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NARRATIVE TRUTH AND EPISTEMIC OBJECTIVITY IN TRANSITIONAL JUSTICE: THE CASE OF THE TRUTH COMMISSION IN COLOMBIA

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ABSTRACT

Almost always the truth is the first to be sacrificed in the development of the war and even at the end of it. An attempt is made to make a comprehensive exercise of the different categories of truth, as an attribute of discourse, to define the type of truth that is incorporated into the narratives that make up the content of the Final Report of the Commission for the Clarification of Truth, Coexistence and Non-Repetition in Colombia. To this end, a discussion is raised between the different perspectives of truth with John Searle's theory of extreme realism. The documentary analysis of two of the eleven volumes that are part of the work of the Final Report entitled "There is a future if there is truth" is used.

KEYWORDS: Truth correspondence, truth coherence, analytical truth, objectivity, reality, truth commission.

1. INTRODUCTION

During the development of war, truth is the first enemy to be defeated, without it, the narratives that emerge in the framework of actions cannot ensure their validity for those who produce them; At the same time, it allows for the construction of alternate realities of both the state of affairs that surrounds the scenario of confrontations, as well as the actors, victims and affected who appear in the conflict.

If there is one category whose focus is still the subject of discussion, even in the postmodern world (LYOTARD, 1979) where the question should have been completely decanted, it is truth. From Ancient Greece to the present day, there has been a strong discussion, and even more so in the *post-truth century*, about what truth is. If there is no conceptual unity about truth, then what is meant by truth?

The work addresses a part of the contemporary discussion around the problem of truth, to identify the type of truth that the Commission for the Clarification of Truth, Coexistence and Non-Repetition of Colombia, takes into account in its Final Report, and to be able to determine the relevance of the perspective of truth applied and, at the same time, that the stories contained in the Final Report have the property of being outside a relativistic conception of truth.

The fact that a sector of the political class and Colombian society has questioned the search for the truth of all the events that are part of the development of the internal armed conflict in Colombia, makes it necessary to investigate, in the content of the Commission's Final Report, the approach that is applied, in terms of truth, for the construction of the document and the representation of the events.

From the qualitative approach, documentary analysis was applied to two of the 11 volumes that make up the Final Report, which corresponds to the texts entitled "Even war has limits. Violations of human rights, breaches of international humanitarian law and collective responsibilities", and the testimonial volume "When the birds did not sing. Stories of the armed conflict in Colombia", which are part of the Final Report "There is a future if there is truth". A bibliographic review of the different theoretical perspectives on truth was carried out; then the scope of these theories was analyzed; and, finally, it was contrasted with the analytical, coherentist, utilitarian, normativist and correspondentist types of truth, to identify which is the approach that allows the narratives of the Final

Report to be brought closer to the truth.

The paper does not make a study of the methodology applied for the construction of the Report, it is only concerned with identifying the approach of truth that is taken to make sense of the narrative incorporated in the text.

In consideration of the above, first a theoretical discussion of the perspectives of truth is presented, in contrast to the contemporary theoretical trends around truth; then, a review of John Searle's theory of *extreme reality* is incorporated; then an approach to the relationship between the theory of truth and the relationship between the theory of truth and the theory of truth is presented. internal armed forces in Colombia, and, finally, some conclusions are offered.

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2. THE PROBLEM OF DIFFERENT PERSPECTIVES OF TRUTH

The question of truth has a direct focus on the discourse, what is revealed or hidden in the discourse and the intention of the agent in the narration of events (GÓMEZ, 1997). There is no theoretical unity around truth, different perspectives approach it from an analytical, practical, coherentist or correspondentist dimension, In other words, truth can be taken as the result of the adequacy of mental representations with the events of the factual world, as a discourse loaded with utility for the practical world; as a discourse that corresponds to facts and interpretations, to beliefs or judgments, or as the result of an intersubjective agreement between agents capable of language and action. Also, other contemporary theoretical perspectives appear that assert that truth is not in representations, nor in statements, nor is it a creation (DAVIDSON, 1995) but in the normative order: the content of the norm enunciates its own truth. If there is a conceptual distance around truth (GÓMEZ, 1997), how can truth be understood, what is truth?

In his essay on truth and lies in an extramoral sense, Nietzsche (1996) conceives truth in a language-world relationship as the key to defining truth in terms of knowing. For Nietzsche, there is no way to get to know things in themselves, except through the phases of language generation that go

from reality, through the literary figure, the phoneme (word), to the concept.

In Nietzsche's terms, telling the truth is nothing more than formulating a lie according to conventions, so truths are simple illusions that manage to be recognized as the fantasy that they are (NIETZSCHE, 1996, p. 25).

In the sense of correspondence, truth is implied with the coincidence between the content of a story and the event to which it refers or as a property that certain beliefs have. Pragmatists such as James (1974) and intellectualists agree that truth implies adequacy with reality, while inadequacy constitutes falsehood. The pragmatist turns ideas into true when they can be verified, validated, corroborated and assimilated; On the contrary, false ideas are those that cannot be validated, verified, corroborated or assimilated.

However, the criteria of truth do not abandon the relationships, which at the discursive level, are woven between the predicative, the phenomenological or the ontological; they preserve the value that preaching has at the discursive level, whether it is any of the criteria of truth, correspondent, pragmatic, coherentist. As far as correspondence is concerned, truth is configured in a necessary relationship of a conditional nature between the affirmation of the past event or what is affirmed in relation to probable events, to materialized events. This implies that preaching, for the discourse to be true, has to be in a condition of adjustment with the world of the events that are narrated.

