

Healing Myanmar: Why Buddhist Teachings on Remorse and Forgiveness May Matter

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1. Introduction

For decades, armed conflicts in Myanmar have raged between the Buddhist-dominated military (also known as the ‘Tatmadaw’) and ethnic armed organizations, many of whom are Christian. In 2017, thousands of Muslim Rohingyas were displaced after military operations in northern Rakhine State. Since the February 2021 military coup, fighting has erupted between the military and opposition forces in Buddhist regions of the country, affecting the lives of thousands of civilians.

Although international legal proceedings have been initiated in order to hold perpetrators of grave crimes accountable, these processes have limited success repairing human relationships or the fissures in the community. While serious crimes should rightfully be prosecuted in capable adversarial criminal proceedings, healing and reconciliation may be better served before alternative conflict resolution mechanisms.

Traditionally, Myanmar’s diverse communities have practiced their own conflict resolution processes. In Buddhist communities, monks are highly revered and take charge of resolving community issues. Buddhist teachings provide guidance for resolving conflicts including acknowledgement of wrongdoing, dialogue and possible forgiveness.

A recent study of Buddhist combatants in Myanmar found that Buddhist teachings on the ethical precept of killing and the bad karmic consequences for breaches weighed on the combatants. Acknowledgment and remorse for wrongdoings according to Buddhist tradition could be strong motivators for both adversarial judicial processes as well as alternative conflict resolution resulting in healing of fractured communities.

2. Transitional Justice, Religion and Healing

Transitional justice broadly refers to the formal and informal processes of dealing with past wrongs committed during the course of ongoing conflict and repression.¹ There are many forms such transitional justice processes take, from criminal trials, truth commissions, amnesty and memorials. Religion has played a role in transitional justice mechanisms in post-conflict societies to promote forgiveness and reconciliation. Scholars assert that, if religion played a significant part in community, then when resolving the conflict, religion must be at least taken into account. Core tenets of transitional justice include conceptualizing crime or wrongdoing as a problem in part because of its impacts on relationships, both between perpetrators and victims; and among victims, perpetrators and their broader community. Practices that can repair the relationships ruptured by wrongdoing are emphasised, including, in particular, those that provide an opportu-

¹ Colleen Murphy, *Religion and Transitional Justice*, American Academy of Arts and Sciences, 2020.

nity for perpetrators to make amends to their victims and for victims to forgive their perpetrators. Through amends and forgiveness, the claim is, reconciliation can be achieved.²

An example of a conflict resolution process in which religion, specifically Christianity, played a central role was South Africa’s Truth and Reconciliation Commission (‘TRC’). During hearings of the TRC, truth-telling via religious discourse was encouraged and “the overt use of Christian language was an empowering mechanism for many of the victims and survivors” exemplified by Archbishop Desmond Tutu’s remarks on Easter:

We are charged to unearth the truth about our dark past, to lay the ghosts of the past so they will not return to haunt us and that will thereby contribute to the healing of the traumatized and wounded people [...] in this manner to promote national unity and reconciliation. For Christians it is a significant thing. Now the first hearing happened at Easter time, when we commemorate the victory of life over death, of light over darkness, of goodness over evil, of justice over injustice, of truth over lies, of laughter, of joy, of peace of compassion over their ghastly counterparts in the glorious resurrection of our Savior Jesus Christ.³

3. The Limited Role of Religious Discourse in International Court Proceedings

The International Court of Justice (‘ICJ’) is a court that embraces the Western-based idea of separation between law and religion. Although Western legal systems, as well as international law, have extracted many legal principles from religious sources, such as the Bible, these legal systems themselves are separate from religion. Sources of international law, enumerated in Article 38(1) of the ICJ Statute, are strictly secular in nature.⁴

The Rome Statute is also secular and is silent about how the principle of complementarity would be implemented by the International Criminal Court when the state proceeds with a response other than adversarial criminal litigation. There is still a question mark about what happens if the country undertakes domestic fact-finding and conflict-resolution processes aimed at promoting forgiveness and restoration of community relationships, rather than criminal prosecution and punishment.⁵

² Daniel Philpott, *Just and Unjust Peace: An Ethic of Political Reconciliation*, Oxford University Press, New York, 2012.

³ Opening remarks by Desmond Tutu, in Truth and Reconciliation Commission, Transcript of hearing, 15 April 1996, Case No. EC0007/96 East London (Nohle Mohape).

⁴ Statute of the International Court of Justice, 26 June 1945, Article 38(1) (<https://www.legal-tools.org/doc/fdd2d2/>).

