помилування після некоректних судових процесів і безумовні амністії після злочинів проти людяності призводять до принесення в жертву справедливості. Наведено результати емпіричного дослідження, в якому взяли участь цивільні особи чоловічої статі (226 осіб чоловічої статі: 119 осіб молодого віку і 107 осіб середнього віку); цивільні особи жіночої статі (372 особи жіночої статі: 198 осіб молодого віку і 174 осіб середнього віку); дружини активних учасників бойових дій (114 осіб жіночої статі: 58 осіб молодого віку і 56 осіб середнього віку); внутрішньо переміщених осіб жіночої статі (226 осіб жіночої статі: 117 осіб молодого віку і 109 осіб середнього віку). Застосовано авторську дослідницьку анкету "Діагностика ставлення до прощення, життя і воєнно-політичних подій". Виявлено, що більшість респондентів серед цивільних чоловіків і жінок, дружин активних учасників бойових дій, внутрішньо переміщених осіб жіночої статі вважають, що злочини проти людяності не підлягають прощенню. Визначено, що більшість респондентів серед цивільних чоловіків і жінок, дружин активних учасників бойових дій, внутрішньо переміщених осіб жіночої статі негативно ставиться до ідеї примирення з загарбниками/ворогами України. **Ключові слова:** прощення, непростення, примирення, злочини проти людяності, російсько-українська війна.*

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Problem statement. In recent decades, the terms "guilt", "justification", "regret", "apology", and "forgiveness" have become widespread in politics. In politics, the concepts of "forgiveness" and "apology" are used mostly as synonyms.

It should be noted that some politicians are willing to take some political responsibility for crimes they had nothing to do with. Some politicians demonstrate public rituals of repentance that outwardly signal a change in attitude towards past crimes.

Are politicians honest in such situations, or are they simply playing political "theater" to arouse public sympathy and score some political points for the next election? In our opinion, scenes of repentance in politics are often associated with pretense, theatricality, calculation, and diplomatic strategies.

A significant increase in the interest of scholars in the phenomenon of forgiveness and the emergence of the problem of forgiveness in politics was noted in connection with the problem of crimes against hu-

manity, the reality of absolute evil, the symbol of which was the Holocaust during World War II. In the 1960s, the issue of a possible amnesty for individual Nazi criminals was actively discussed in many Western European countries. The work of the Second Vatican Council (1962–1965) resulted in a kind of “permission” to study the problem of forgiveness in the context of the Holocaust, which led first to partial and then to its complete secularization. By the way, the debates of scientists, in particular the question of V. Jankelevitch: “Should we forgive them?”, had a significant impact on the further development of research on the problem of forgiveness [12, p. 563].

Russia's aggressive war against Ukraine is characterized by massive atrocities against humanity, including deliberate mass killings of civilians, torture, extermination, enslavement, forced deportations, and physical and psychological violence, committed in the context of a large-scale and systematic attack on civilians in Ukraine.

That is why the relevance of scientific research on the problems of attitudes towards crimes against humanity in the context of the Russian-Ukrainian war is growing.

The purpose of the article: to determine the specifics of the attitude towards crimes against humanity in the context of the Russian-Ukrainian war.

Presentation of the main research material. The problem of political forgiveness has been reflected in the moral and philosophical debates of scholars and is largely related to the development of national and international politics and law.

It is interesting to note that some politicians sought to use the “language” of forgiveness and implement a policy of apologies not only in connection with the atrocities and human rights violations associated with the Holocaust, but also due to new war crimes, including genocide, ethnic cleansing, and mass human rights violations.

During the Khmer Rouge regime, about a quarter of the population of Cambodia died, leaving many people with close relatives [31], and millions of Cambodians suffered gross human rights violations, including mass executions, forced labor, torture, and starvation [13, p. 214]. During the Khmer Rouge regime, many deaths were brutal and unnatural, religion was banned, and traditional ceremonies after death were impossible. For a long time, the atrocities committed in Cambodia were not publicly discussed.