The relation of the predicate to the thing or to the event loses force when it is a question of taking the truth value of discourse because of the usefulness that discourse has in relation to certain interests. In this case, what defines the truth of the statement is conditioned by the achievement of particular purposes, ends or gains that come from the instrumental character that is given to the discourse uttered.

As far as the coherentist view of truth is concerned, only the analytic line that defines coherence between a proposition and the kind of knowledge with which the proposition is implied is taken into consideration. In other words, coherence is a formally logical and deductive truth where it is only required that the proposition be logically coherent with other propositions without incurring in violations of the principle of non-contradiction. This analytic truth does not require material verification of the event that is predicated, because its consistency depends on the formal and

necessary relationship between the premises and the conclusion.

When trying to establish the truth of statements, it is a matter of determining that ideas are not only connected with another set of ideas, but that those ideas have logical coherence with other ideas, which makes the idea true, insofar as it has a logical coherence with the system of ideas to which it belongs. Thus, the idea that is expressed is conditioned to have a relationship with the ideas that are within the same system of ideas, but it is not related to the reality of things, which does not ensure a relationship of those announced with the factual event, but with another group of ideas; that is, there is no contradiction between the proposition that is expressed and the system of propositions to which the formulated proposition belongs (TUGENDHAT, 1998). Thus, a proposition only becomes true when it is consistent with the system of ideas to which the proposition refers, without this implying that the propositional content loses weight because it has no relation to the event to which it refers. In this case, the question is conditioned not only to the existence of a system of ideas with which the proposition or statement is coherent, but also that this system of ideas has a relationship of adjustment of mind to ideas of the world.

Thus, in the context of clarifying the truth of the crimes committed in the context of the Colombian internal armed conflict, if it is a question of determining the truth by coherence, then the statements of a victim of violence or an agent of a criminal group would have to be confronted with a series of pre-existing statements that refer to the same enunciative content. which would imply that the truth of the statement would not reach the category of truth due to the absence of statements that correspond to the same propositional content of the victim's or the criminal agent's story. In the system of coherent truth, a victim of physical violence speaks of violence as something of which she is aware, but she does not speak of the factual event of the violence she suffered as such, but of what she understands as a violent act, the truth of which will be conditioned by a system of narratives that refer to the same event that the victim relates. It is precisely because of this weakness that the Colombian legal system and the Special Jurisdiction for Peace do not admit, in order to establish the occurrence of an event through testimony, the accounts of subjects who have not lived or witnessed the situation under investigation. In this case, the so-called reference witnesses, who are

those who narrate the event based on a story they have heard from other discursive sources, do not have the capacity within the judicial system to bring the judge closer to the event for which a person is being tried, precisely because the coherence of their account with other accounts does not refer directly to the fact under investigation but to the story heard.

On the consensualist side (PIERCE, 1997; APEL, 1985; HABERMAS, 2002) suggests that truth is the product of agreement in which a community with discursive capacity discusses the conditions under which a proposition can be taken as true. In this sense, the truth of the proposition requires a discussion of reasons in order to arrive at the best possible arguments that give the proposition its character of truth. Although the reasons that justify the best of arguments are exposed to being subjected to verification, coherence or correspondence, this does not exhaust the condition to constitute itself as truth, there must be as a result of the discussion an intersubjective consensus that defines the proposition as true. The other issue raised by Tugendhat (1998) is that truth is a problem with the thing that is enunciated, and not with the statement itself. "The fact that there is for us the difference between true and false, is based on the fact that for our representation there is a difference between things as they are for us, as we mention them, and things as they are in themselves, as they are themselves" (TUGENDHAT, 1998, p.130). This line is somewhat compatible with the idea that truth is a norm (ENGEL, 2008), under the understanding that all representation of the world is related to the parameters of representation that are established in certain contexts, where a representation is true because it responds to a knowledge that determines how the thing or event has to be represented. Thus, "the norms we adopt are nothing more than the product of our practices and our attitudes, that is, of what we accept" (ENGEL, 1998, p. 113)

Although these criteria do not exhaust the debate on truth, it is necessary to examine other perspectives that allow us to have an approach to the criterion of truth that is applied in the report of the Truth Commission, a truth that gives relevance to the victim as the central agent of the narrative construction of history and, at the same time, it constitutes a reparative element for the victim himself, his families and the communities that recorded the horrors of the Colombian internal armed conflict in the last 50 years.

However, since truth is the core of justice and reparation for the victims, very surely the sense of truth that is pointed to in the narration of the events that marked the period of internal armed conflict in Colombia, is not on the utilitarian side, nor on the coherentist side, and the narratives of the victims are their own experiences. In view of its own factual events, it is ruled out that the criterion of truth with which the Commission's Report is constructed is a truth of a consensual type. It is not possible for the victims to agree to discuss the terms from which they are going to elaborate their narratives of the events of violence they suffered; their experiences are not those that have to be subjected to a reasoned discussion with other agents to reach the category of truth, they are not those that require the participation of other subjects to be validated.

Nor are the narratives of the violence experienced constituted in content that is related to the beliefs of the victims. In this case, the truth of the narrative is not achieved by necessarily relating the content of what is said to the victim's beliefs. The truth is not conditioned by whether or not the victim believes that what they experienced is a massacre, a forced displacement, sexual violence, confinement or an enforced disappearance. It is not that their narrative is true if the victim believes in disappearance, in rape, or did not feel violated, or does not believe in physical violence; or it is false because it does not believe in disappearance, rape or displacement. And along this same route, truth is not a matter of utility to define that the discourses of the victims are valid and true because they have some use. Because if so, perhaps the truth of the report is an instrument for the achievement of political or union ends. The truth is that there is an end in the report, a purpose that aims at the consolidation of peace, memory, reparation and discursive justice for the victims; but especially, to the achievement of a "never again".