⁵ Martha Minow, “Do Alternative Justice Mechanisms Deserve Recognition in International Criminal Law? Truth Commissions, Amnesties,

At the Extraordinary Chambers in the Courts of Cambodia ('ECCC'), a hybrid internationalized court, the proceedings applied international law and statutory Cambodian law with minimal considerations for Buddhist principles.⁶ During the creation of the ECCC, there were high expectations that it would bring about reconciliation and healing to the Cambodian people.⁷ Although the ECCC has been praised for the successful prosecution of the top leaders of the Khmer Rouge, it could not accommodate many victims who wished to testify and was not effective in healing.⁸

4. Buddhism and Conflict Resolution

Buddhist teachings provide for resolution of conflicts and disputes with the participation of the community to help victims heal psychologically and physically. In the *Sāmagāma Sutta* the Buddha speaks about seven ways to settle disputes:

Ananda, there are these seven kinds of settlement of litigation. For the settlement and pacification of litigations whenever they arise: removal of litigation by confrontation may be provided, removal of litigation on account of memory may be provided, removal of litigation on account of past insanity may be provided, the effecting of acknowledgement of an offence, the opinion of the majority, the pronouncement of bad character against someone, and covering over with grass (M.ii.247).⁹

According to the Pāli Canon there have been two occasions in which the Buddha mediated between two parties in order to prevent war. The first time was during the dispute between Sakyans and Koliyans which started because of a disagreement over water of the Rohini river.¹⁰ The second occasion was the attack of Viḍaḍūbha, the king of Kosala, on Sakyans.¹¹

There are also examples of forgiveness and reconciliation found in Buddhist text. The famous text of Khantivadi, "One who preached the doctrine of forbearance", who was tortured and maimed but forgave his tormentor.¹² In the 13th Rock Edict, the Emperor Asoka publicly expresses his remorse and confesses how the carnage at Kalinga caused him great anguish. He also declares that he pardons, as far as it is possible, all those who have wronged him. He makes peace with the people living in the forests. He wishes all beings to be free from injury and to enjoy gentleness or joyousness.¹³ In the dispute between the Koliya and Sakyan tribes, the Buddha not only persuaded the parties to desist from fighting but also to reconcile after both agreed that the value of the river water was small in comparison to the value of human life.¹⁴

and Complementarity at the International Criminal Court", in *Harvard International Law Journal*, 2019, vol. 1.

⁶ See, for example, Virginia Hancock, "No-Self at Trial: How to Reconcile Punishing the Khmer Rouge for Crimes Against Humanity with Cambodian Buddhist Principles", in *Wisconsin International Law Journal*, 2008, vol. 26, no. 1, p. 87.

⁷ Open Society Justice Initiative, "Performance and perception: The impact of the Extraordinary Chambers in the Courts of Cambodia", Open Society Foundations, 2016.

⁸ *Ibid.*, p. 92.

⁹ Bhikku Ñāṇmoli and Bhikkhu Bodhi (trans.), *The Middle Length Discourses of the Buddha. A New Translation of the Majjhima Nikaya*, Buddhist Publication Society, Kandy, 1995, p. 855.

¹⁰ Helmer Smith (ed.), *Sutta-Nipāta Commentary: Paramatthajotikā II*, vols. 1-3, The Pali Text Society, London, 1966-1972.

¹¹ H.C. Norman (ed.), *The Commentary on Dhammapada*, vol. I, part II, The Pali Text Society, London, 1909.

¹² Khantivadi-jataka-vannana, in *Jataka-atthakatha*, 4.2.3, No. 313, vol. 72, pp. 34-37. A Sanskrit version is found in the *Ksanti-jataka in the Jataka-mala*, 28, pp. 189 ff.

¹³ Radhagovinda Basak (ed.), *Asokan Inscriptions*, Progressive Publishers, Calcutta, 1959, pp. 71-72.

¹⁴ Norman, 1909, see *supra* note 11.

5. Buddhism's Ethical Precepts, Karmic Consequences and Forgiveness

Individual responsibility and commitment to the ethical codes underpin the conduct of every observant Buddhist.

Buddhist principles of peace and communal harmony stem from individual responsibility and individual recognition of oneself; lack of individual reflection can make us numb to the suffering and condition of the community around us.¹⁵

In Theravada Buddhism, charity begins at home: one loves or practices friendliness first towards oneself; only then can one extend friendliness towards others. Theravada love and forgiveness, even if it comes naturally in the case of those who have attained perfection in it, is developed through a systematic, calculated method and expressed in a more impersonal, detached and emotionally more sedate manner.¹⁶

To observant Buddhists, each individual's commitment to the five ethical precepts is sacrosanct. The precepts (*pañcaśīla*), the minimal ethical code binding on the Buddhist laity, are abstaining from taking life, stealing, sexual misconduct, false speech, and intoxicants. They are administered regularly by the monks to the lay disciples at almost every service and ceremony, following immediately upon the giving of the three refuges. They are also undertaken afresh each day by earnest lay Buddhists as part of their daily recitation.