It was not until about 30 years after the end of the Khmer Rouge regime that the Extraordinary Chambers in the Courts of Cambodia, also known as the Khmer Rouge Tribunal, were established to investigate atrocities.

Although Japan apologized for its role in World War II, China and the Chinese participants did not believe that the apology was sincere, nor that Japan was sincere in its attempt at reconciliation [28, p. 284].

Biljana Plavsic was the first and only Bosnian Serb political leader to plead guilty before the International Criminal Tribunal for the former Yugoslavia. Her ad-

mission of guilt and remorse expressed during her trial at the International Tribunal were marked as a milestone for both the International Tribunal and the Balkans [29, p. 274]. However, Plavsic later renounced remorse while serving her sentence in prison.

We disagree with the idea of moving forgiveness into the realm of politics and the view that forgiveness is an effective political and diplomatic tool. Let us justify our reasoning.

During the Colombian Civil War, which began in 1964 and intensified in 1966 between the Colombian government, paramilitary groups, criminal syndicates, and leftist guerrillas for influence in the country, millions of people were displaced, killed, or disappeared. 165271 people were killed, otherwise killed, or disappeared [23]. Serious human rights violations were committed by all parties involved in the conflict [10].

Following the signing of the peace agreement, several meetings between victims and perpetrators were reported in the press, for example in the small town of Bojayá, where in 2002 more than 200 villagers, many of whom were women, were killed or seriously injured by the Revolutionary Armed Forces of Colombia. On 26 September 2016, the government and the Revolutionary Armed Forces of Colombia signed a historic peace agreement in Cartagena, ending hostilities, which included adequate compensation for all victims, full disclosure of information, and protection from possible aggression by all participants in the transitional justice process. Perpetrators who pleaded guilty met with victims and their families, expressed remorse, and asked for forgiveness.

C. Pineda-Marin and colleagues studied the attitudes of the Colombian people towards forgiving perpetrators of crimes against women during the armed conflict [22, p. 228]. It turned out that the majority of the study participants were not at all willing to forgive their abusers. The study complemented two studies conducted in Bogotá, Colombia [16, p. 288; 17, p. 203], which also found that the majority of participants believed that forgiveness should not be granted to former abusers, regardless of the circumstances, the severity of the crimes, or the expression of genuine repentance. Interestingly, the study by C. Pineda-Marin and colleagues covered a wider range of crimes [22, p. 229]. In this regard, it is worth noting that the results of the study by C. Pineda-Marin and colleagues showed that most Colombian citizens were hostile to the idea of forgiving or reconciling with former criminals.

Some politicians consider transitional justice, reconciliation and forgiveness as important political tools for finding a way out of conflict situations within a state or between states.

The problem of transitional justice has actualized such an important issue as the correlation of sincere repentance and granting forgiveness with political necessity. The concept of “political forgiveness” is quite often used to denote this problem. The fundamental question arises: does political forgiveness exist?

In our opinion, recognizing the real important role of forgiveness in politics is problematic.

D. Rondeau notes that political forgiveness implies collective reconciliation and exerts excessive pressure on victims, since it is expected that the fate of the nation depends on their forgiveness, instead of presenting political forgiveness as an ethical demand addressed to the former criminal [25, p. 75].

Researchers J. Gomez, V. Caro and L. Alvarez note that the scenarios of forgiveness and reconciliation in transitional justice created certain problems in Colombia, since due to the high degree of impunity there were no effective processes for searching for missing persons, and conditions of social injustice, violence and inequality continued to exist [9, p. 189].

African Archbishop Desmond Tutu and African thinker Wole Soyinka both witnessed violence and experienced first-hand atrocities and human rights violations committed by fellow citizens and governments. D. Tutu advocated forgiveness, while W. Soyinka advocated restitution. The politics of transitional justice, with its extrajudicial institutions such as the Truth and Reconciliation Commission in the 1990s, gave impetus to the development of the idea of forgiveness in politics.

Truth and Reconciliation Commissions were an alternative justice mechanism that aimed not at punishment but at establishing the truth and the possibility of reconciliation.