3. TRUTH IN TRANSITIONAL JUSTICE

Transitional justice is a system that opens up the possibilities for instituting conditions for peace and political and democratic stability in countries that have experienced long periods of armed conflict or military dictatorships. In this case, it allows us to make the leap towards peace and democracy, on the basis of truth, justice, reparation and guarantees of non-repetition. "The goal of transitional justice involves bringing perpetrators to justice, revealing the truth about past crimes, providing reparations to victims, reforming abusive institutions, and

promoting reconciliation" (VAN ZYL, 2005; BOTH, MALARINO & ELSNER, 2009). Thus, one of the institutes that has had the most relevance in the framework of transitional justice are the truth commissions, because they are the ones that allow us to know why and who promoted the greatest violations of human rights in the framework of an internal armed conflict or a military regime.

Truth as the central axis of justice and reparation, is at the center of the transition processes from the second post-war period, hence, truth is a right for victims and society as a whole in order to know the motives for the crimes, the circumstances in which they occurred, and the search for people reported missing. To ensure the search for the truth in periods of transition, it was necessary to separate the results of the commissions from the criminal prosecution against those responsible. This made the truth commission a non-judicial body whose exercise does not seek the prosecution of those responsible for crimes, but rather seeks the historical reconstruction of the events of violence in political contexts or armed conflict, the understanding of their causes and dynamics with the aim of providing truth to the victims. their families and society as a whole.

In 1971, the Uganda Commission of Inquiry into the Search for Disappeared Persons was established, which could be taken as the first commission focused on knowing the truth about human rights violations during the military dictatorship. Since then, 51 truth commissions have been created in different parts of the world as an instrument to move from long periods of internal armed conflict to peace, or from military dictatorships to democratic governments (CEV, 2022d). Between the end of the twentieth century and the first third of the twenty-first century, institutions of this nature emerged as non-judicial mechanisms to unravel the truth of the events that constituted serious violations of Human Rights and International Humanitarian Law during the development of armed conflicts or military dictatorships. In the Americas alone, ten truth commissions were instituted that emerged both in contexts of political transition in the case of Argentina and Chile, and in post-armed conflict scenarios for Guatemala, Peru and Colombia.

Thus, truth commissions, in Hayner's (2011) opinion, have four fundamental characteristics that are distinguished by being (i) official and extrajudicial bodies, supported by the State; (ii) investigate events that occurred in a limited period of time; (iii) investigate patterns of abuse; (iv) they

operate for a certain period of time that concludes with a final report; (v) they are focused on victims and their rights and on strengthening the transition (AMAYA PANCHE & LANGER, 2015; GÓMEZ MÉNDEZ, 2005; HAYNER, BERISTAIN, & VALENCIA, 2015; KALACH, 2016; NARANJO REGINO, 2016; TAMARIT SUMALLA, 2010).

In the case of Colombia, the Commission for the Clarification of Truth, Coexistence and Non-Repetition arises as part of the Final Agreement for the Termination of the Armed Conflict and the Construction of a Stable and Lasting Peace, signed between the Government of Colombia and the guerrillas of the Revolutionary Armed Forces of Colombia - People's Army. FARC-EP in 2016. It was born into legal life through Legislative Act 01 of 2017 and Decree 588 of 2017, as a temporary and extrajudicial mechanism of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition - SIVJRNR, to know the truth of what happened in the framework of the armed conflict and contribute to the clarification of the violations and infractions committed during it and offer a broad explanation of its complexity to the entire community. society. (CEV, 2022)

Article 4 of Decree 588 of 2017 determines that "the activities of the Commission will not be judicial in nature, nor will they serve for criminal accusation before any jurisdictional authority. The information received or produced by the Commission may not be transferred by the Commission to judicial authorities to be used for the purpose of attributing responsibility in judicial proceedings or to have probative value, nor may the judicial authorities require it." Therefore, its three objectives are concentrated, according to Article 2 of Decree 588 of 2017, on (i) contributing to the clarification of what happened, in accordance with the elements of the Mandate and "offering a broad explanation of the complexity of the armed conflict, in such a way as to promote a shared understanding in society, especially of the lesser-known aspects of the conflict, such as the impact of conflict on children and adolescents and gender-based violence, among others; (ii) promote and contribute to the recognition of victims as citizens whose rights were violated and as political subjects of importance for the transformation of the country; the voluntary recognition of individual and collective responsibilities by all those who directly or indirectly participated in the conflict as a contribution to truth, justice, reparation and non-repetition; and in general the recognition by society as a whole of that legacy of violations and

infractions as something that deserves the rejection of all and that should not and cannot be repeated, and; (iii) to promote coexistence in the territories, on the understanding that coexistence does not consist in the simple sharing of the same social and political space, but in the creation of a transformative environment that allows the peaceful resolution of conflicts and the construction of the broadest culture of respect and tolerance in democracy" (CEV, 2022).

There is no peaceful position among qualitative studies that analyze the impact of truth commissions on human rights, democracy, and peacekeeping. Barahona de Brito et al (2001) establish that truth commissions do not have an impact on improving the conditions of democracy, while Snyder and Vinjamuri (2004) conclude the opposite. For them, the positive impact occurs in places where the institutional apparatus of the State is managed by a coalition of political parties and when amnesties are offered in the framework of the transition processes and the political parties jointly promote substantial reforms in political institutions. Regarding the analysis of the impact of truth commissions on democracy and human rights in countries such as South Africa, Chile, El Salvador and Uganda, Wiebelhaus-Brahm (2010) detracts from any capacity of effectiveness of truth commissions in the promotion of democracy; however, it recognizes that they contributed significantly to an improvement in human rights. On the other hand, it is recognized that, despite providing knowledge about the motives for the crimes and the location of bodies and remains of people reported missing, some studies consider that the commissions do not have a significant weight in the search for justice for the victims because of their extrajudicial nature, and because the information collected cannot be used to judge the crimes.