As one monk explained,

Now, here and the hereafter, due to ethical living he earns five benefits; well-earned wealth, good reputation, confidence, a peaceful death with alertness and mindfulness, and rebirth in a good family or in a state of happiness or heavenly realm. Observing ethical precepts generates merit and happiness in the here and the hereafter.¹⁷

The first precept (*Panātipata*) is a commitment to avoid deliberate killing of any human or animal, which is a fundamental principle that guides all behaviour. Buddhist combatants are always open to the possibility that they will violate the first precept.

Breaking the first precept is seen to naturally lead to unpleasant results due to the ripening of karma:

The bad karmic consequences involve shortness of life as a human being, subject to diseases, after death, he reappears in a state of deprivation, in an unhappy destination, a state of affliction, hell. [...] [or] wherever he is reborn, he is short-lived.¹⁸

Remorse, if acknowledged and certain steps are taken, can have a restorative effect:

Lapses will occur, but a person should recognise and acknowledge these as lapses, while re-affirming their commitment to the precept.¹⁹

According to Bhikkhu Bodhi, confession may serve as a step on the path to making amends:

The basic purpose of confession is to clear the mind of the remorse bearing upon it as a consequence of the breach. Confession especially helps to prevent the concealment of the lapse, a subtle maneuver of the ego used to bolster its pride in its own imagined perfection.²⁰

¹⁵ Haya Paxa, "Buddhism: A Pathway to Peace and Conflict Resolution", Berkley Center for Religion, Peace and World Affairs, 24 June 2016.

¹⁶ S.J. Noel Sheth, "The Distinctive Character of Buddhist Forgiveness and Reconciliation", in *Annals of the University of Bucharest Philosophy Series*, vol. LXVI, no. 1, 2017.

¹⁷ Phan Ngoc Day (Ven. Thich Giac Nhan), "The Relevance of Five Precepts (Pañca-Sīla) of Buddhist Ethics in Contemporary Society", in *International Journal of Multidisciplinary Educational Research*, March 2017, p. 75, MR-01.

¹⁸ See M.III.203.

¹⁹ Peter Harvey, "Buddhist motivation to support IHL, from concern to minimise harms inflicted by military action to both those who suffer them and those who inflict them", in *Contemporary Buddhism*, 2022, Special Issue: Buddhism and International Humanitarian Law.

²⁰ Bhikkhu Bodhi, *Going for Refuge Taking the Precepts*, The Wheel Pub-

According to the *Sāmagāma Sutta*, the practical steps after breach of the precepts are:

Acknowledgment of an offence: if a monk acknowledges a fault and clearly sees that he was wrong and goes to an elder to confess it and renews his will to practice restraint, then the fault is considered forgiven.

Covering over with grass: with this method two senior monks propose to the sangha to confess their mischiefs and those of the monks who are quarreling (except the grave ones). If the sangha agrees, for the good of the whole community, all mischiefs (except the grave ones) are considered forgiven.²¹

On new moon and full moon days which are significant days on the Buddhist calendar, the monks and nuns assemble together for their fortnightly meetings, called Uposatha (Sanskrit *Upavastha*), at which they recite the monastic code, called Patimokkha (Sanskrit *Pratimoksa*), which contains the rules and regulations of monastic life.²² A few transgressions are so serious that the sanction is expulsion from the Order. In the case of some infractions, after imposing a temporary expulsion, the Order reassembles to consider readmitting the transgressor. In this way, the one who has violated those rules is reconciled with the members of the monastic community.

Although the person's commitment to the five precepts could be restored after a lapse, monks were clear that karmic forces were not malleable upon the person who has violated a precept since this person would still suffer karmic consequences. One monk remarked on violating the first precept:

Killing results in bad karmic consequences that include poverty, ill repute, an unsettled death, and an uncertain rebirth. Karma will impose on the lay person as it sees fit and if this tendency is sufficiently strong there is nothing to cancel it.²³