A striking example of such justice is the Truth and Reconciliation Commission in South Africa after the end of apartheid. The Truth and Reconciliation Commission operated from 1995 to 1998 and, by investigating the crimes of apartheid, facilitated the granting of amnesty to those who repented, and its actions were also aimed at restoring peaceful relations in the country.

The establishment of the Truth and Reconciliation Commission in South Africa was one way to use remission in favor of reconciliation through such tools as: recognition of victim status, lifting the veil of silence about criminal events through personal statements of victims, compensation for victims and conditional amnesty for perpetrators on condition that they admit their guilt for crimes related to the apartheid regime. Reconciliation in restorative justice was ideally based on the repentance of perpetrators and the forgiveness of victims [26, p. 23].

In our opinion, true forgiveness is not evident among the participants of the Truth and Reconciliation Commission in upholding the rights of the victim. Let us analyze certain facts.

D. Tutu defended the principle of ubuntu with its optimistic view of human nature, which affirms the humanity of both offenders and their victims, and explained the thinker's confidence in the ability of the participants of the Truth and Reconciliation Commission to forgive each other, regardless of their positions, status and behavior [32, p. 24]. D. Tutu formulated his point of view in his book "There is no future without forgiveness", in which he assesses the

successes and failures of the South African Truth and Reconciliation Commission, which he chaired. D. Tutu considers the trial not only as a means of punishing crimes, but also as a way of defending and confirming the rights of victims.

W. Soyinka, referring to the significant spread of cruelty, believes that it is not enough to recognize past human rights violations, it is necessary to create structures and mechanisms that could deter similar actions in the future and guarantee the protection of human rights, which are best guaranteed if the violators are punished and the victims receive adequate compensation [30, p. 53]. W. Soyinka noted that the world saw in the Truth Commission a risk-free parade of villains who calmly, and sometimes with inexplicable pleasure, talked about their role in kidnappings, torture, murder and mutilation.

Does true forgiveness exist in transitional justice? The concept of "political forgiveness" raises the issue of true and conditional forgiveness.

Pardons after unfair trials and unconditional amnesties after crimes against humanity lead to the sacrifice of justice. Through a kind of "comedy of forgiveness", criminals have received amnesty in exchange for confessions, but without the need to regret their actions.

The Truth and Reconciliation Commission allows individual offenders to apologize, but corruption, compromise, and condoning of terrible acts are possible. According to victims of enforced disappearances, state forgiveness practices are perceived as imposed and meaningless [9, p. 189]. Foreign scholar M. Minami found in his study that victims often do not feel sincerity or remorse in the apologies of their perpetrators [19, p. 132]. The words of the perpetrators in their repentance do not sound convincing to survivors; the words do not convey the sincerity of the perpetrators.

S. Lefranc expresses the opinion that political forgiveness has a pragmatic purpose [15, p. 17].

According to J. Derrida, the coercion, offer or imposition of forgiveness by the state violates the logic of gratuitousness or purity of forgiveness [5, p. 26]. J. Derrida believes that forgiveness, which is used in politics, leads to the erroneous identification of forgiveness with the concept of "amnesty". According to J. Derrida, in a political context such forgiveness is neither pure nor disinterested. The philosopher believes that forgiveness should be neither normative nor normalizing. J. Derrida believes that forgiveness should remain exceptional and extraordinary.

Public forgiveness carries the threat that it will lead to further undesirable consequences, in particular, a repetition of what happened in the future [18, p. 134].

It should be noted that victims of crimes against humanity have the right not to forgive their offenders and the right to demand their just punishment.

Thirty years after the Khmer Rouge regime, Cambodians were characterized by limited knowledge of the past, a strong desire for truth, and a lingering

sense of hatred [21, p. 132]. J. Lederach notes that people need to express the pain of trauma caused by what was lost and the anger that accompanies the pain and injustice caused by the events that affected them [14, p. 21].

In transitional justice situations, political forgiveness can lead to forgetting and impunity.