Although there is no evidence of work that focuses on establishing the type of truth contained in the Final Report of the Truth Commission in Colombia, a methodology for analyzing the testimonies of victims of human rights violations in the so-called case 03 investigated by the Special Jurisdiction for Peace has been proposed related to the so-called "false positives", one of a series of murders of civilians carried out by the security forces in Colombia to be presented as guerrillas killed in combat with the Army. The paper identifies the emotional charge of the discourses, the predominant topics and compares the narrative dynamics between different sub-cases and types of

actors involved in the Colombian armed conflict (SOSA, URREGO-LÓPEZ, PRIETO, & CAMARGO-DÍAZ, 2025)

Nor has there been a concern to establish the type of truth contained in the final reports of truth commissions in countries that have gone through processes of political transition or armed conflict. What has been of most concern is the impact of the recommendations of the reports and their effect on democracy (FOMBAD, 2008; CHAPMAN & BALL, 2001), and the way in which the narratives of victims and perpetrators are presented. In the latter case, silence is highlighted as a form of manifestation by the perpetrators before the Sierra Leone Truth Commission (VAN DEN BERG, 2023).

4. REPRESENTATIONS IN THE PROBLEM OF TRUTH

The re-elaboration of events will present some difficulties associated with the type of audience (universal or particular) to which the reconstructive narrative of the event is directed (AUSTIN, 1989). When it comes to the reconstruction made by the victims of the internal armed conflict in Colombia, dissimilar responses are presented when the narrative is presented to social, political, judicial, academic, and religious audiences, among others. The view of the content of the narratives is associated with suspicion, when the audience that listens to the victim's narrative is a political organization, party or group that co-opted with violence, stimulated and supported the actions of irregular armed organizations that massacred, displaced and carried out crimes against humanity. Denial has been the first response of suspicion that hangs over the victim's narrative, because those who doubt the victim's narrative truth are based on a type of coherent truth.

The processes of representation are linked to the accumulation of meanings, experiences, values and worldviews that the subject incorporates into his or her personal credit. From there, the categories with which the world is presented to him and with which he re-presents the world to others are extracted.

These meanings of the world, constitutive as the basis of representations, play a central role in narratives with pretensions to truth, they are linked to the biological-cerebral process for the discursive production of the things of the world, since it is those discursive elements used in the narrative that will or will not have the capacity to generate biological-cerebral reactions that allow the agent to express or repress the discursive representation of his experience traumatic before a specific audience.

According to B. Russell (2004), it is necessary to elucidate the relationship between truth and falsehood with the truth or falsity of thought. In this sense, if the truth or falsity of things is in the content of judgments, the truth or falsity of things can only be affirmed when there is a spirit to judge, if there is no such spirit there will be neither one nor the other. Thus, the truth or falsity of a discourse does not depend so much on the agent who judges (RUSSELL, 1996), as on the events on which the judgment is issued. With this, the content of truth or falsehood that is incorporated in the trial retains an objective basis that is directly related to the events that are judged, therefore, it is possible that there are truths or falsehoods as objective as the events that are incorporated in the object of the trials. This is defined from what Searle (1997) calls *ontologically objective facts* from which epistemically objective judgments or epistemically subjective judgments are derived. Crimes against humanity as events in the factual world are ontologically objective facts that do not depend on a discursive creation of the subject who lives them, hence, his judgment on that fact is epistemically objective when he only narrates the event, which makes his narration adjusted to the ontology of the event. The objective or subjective epistemic sense of a judgment, says Searle (1997), are judgments that refer to predicates of judgments about events in the factual world (p. 27). When it is a question of recognizing the truth of the judgment from an objective point of view, the content of the narrative must refer to the event(s), without incorporating feelings, attitudes towards the facts or value judgments about them. In this case, when an event of kidnapping, sexual violence, forced displacement, or murder is narrated, that narrative has to refer to what happened, the objective fact as it was presented, so that the story is epistemically objective about an ontologically objective event.

As for the ontological sense of the objective and subjective, the agent's story focuses on predicating on entities and types of entities, while attributing modes of existence of these entities (SEARLE, 1997, p.27), in other words, the speaker in his story incorporates the particular properties of the event that give it the objective character. Thus, the set of stories that are incorporated in the Final Report can be recognized as epistemically objective, about ontologically objective facts, since the events are not constructed from the emotional states of the speakers. This can be seen in the three accounts cited below and contained in Volume VI of the Truth Commission Report:

When we went to look for the river with the fishermen, we found a leg. I came to understand that it was my son's leg when I arrived at the house and they gave me aromatic water. I kind of reconsidered and started looking at a photo of him. When, yes, I began to analyze and understood that that leg belonged to my son. I couldn't get that leg back. No, because the other boy who was with us – William, I think his name is – arrived, grabbed the leg and threw it. Well, obviously he has already disappeared between the water and all that. Who knows where she got tangled, over there in a hamicero. (CEV, 2022b, p.58)

(...)

It was ten minutes from my house to the village. My mom went to look for the market, and my little brother, the one who was with me, threw himself under the house to bring the beast to the house. When my mom came out, it was already full of pure armed people. They took my mom and put her in rows.

All the women in a row. The men in another row. The children took them to the Catholic church, locked them up. At home I didn't know what was happening. I notice because I hear things exploding, I hear things on fire. I looked out, I said, "Lord, what's going on! I don't know what's going on, Lord; only you know. Help me!" (CEV, 2022b, p.71)

(...)