The Buddhist virtue of *metta* (*myitta*) towards others as the Buddhist teaching that is associated with forgiving or seeking forgiveness, and reconciliation. One of the four principal virtues called in Myanmar language the *byama-so taya* (Pali *brahmaviharas*) is *myitta* (Pali *metta*): loving kindness – the desire to offer happiness to others. The Buddha insists that one must extend loving kindness to all possible types of sentient beings (*Karamiya Metta Sutta*), and this practice of loving kindness is said to be the most powerful means to make merit (*Itivuttaka*). As Buddhaghosa wrote, cultivating *myitta* helps one “seclude the mind from hate”.²⁴ In Cambodia, the revered monk Preah Maha Ghosananda visited the Sakeo Cambodian refugee camp and distributed copies of the *Metta-sutta*, a Buddhist Theravada scriptural text on loving kindness or friendship, and exhorted the refugees to forgive their persecutors.²⁵

Forgiveness in Theravada Buddhism therefore is to be sought by the individual, and if his or her remorse is accepted by the community, the acts of *metta* of others will result in forgiveness. The bad karma is not eliminated but may be countered by the good karma resulting from one's merit-making such as extending *metta* to others.²⁶

6. Some Perspectives from Combatants in Myanmar

Recently, twelve middle- to senior-level combatants were interviewed about their Buddhist beliefs and their conduct during armed conflict.²⁷

lication No. 282/284, 1994.

²¹ Nāṇmoli and Bodhi (trans.), 1995, see *supra* note 9.

²² Basak (ed.), 1959, see *supra* note 13.

²³ Phan Ngoc Day, 2017, see *supra* note 17.

²⁴ Gunapala Dharmasiri, *Fundamentals of Buddhist Ethic*, Golden Leaves Company, 1989.

²⁵ Maha Ghosananda, “Step by Step: Meditations on Wisdom and Compassion”, Jane Sharada Mahoney and Philip Edmonds (eds.), Parallax Press, Berkeley, 1992, pp. 17-18, “Editors’ Introduction”.

²⁶ Harvey, 2022, see *supra* note 19.

²⁷ The author presented findings from these interviews at the Conference on ‘Buddhism and International Humanitarian Law’ organized by the International Committee of the Red Cross on 10 December 2022. The combatants comprise officers serving in the military (Tatmadaw), and

These combatants were asked about their daily religious practices, and how Buddhist beliefs influenced their conduct on the frontlines. Their responses provide a window into the complex role of Buddhism in the operational lives of combatants, including feelings of remorse for killing and of the resulting bad karmic consequences.

6.1. What Is the Combatant's Daily Buddhist Practice?

Although all respondents identified themselves as Buddhists, their beliefs and practices varied.²⁸ Most combatants disclosed being observant Buddhists and strived to adhere to Buddhist teachings.²⁹ Generally age is a factor, and younger combatants are less devout than their older peers. Among observant Buddhists, most acknowledged that daily practice is important as a commitment to Buddhist teachings. When asked about their daily religious practice, the general response was the daily undertaking of the refuges. Key informants reported variance of daily practice depending on their immediate surroundings. Combatants during deployment were generally not able to carry out rituals such as offering alms or reciting mantras. Some non-religious respondents reported that while they did not undertake any religious rituals, they occasionally did mindfulness exercises in the mornings.

Of course, my daily routine at home would be to take the refuge before the household altar with a Buddha-image, perhaps with an offering of candles, incense, and possibly flowers. But in the frontlines, there is no time or place. All I can do is recite a quick refuge nine qualities of the Buddha (Gone Daw Koe Par).³⁰

Many combatants answered that the five ethical precepts (*pañcaśīla*) of Buddhist teachings most influenced their day to day lives. In particular, they pointed to the first precept *Panātipata*, the fundamental commitment to avoid deliberate killing.³¹

6.2. Lapses in Adherence

Many combatants admitted lapses in their adherence to Buddhist teachings. Most of the respondents recognized that violation of the five precepts during armed conflict was unavoidable and admitted to their own lapses.

On the battlefield, in order to gain the upper hand, the enemy had to be killed and eliminated. The commitment to abstain from killing could not always be maintained.³²

If I did not kill, then I would be killed.³³

To be frank, there is less adherence to Buddhist teachings in the frontlines than when back at base.³⁴

6.3. Remorse

Combatants who reported lapses of the first precept also expressed regret for their violations. One revealed:

Violating the first precept Panātipata when I was deployed in the frontlines will always trouble me.³⁵

A younger combatant remarked:

Although I'm not religious, I understand that killing a living

members of the ethnic armed organizations and other forces. The interviews were conducted by experienced Myanmar researchers on a one-on-one basis with the informed consent of the participants who understood that their identities would remain anonymous, and are referred to below with the code ‘CR’.

²⁸ Respondents were asked ‘Are you Buddhist?’ followed by ‘Is religion an important part of your life?’.