J. Gomez, V. Caro, L. Alvarez point out that acts of public forgiveness or requests for forgiveness in court are assessed as not very genuine and approach reconciliation practices that include collective and social dimensions, since they are conditioned by political or legal factors and do not necessarily take into account the demands of victims [9, p. 194].

True forgiveness can only come from the victims of crimes against humanity. C. Beristain and colleagues argue that the consequences of transitional justice rituals are perceived as positive at the social level, but not at the level of overcoming the suffering of victims [3, p. 49].

It is necessary to distinguish between the concepts of forgiveness and reconciliation: forgiveness is individual, and reconciliation can be both individual and collective.

The structure of the "logic" of forgiveness does not correspond to the political and legal logic of reconciliation processes [4, p. 51]. Reconciliation does not always imply forgiveness [26, p. 23].

In the case of political interests based on agreements, pacts and arrangements between those who exercise political power, with the aim of closing cycles of violence from the side of, mainly, justice, forgiveness ceases to be voluntary, it becomes an obligation [9, p. 186].

J. Derrida notes that a representative of the state can judge, but forgiveness has nothing to do with the court's decision; not even with the public or political space [6, p. 18].

The French philosopher V. Jankélévitch notes that forgiving the Nazis would mean erasing the names of the victims [11, p. 38]. According to the scientist, crimes against humanity should be remembered for the sake of adhering to our norms of humanity and out of respect for those whose existence was denied and erased. The demand from the Germans to admit guilt could be realized only through repentance, and, therefore, was at the same time an acceptance by them of full responsibility for what happened [12, p. 556].

For the Nazis, victims, particularly Jews, were depersonalized, so the criminals' recognition of their own responsibility for the crime, repentance, and asking for forgiveness from the victims would indicate the restoration of the victims' personal status.

In our opinion, it is rather questionable to express forgiveness to criminals on behalf of millions of victims if the victims of the crimes are already dead.

According to V. Jankélévitch, the ontological evil of the Shoah cannot be forgiven, since the lives that were lost in Auschwitz cannot be returned, time does not affect them [12, p. 564]. As V. Jankélévitch writes, forgiveness died in the death camps, the victims of

war crimes are the only ones who would have the right to forgive, they are dead. V. Jankélévitch notes that time belongs to the natural order, and the commission of crimes belongs to the moral order.

H. Arendt believes that in one form or another people must take responsibility for all crimes committed by people, and that all nations share the burden of the evil committed by all others [2, p. 20]. H. Arendt calls for the condemnation of those responsible for Nazi crimes. The scientist calls for their collective condemnation and individual responsibility [1, p. 69].

P. Ricoeur believes that the prerequisite for forgiving the guilty is his awareness of his guilt [24, p. 64]. According to P. Ricoeur, the condition for forgiveness on the part of those who forgive is the recognition by the guilty person of responsibility for his own actions.

The removal of individual responsibility can lead to the phenomenon of "collective forgiveness" [20, p. 486]. Forgiveness is individual, even within the framework of an armed conflict [8, p. 125].

H. Arendt considers forgiveness as an act that is exceptional for common existence, but imposes additional restrictions on forgiveness [1, p. 26]. The scientist notes that there are crimes that are not subject to forgiveness, in particular crimes against humanity. According to H. Arendt, the application of collective responsibility to post-war Germany in practice turned out to be an effective whitewash of war criminals.

P. Ricoeur also holds the view that it is impossible to forgive crimes against humanity, but not because of the impossibility of forgetting, but because forgiveness is a phenomenon that is at the intersection of memory and forgetting [24, p. 63].

J. Milbank also holds the opinion that neither the victim nor the sovereign power can forgive crimes that are associated with the mass death of people [18, p. 102]. According to D. Roza, the act of forgiving crimes against humanity contradicts morality, namely: it will be a new crime against the humanity of man and against human rights [27, p. 34].

The condition for Germany's return to full sovereignty and the establishment of diplomatic relations with the young state of Israel was the recognition of responsibility for the suffering of Jews during the war and the payment of war reparations by the Germans.