At that time there were guerrillas. They set rules, but you didn't hear so much slaughter. But after the paramilitaries arrived, they wiped out all the people. That's what massacres did... I am a witness to one. One went out by the river up and the dead passed through the canoe's flank. One saw the piles of sacks on the other side of the river full of pieces of the dead.

For the people of La Gabarra, life changed a lot. That day of the displacement we came with my brother to spend Mother's Day in Cúcuta. My mom was alive. (CEV, 2022b, p.273)

What is the relationship that appears between the objective epistemic sense of the subject's judgments and the truth? In order for there to be a true correspondence between the story and the events, the objective epistemic in the stories presented, as a predicate of judgment, appears linked to the judgment when it is not conditioned to the emotional states of the agents who narrate the events or make their judgments about events. This can be seen in the two accounts presented below and appearing in Volume IV of the Final Report, entitled "Even War Has Limits: Human Rights Violations, Breaches of International Humanitarian

Law and Collective Responsibilities".

The following testimony corresponds to that of a woman who narrates the experiences during a guerrilla incursion in which 34 people were murdered in Apartadó, a municipality located in the department of Antioquia, on January 23, 1994. (CEV, 2022c, p.63)

"The party was being held with the aim of raising funds for tuition and buying supplies for the children [...]. We were dancing like three, four albums in a row, without sitting down, then I got tired and "oh, let's sit down because I'm tired!" [...] When we sat down, I saw a group of uniformed men coming, from the front, from the front road, the main one, and people began to run, people ran everywhere, and when people ran, I caught him: "Come on, let's go!" And he says, "No, no, no, sit down, that's the army!" [...] but no, those people did not arrive as soldiers.

The ones I saw were about six, on that side, but people later say that there were four on all sides, armed zones. Those people came shooting at once, and what I saw was people lying down, dead, but they were not dead like that, they were people who were destroyed, and then I said: "They're going to kill my husband!" (CEV, 2022c, p.63)

Similarly, in the following story, a woman who was kidnapped by paramilitaries narrates the selective murder of two people at the hands of the paramilitary group.

"One received us and said 'Oh, let's see, let's see who he brings? And then? And who is this?' Then he said, "Ah, this is the mayor's wife, and why didn't you bring the mayor to me?" "Ah, because he escaped us, we couldn't know where he went; so we brought her in." "Ah, well. And you two, get off." So, they took those two boys down and I stayed there in the truck [...] when I started listening. Oh, that did seem horrible to me, those horrible screams, and like when they turn on like that, run, the chainsaw, raaa... When that car of mine started and I said: "Oh, where are we going? Oh, they're going to kill me." Then, when we stopped further ahead, [...] they were there... killing with a chainsaw, one by one." (CEV, 2022c, p. 91)

The two stories show that the narrative exercise is not conditioned by the emotional states of the victims, and they are subject to events whose meanings are understandable and their experience narrable.

5. TRUTH AS A PROPERTY OF DISCOURSES OR A RELATIONSHIP OF REPRESENTATION WITH THE EVENT IN THE FINAL REPORT OF THE TRUTH COMMISSION

As a being of language and action, however incomplete, indigent and neotenic it may be (BOLK, 2007; GELHEN, 1987; POULAIN, 2003; GONZÁLEZ, 2003), human beings had to live the world in language, elaborate and discursively elaborate the things that surround them, and give life to all the entities with which they relate in order to develop their lives. Having no alternative but the imaginary elaboration of his environment (CASTORIADIS, 2013) trapped in language, he is conditioned, in order to understand himself with another, to make in his story a reference to the phenomenon so faithful to the phenomenon that it has the possibility of being accredited as an adequate narrative representation of the event by the speaker; so that the speaker can think it as true as the event of having heard it.

When representations are put into play in the world of events, almost always some of them end up being devalued due to lack of relationship with the event, this happens when the speaker delivers his speech with the intention of persuading the speaker by dismissing the reality of the event that is being recounted, because the ontological link with the event is lost and, At the same time, the interest of the speaker in the truth of the speech that is delivered to him is underestimated.

Having identified truth as an attribute of discourse, what must be defined is, how can it be established that the discursively elaborated representation contains all the properties of the factual event that make it the only event that is enunciated, or if what is enunciated refers to an event elaborated in the imaginary of the subject by means of which an attempt is made to make an event that has not been perceived in factual reality, or it is the result of a state of mind about events in the factual world. To determine this, it is necessary to deal with the categories of reality and objectivity that are closely connected to truth as a property of discourse, and that appear linked to two categories of facts that John Searle (1986, 1997) defines as *institutional facts* and *brute facts*. These categories are related to two levels of reality, reality as a human creation mediated by language, and reality indifferent to human creation but enunciated discursively. A brief explanation of these dimensions of reality will be made to avoid falling into a begging of the question. What is meant to be affirmed, resorting to the position of Searle (1986, 1997), is that there are two types of phenomena in the world that are related to reality: those that exist outside of any human discursive creation called *brute facts*, and those that can only exist if they are

created discursively, and are called *institutional* facts. Now, placed in these two scenarios of reality, it can be affirmed that the enunciations produced in human interaction can be related to events that are on the horizon of brute facts, such as when it is stated that the Amazon River is in America, or that the planets move around a star. This is something that refers to phenomena that have occurred without human mediation, and for which they have no relation at all to a discursive creation, they have only been assigned a nomination to identify them in their singularity and differentiate them from other events, without affecting their nature and intrinsic properties. On the other hand, in the horizon of institutional facts, the fate is different, since they have a necessary dependence on language and on human creation, there is no institutional fact that does not take effect without there being a discursive manifestation that institutes it, like everything that is defined in the institutions of government, the economy, justice, religion, marriage, family, and many more. Both brute facts and institutional facts are related to a reality that constitutes the nucleus of the objectivity with which events have to be recognized, and this leads to the understanding of the agents in the discursive interaction requiring a concordance with the reality of the object that is being discussed.