²⁹ It should be noted that religious identification is a sensitive issue for those employed by state institutions, and it is possible that some respondents indicated strong Buddhist devoutness as a result.

³⁰ CR-01.

³¹ Harvey, 2022, see *supra* note 19.

³² CR-01.

³³ CR-01.

³⁴ CR-04.

³⁵ CR-01.

being is wrong. But that is the situation I have been dealt.³⁶

It is surprising that their own violations of the first precept weighed on many combatants who were interviewed. The nature of combat necessarily brings a high possibility that combatants will violate the precepts.³⁷ Moreover, it was also unexpected that none of the combatants excused their breaches of the first precept by claiming that the actions were unintentional. Armed forces often explain civilian casualties as collateral damage due to modern warfare's use of heavy weapons. Among many Myanmar Buddhists, it is a common belief that if an action or its result is not intentional, there is no moral or karmic culpability.³⁸ Generally, premeditated murder is regarded as a graver transgression than impulsive killing, and the motivation of hatred as more blameworthy than the motivation of greed. The presence of cruelty and the obtaining of sadistic pleasure from the act further increase its moral weight.

Further studies could reveal whether remorseful feelings during armed conflict translate into changes in the conduct of the combatants.

6.4. Significant Religious Days

As an act of restraint, some combatants noted that on certain religiously significant days, they would strive to avoid breaking the five precepts, in particular the first precept. One said:

Traditional religious days such as full moon of Waso have a big influence on me. For instance, on those days, I avoid killing.³⁹

For Myanmar Buddhists, several days during the calendar year are auspicious and call for more focused practice. These days coincide with the different moon phases: waxing moon, full moon, waning moon, and new moon. The beginning of *Vassa* (beginning in the full moon of *Waso*, around July, to the full moon of *Thadingyut*, around October). On the observance day (*uposatha*), lay devotees practice the eight precepts (*attha-sīla*) which is an extension of the five precepts.⁴⁰ Observing *uposatha* involves committing to the eight precepts which includes adopting ascetic practices such as abstaining from afternoon meals, entertainment and personal adornments.⁴¹ More importantly, the five ethical precepts are to be observed by all Buddhists with more intensity.⁴²

Another combatant recalled that on these religious days, he and his peers would avoid armed contacts with the enemy by staying in their bases or changing their patrol routes away from the enemy's

³⁶ CR-05.

³⁷ Harvey, 2022, see *supra* note 19. See also Motilal Banarsidass (Mark Tatz trans.), *Skill in Means (Upāyakaūsālya) Sūtra*, 1994 (the acceptance of the general possibility of future killing when joining the army).

³⁸ Matthew Walton, "Violence and Responsibility in Myanmar", *Asia Times Online*, August 2013.

³⁹ CR-01.

⁴⁰ B.J. Terweil, *Monks and magic: an analysis of religious ceremonies in central Thailand*, Scandinavian Institute of Asian Studies Monograph Series No. 24, Studentlitteratur-Curzon Press Ltd., Lund-London, 1975.

⁴¹ Damien Keown, *A Dictionary of Buddhism*, Oxford University Press, 2004.

⁴² Peter Harvey, *An Introduction to Buddhist Ethics: Foundations, Values and Issues*, Cambridge University Press, 2000, p. 88.

positions.⁴³

7. Policy Considerations

Buddhist teachings on killing, karma and forgiveness influence the conduct of many combatants and civilians affected by Myanmar's armed conflicts. Behavioural changes even among battle-hardened combatants due to remorse and avoidance of killing during significant days should be further researched in conjunction with research into group ideology, and the socialization processes that reinforce values and reshaping combatant identities to assess the opportunity to reduce violence or offer humanitarian assistance on these days.

Healing and reconciliation will benefit from truth-telling and alternate mechanisms grounded on Buddhist teachings rather than on adversarial processes alone. The following are some areas where Buddhist teachings may have a positive impact.

- *Conflict resolution* implementing alternate mechanisms which incorporate Buddhist teachings under the guidance of monks and inclusive community participation for individuals to express remorse and seek forgiveness;
- *Multifaith proceedings* involving faith leaders from Myanmar's diverse communities to incorporate Buddhist, Christian and Islamic principles on truth-telling, remorse and forgiveness and implement joint sessions of the alternate mechanisms;
- *Remorse and truth-telling* expressed before monks and the wider community are grounded in Buddhist texts and Myanmar customs. These are likely to result in more complete truth-telling since individuals are motivated by their Buddhist beliefs;
- *Significant religious days* such as full moon days have significance both for cessation of violence as well as occasions for individuals to acknowledge wrongdoings and seek forgiveness from the community.

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⁴³ CR-02.



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