Some advocate strategies of social forgetting and public silence, such as those adopted in Sierra Leone and Mozambique, in the pursuit of political reconciliation. But are such strategies appropriate in ensuring justice? Can one build one's future on collective amnesia?

The expression "political forgiveness" raises the issue of justice.

Applying amnesty to criminals means refusing to administer justice and imposing further injustice on victims by erasing the memory of past crimes.

Foreign scientists M. Eisma and colleagues have shown that reflections on injustice after loss predict higher levels of symptoms of complicated grief [7, p. 166]. The terrible experience of injustice in both murder and genocide shakes one's own belief system, causes negative knowledge, coping styles, and com-

Table 1

**Distribution of answers (in percentages) in different groups of respondents to the question:
“Are crimes against humanity forgivable?”**

Respondent groups	Answer options			
	Yes	No	It's hard to say	Other
Civilian men	1,33	91,15	2,65	4,87
Civilian women	1,62	94,62	1,61	2,15
Wives of active combatants	1,75	85,97	4,39	7,89
Internally displaced women	1,77	88,05	3,54	6,64

Table 2

**Distribution of answers (in percentages) in different groups of respondents to the question
“How do you feel about the idea of reconciliation with the invaders/enemies of Ukraine?”**

Respondent groups	Answer options			
	Positively	Negatively	It's hard to say	Other
Civilian men	1,77	87,61	4,87	5,75
Civilian women	2,15	93,28	3,23	1,34
Wives of active combatants	0,00	93,86	0,00	6,14
Internally displaced women	3,54	87,61	3,10	5,75

plicates adaptive reactions [7, p. 168]. The claims of victims of the Colombian armed conflict were related to the rights to truth, justice, and reparation.

H. Arendt, in her philosophical and political essays, reflecting on the tragedy of World War II, notes the importance of remembering the perpetrators of crimes against humanity [2, p. 20]. The scientist opposes the application of the principle of collective responsibility to war crimes, since such an approach implies forgetting their perpetrators.

Our empirical study was conducted during 2023–2025. Our first empirical study involved male civilians (226 males: 119 young and 107 middle-aged); female civilians (372 females: 198 young and 174 middle-aged); wives of active combatants (114 females: 58 young and 56 middle-aged); and female internally displaced persons (226 females: 117 young and 109 middle-aged).

We used the author's research questionnaire “Diagnostics of attitudes towards forgiveness, life and military-political events”. The questionnaire consists of 41 questions, including: 3 open, 32 closed and 6 semi-closed.

The distribution of answers to the question “Are crimes against humanity forgivable?” in different groups of respondents is presented in Table 1.

The results obtained indicate that the vast majority of respondents among civilian men and women, wives of active combatants, and internally displaced women believe that crimes against humanity are unforgivable.

To the question “How do you feel about the idea of reconciliation with the invaders/enemies of Ukraine?” the distribution of answers in different groups of respondents is presented in Table 2.

It was found that the vast majority of respondents among civilian men and women, wives of active combatants, and internally displaced women have a nega-

tive attitude towards the idea of reconciliation with the invaders/enemies of Ukraine.

Conclusions from the conducted research. Victims have the right to demand punishment of their perpetrators and compensation for the harm they have suffered, regardless of whether they ultimately decide to personally forgive the perpetrators who caused them suffering or not.

It is precisely through the inclusion of forgiveness in a political-legal context that it becomes synonymous with impunity and injustice. There is no moral reason to forgive crimes against humanity because of their extremely inhuman nature and the lack of remorse of the perpetrators.

Politics and forgiveness are two independent phenomena, since the sphere of forgiveness is interpersonal relations, not political or legal relations. Forgiveness in the interpersonal interaction of the victim and the offender is separate from political goals. True forgiveness cannot be a political act. The inclusion of forgiveness in the sphere of politics distorts, devalues the meaning of true forgiveness, changes its main features, and cancels its exceptional and unique character.

The majority of respondents among civilian men and women, wives of active combatants, and internally displaced women believe that crimes against humanity are unforgivable.

We see the prospect of the research in the theoretical and empirical study of the features of revenge in the conditions of the Russian-Ukrainian war.

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