Since stories constitute epistemic judgments about the way in which situations occur, they can be objective or subjective, depending on whether the facts are ontologically objective or subjective (SEARLE, 2007). The form that these judgments assume will be decisive in establishing whether the statement, discourse, story or proposition has the property of containing the fact with all its singularities. With this we are defining that truth, in addition to being a property of discourse, is ontologically conditioned; In other words, truth is a property that is ontologically related to discourse.

When it comes to addressing the epistemic meaning of a judgment, whether objective or subjective, reference is always made to what is predicated of the judgment; while the ontological sense of objective-subjective judgment is related to predicates of entities and types of entities, through which the way in which these entities exist is indicated (SEARLE, 1997). To say that the FARC-EP guerrilla existed in Colombia is a case of objective epistemic judgment, because the events that give the character of truth to the statement are independent of the attitudes or personal feelings that the subject has about those facts; but if it is affirmed that the FARC-EP guerrilla was the worst

thing that has ever happened to the country, it constitutes a subjective epistemic judgment, while the affirmation is dependent on the personal feelings and attitudes that the agent has with respect to the FARC-EP guerrilla. Here the truth of that judgment cannot be fixed as such, because the judgment is dependent on the speaker's personal positions. Now, in accordance with true objective judgments, there are ontologically objective facts. Along the same lines, the subjective or objective character in an ontological sense, passes, according to Searle, through the way in which the subject perceives entities, as in the case of bodily pain, which in the ontological sense turn out to be subjective because the mode of their existence depends on how the sufferer feels them; while mountains, rivers, or the solar system are ontologically objective because the way in which they exist is indifferent to the mental states of those who observe them, or the way in which the subject perceives them according to their particular interests.

The objective or subjective sense of a judgment about ontologically objective events in the world is determined by the distance that the narrator takes from his beliefs, feelings, emotional states, prejudices and preferences that he may have about the events, which requires him to assume an impartial attitude towards the events, since that affects the objectivity of the content of the narration. and it would not be specifying the conditions that characterize the facts to which it refers.

When the narrative that the agent elaborates around an event leaves aside the properties, attributes and characteristics of the event that make it objective, and rather, builds its narrative from aspects alien to the objective qualities of the event, the narrative is trapped in the terrain of subjectivity. Thus, "truth or falsehood is not a simple matter of fact, but depends on certain attitudes, feelings and points of view of the one who utters the judgment" (SEARLE, 1997, p. 27), and if these attitudes are the ones that condition the story, it is not possible to consider that the story has the property of truth, since what is stated does not indicate the objective qualities of the fact independent of any mental state of the agent who has knowledge or experiences the fact.

Ontologically, the truth or falsity of the narration of events is regardless of the feelings, emotions or attitudes of the agent who narrates them, for the epistemic judgment to be objective a disconnection is required between the narrator and his mental states, his feelings and his emotions. In that order,

his narrative will be true as long as it corresponds to the intended objectivity. The narrative of events and judgments will have to be elaborated from an objective epistemic sense, understanding that the epistemological does not refer to the facticity of things, but to what is said about them in the exposition of the judgments. Thus, epistemic judgments are dependent on objective facts, and remain distant from the mental states and phenomenology of the subject who formulates the judgment related to the state of affairs, in an attempt to achieve that attribute of objectivity that allows him to approach the truth or falsity of its content.

Any statement that is issued about an event must be excluded from any value judgment that has a subjective epistemic sense, when the attributes and properties of the event are determined by the fact that the event is an institutional fact. The objectivity of the judgment becomes evanescent at the very moment in which the subject introduces personal points of view, individual parameters that are far from the institutional criteria that define the contours of the fact and give it its own nature within the institutional sphere, as an institutional fact, so that the subject should not appeal to judge his own judgments as true or false. even more so, if it intends to self-validate as truth the judgment issued with personal points of view or opinions about the content of the judgment. Only when there is a correspondence between the judgments and the objectivity of the institutional fact can it be affirmed that the judgment is true, but only when the judgments coincide with the property or condition that the institutional fact has.

With these presuppositions, the agent's judgment in the content of his narrative risks falling into the subjective episteme of the narrator if a mental or emotional state is adopted to produce the judgment or narration. The dependence on mental states that results in the subjectivity of the narrative establishes limits to the possibility of objectively examining the situations or events that are the object of the production of a statement focused on epistemically objective facts.

Thus, when it comes to objective epistemic facts linked to events framed within the internal armed conflict as victimizing events, the category of objective fact, marginal to the personal points of view of the narrator, is reached when the narration does not assign to the event particular properties incorporated by the narrator, and is subject only to the conditions of the facticity that the event presents. The narrative, then, incorporates the

particularities of the institutional fact, understood as the properties that give shape to the event, conferring objectivity to the fact that, in an epistemic perspective, necessarily leads to an objective epistemic judgment.

In this way, the correlation of the objective epistemic judgment with the objective epistemic facts, give the subject's narrative the condition of truth or falsity of the epistemic judgments contained in his discourses. Thus, events associated with crimes against human rights and serious breaches of International Humanitarian Law are conditional on corresponding to the institutional fact that defines the interpretation of the event. And, in this case, "a condition of intelligibility of the normal understanding of these expressions is that things have a way of being that is independent of human representations" (SEARLE, 1997, p. 191), which allows that every time we communicate with another, or communicate something, that which we communicate is identified in the same way by others insofar as the object that is incorporated in the communication is not defined by mental states, neither of the one who utters the communication, nor by the one who receives the content that is communicated, but by the fact that what is communicated with each expression contained in the utterance requires to be connected to a publicly accessible reality (SEARLE, 2017). To communicate that a group of armed people fired their rifles at unarmed people implies that the demonstration contains the presupposition that the narrated event contains an understanding of the fact, and that is understood to the extent that there is a publicly accessible reality. "But in such cases, we not only presuppose that things have a way of being independent of our representations, but that things have a way of being in a publicly accessible realm, that is, ontologically accessible." (SEARLE, 1997, p. 194)

To avoid confusion with the epistemic and ontological sense of narratives, it is pertinent to specify the subjective of the ontological sense. In this case, Searle specifies that this sense is configured in the subject by the bodily states, feelings and emotions at the moment in which he experiences the event. In addition, the subject's perception of the event is intrinsically intentional (SEARLE, 2006) insofar as it has "conditions of satisfaction that are determined by the contents of the experience (...)" (SEARLE, 1992, p. 53). Thus, the loss of a loved one, bodily pains due to illness, are states whose existence depends solely on the person who suffers them; therefore, what is said about

these states derives exclusively from the individual experience of those who suffer or live them. Meanwhile, the things that are in the factual world, outside the feelings, bodily states and emotions of the agent who lives and suffers them, are ontologically objective entities, such as the seas, rivers, lakes, mountains, because their existence is completely independent of the experiences of the agent who perceives them. They are and will always be, before they are perceived and after any subject has had an experience with them. In spite of this, subjects, according to their experience with ontologically objective entities, can formulate subjective epistemic judgments in relation to these ontologically objective entities, because their way of perceiving phenomena, their mental states, their emotions and feelings constitute patterns for judging the event. Thus, when one says, without resorting to any rational scale of measurement, that the ambient temperature is very suffocating or very cold, one is formulating a subjective epistemic judgment about ontologically objective situations or states of affairs. The same situation arises when it comes to formulating judgments in relation to human actions and events that have implications in the social world.

In the scenario of the establishment of the truth, the events that marked the historical-social development of the internal armed conflict in Colombia and that are of interest for the determination of the truth are epistemically objective, in the understanding that actions at the factual level do not depend on the individual perceptions, emotions and emotional states of the person who utters the narrative when the agent knows of the facts.

When events related to the internal armed conflict occur, whether they are genocides, forced displacements, disappearances, war crimes, the execution of these actions has an exclusively objective ontological content, because they exist outside of any mental state of those who perceive and narrate them, and so they have been defined within the framework of institutional facts. These events do not exist within the subject who perceives them, they can be recognized as long as they are publicly accessible, and if one tries to identify them only within the narrator as epistemically subjective judgments, it must be determined that what the subject predicates of them agrees or is in accordance with personal value judgments.

Counting on the above, the objectivity of the stories, judgments and discourses is achieved when the subject isolates the discursive representations of

his mental states, and incorporates into his narration the meaning and reference that corresponds to the ontologically objective fact, without affecting it with desires and interests linked to the exposition of the story.

The event that harms the lives of the subjects, understood as a victimizing event, is an ontologically objective entity that constitutes the object that is incorporated in the Final Report of the Truth Commission, in accordance with the category of crime that is granted to it as an institutional fact. In other words, the institution of crime in the context of the internal armed conflict in Colombia has an ontological-normative connotation, which makes it objective in the face of any judgment or manifestation that is expressed about it, and its recognition in the narrative or in the re-presentation, which is achieved through the experience of the victim. It has to be dissociated from both the interests of the narrator and the audience that receives the narration.

As long as the subject takes the event in an objective ontological sense to construct his story, he can ensure the objectivity of his narration, because he has excluded from his narrative re-presentation the mental and emotional states that affect the condition and properties that the event has by determining it as an institutional fact. In this way, the narrator is conferring on his re-representative account of the event an objective epistemic sense, by referring to the event as it has been determined in the world of institutional facts. This prevents narrative representations from incorporating properties into the event that have not been attributed to it as an institutional fact and, at the same time, ensures that subjective epistemic judgments are not made, determined by the individual intentions of the narrator, about ontologically objective facts, which have their own traits and attributes independent of the attitudes, feelings and mental states of the subject who experiences and narrates them.

This can be seen in the multiplicity of accounts of victims and armed actors that are contained in the Report of the Truth Commission. Such is the case of the testimony of an inhabitant of Montes de María who knew of selective assassinations carried out by the FARC-EP guerrillas, motivated by sexual discrimination:

"There were two gay people living: one was a merchant, the other was a fish vendor. They were summoned to a place and there they killed two. The others had to leave the town [...]. One is called Mr. Jorge, Jorge Lunas [...]. They massacred them, yes.

The last was a massacre that was perpetuated by the guerrillas. Where they killed a boy from the LGBT community. He was a gay man [...], those people were not fond of our sexual orientation. Because we have always had that, that we are not accepted in society. And not even the public force, you can say. No group accepts us as we are. Because we will always be rejected by society for being gay, for being lesbian, for being bisexual; we are rejected" (CEV, 2022c, p. 106).

Events contain their own features that are outside the evaluation of the perceiver, which makes these properties intrinsic to the event and not relative to the mental or intentional states of the perceiver. This means that the reality of events is not given by the particularities that mediate the perception of the subject, or his mental states, but by the nature and singularity that is proper to the event. However, there are attributes of events that are assigned by the observer, with which the objectivity of the event is lost, since, when the subject assigns attributes to the event, in accordance with his interests, desires and emotions, the authentic properties of the event are altered, and with this, the narrative adjusts to the assignments that the subject has incorporated to his liking.

In a narrative mediated by mental states, the authentic features of the event are confused with the features assigned by the observer, which means that the enunciator's judgments about the facts contain features of the event that are intrinsic to the narrator and not consubstantial to the event. Hence, the objectivity of the event is altered, and the reality of the event is replaced by the reality that is created from the mental states and intentional states of the enunciator. With intentional states as the source of the re-presentation of the event, truth as correspondence in the narrative is broken, since the relationship of adjustment between the event and the representative narrative is based on the beliefs of the enunciator, on what he believes about what happens.

The truth content of the narrative can fail, because the beliefs that the narrator has linked to his statements are distant from the valuation of the objects that are related or linked to the ontologically objective event. The fact that the enunciation contains the representation of an event that occurred in the social world, manages to relate an institutional fact - a victimizing event in the context of the internal armed conflict - and ontologically adjust to the objectivity of the event. Thus, the intentionality of the agent who narrates the event is constituted, in Searle's (2018) opinion, in a

"property of the mind by which it is capable of representing other things", and a place of high risk in which the beliefs that the agent has about the condition of things or events can be confused with the objective reality of these.

The challenge is to identify when intentional states are in correspondence with the states of affairs or situations of the factual world, and thus, to account for the occurrence or not of an event that has been the experience and experience of the agent or of several agents at the same time.

Under these assumptions, the testimonies collected by the Truth Commission have a direct relationship with the truth correspondence, insofar as they are directly related to the objective event. Such is the case of the story of a female victim living in San Antonio de los Micos in the department of Tolima, who suffered various acts of sexual harassment and even found herself in a scenario of sexual slavery by the FARC-EP guerrillas. In January 2002, she was approached on her farm by at least seven men and one woman, members of the 21st Front of that guerrilla group. (CEV, 2022c, p.321)

"They made me undress, they made me walk on top of the naked grind and she started, she said: "I'm going to start having sex with her", and everyone saw how she abused me. [...] I screamed. There I could scream and no one would hear me, because it was a very lonely place, and they started biting my nipples. That day they began to bite me, to bite my neck, they began to hit hard in the face, to hit me the forehead, until at that moment [...] I lost, well, I was unconscious. They tied my hands and feet at the table where one produces the panelas and Mr. Moreno began to abuse me [...], until one of them brought him a stick about 50 centimeters long and told him: "Let's see if she is a woman from the city, the women of the city are very slutty and they put up with that" [...]. I was unconscious and my head was left hanging and I don't know which of them covered my body, I was lying there naked [...], I went to the bathroom, I took my bath, I bathed with hot water, I wanted to tear my body off" (CEV, 2022c, p. 321)

By virtue of the above, the narratives that are incorporated in the Final Report of the Commission for the Clarification of Truth, Coexistence and Non-Repetition, correspond to a narrative sense marked by the interest in exposing, in detail, each event of violence experienced individually or collectively, where the enunciator intends to bring his discourse closer to the properties that allow each event to be recognized as an event that is institutionally

recognized as a type specific crime.

When the testimony is taken as an illustration, the Commission says:

In addition to having a clear sense of what was meant as testimony within the volume, we set out to listen to people on their "own terms." This, to understand the stories from the worlds where they were told, from their own points of view, abysses and languages; from their chains of meanings. Every voice is an expression of an interior life and a community. (CEV, 2022b, p. 31)

6. CONCLUSION

The fact that there can be an understanding in discursive interactions is given by the value of truth that speakers recognize in the content of their utterances. This recognition emerges when the agent, at the moment of uttering his statement, recognizes it as true as the fact of having thought it (POULAIN, 2003). This principle of truth allows the speaker of the expression to recognize in its content the objectivity of each of the things or events that are thought for the elaboration of the statement. This is the first level at which truth appears at the moment of enunciation, which without this recognition of truth on the part of the enunciator could not have been possible to have thought of the enunciation. The same happens with the speaker when he receives the content of the enunciation from the enunciator; he has to recognize the truth value of the enunciation in order to understand it, and this happens because the listener has to recognize in the enunciation the objectivity of the things or events, as the case may be, that are incorporated into the content of the discourse.

Although truth is attributed to the content of the enunciation, it is no less true that it is dependent on the objectivity with which the enunciator recognizes the event that incorporates in the content of the enunciation, so it is not a matter of giving the attribute to any enunciation uttered under personal conditions derived from mental states. For it would be tantamount to acknowledging the subjective value of truth. Hence, the configuration of narratives passes through a necessary relationship between perception, what is perceived and what is said, whose chain is broken

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when the narration of the perceived events is determined by the narrator's intentionality and his emotional states.

The fact that institutional facts and brute facts are differentiated and determined by their origin does not prevent them from formulating epistemically subjective narratives in the formulation of judgments or narratives related to this type of facts, since, in both cases, the truth of the judgments is configured as long as the epistemic judgment is objective. Whether on ontologically objective or ontologically subjective facts. As long as the enunciation corresponds to each and every one of the properties of the event narrated in the statement.

In line with the above, the contents of the volumes entitled "Even war has limits. Violations of human rights, breaches of international humanitarian law and collective responsibilities", and the testimonial volume "When the birds did not sing. Stories of the armed conflict in Colombia", take truth as a relationship between the event, the story and the subject who narrates, where the content of the narratives is incorporated into the report as the narratives emanate from each of the subjects. Considering that judgments about brute facts and institutional facts are specifically directed at the object of the narrative, in no way can these discourses be taken as individual truths in relation to institutional facts, because the intentionality that is exposed in the exposition of the stories is only demarcated by a claim to objectivity that concentrates on the detail with which each of the situations is presented by the agents who expose specific situations of individual and collective life touched by the activity of those who, as actors in the armed conflict, spoiled a future whose only way to keep alive is through the truth of the judgment and the story in its remembrance.

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