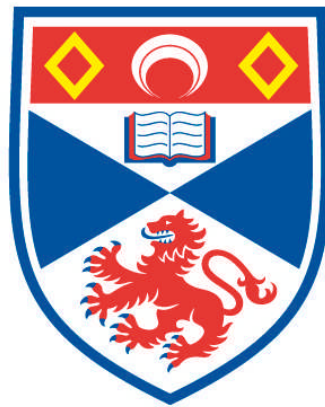# HUMAN SECURITY POLICIES IN THE COLOMBIAN CONFLICT DURING THE URIBE GOVERNMENT

Diogo Monteiro Dario

**A Thesis Submitted for the Degree of PhD
at the
University of St Andrews**

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Human security policies in the Colombian conflict during the Uribe government

Diogo Monteiro Dario
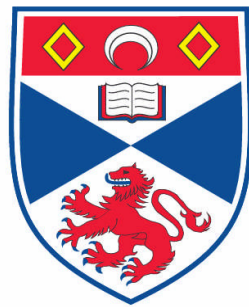
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at the

University of St Andrews

17 May 2013

Human security policies in the Colombian conflict during the Uribe government

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In this final run, I also had the help of Dr Mary-Jane Fox in revising this manuscript. If this text proves itself easy enough to read, this is not due to my skill, but fundamentally a result of her patience.

Last, but most importantly, I dedicate this work to my family: to Luiz Pedro Dario, Vera Lúcia Monteiro Dario and Luiz Pedro Dario Filho, those whose patience and support were always with me, giving me the strength to carry on.

Human Security Policies in the Colombian conflict during the Uribe government

Diogo Monteiro Dario

Abstract

The aim of this dissertation is to analyse the use of narratives informed by the discourse of human security in the context of the Colombian conflict during the government of President Alvaro Uribe Velez (2002-2010). Its main contribution is to map the transformation of these narratives from the site of their formulation in the international institutions to the site of their appropriation into domestic settings; and then consider their role in the formation of the actors' strategies and the construction of the subjectivities of the individuals affected by the conflict dynamics. The research proceeds to this analysis through an investigation of the policies for the internally displaced and those relating to the rights of the victims informed by the framework of transitional justice. It shows that, with a combination of narratives of empowerment and reconciliation, they fulfill complementary roles in the construction of the subjectivity of the individuals affected by the conflict in Colombia. The dissertation also concludes that the flexibility of the human security discourse allowed the Uribe government to reinforce its position vis-à-vis other actors in society

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Chapter 1

Introduction

1. Background

The aim of this dissertation is to analyse the use of narratives informed by the discourse of human security in the context of the Colombian conflict during the government of President Alvaro Uribe Velez (2002-2010). It maps the transformation of these narratives from the site of their formulation to the site of their appropriation, and then analyses their role in the formation of the actors' strategies and the construction of the subjectivities of the individuals affected by the conflict dynamics.

As part of that analysis, the dissertation introduces the main features of Uribe's security policy, known as Democratic Security Policy (DSP). The enactment of this policy is presented by pointing to the rearrangement it provoked in the relations between the government and the official forces versus the different illegal armed groups operating in the country. It is important to locate human security claims within the transformation of the government's security strategy because it will help to make a reliable assessment of the stakes involved in those claims and better evaluate their performance.

1.1 Actors in the Conflict to 2002

The armed conflict in Colombia is a complex configuration that involves paramilitaries, narco-traffickers, guerrilla groups and state agents. There are thus different narratives that explain the origins of the conflict, which reflect the different ways that the distinct armed groups conceive of their own trajectories. The Revolutionary Armed Forces of Colombia (FARC: Fuerzas Armadas Revolucionarias de Colombia)[1], the largest illegal armed group currently operating in the country,

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[1] After an important meeting from the organization that took place in 1982, they decided to add the expression Exercito del Pueblo-EP (People's Army) to their name. To sign their own documents and

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narrate their struggle as a continuation of the popular revolts that began with the death of the politician Jorge Eliécer Gaitán in 1948 and led to the event referred to as 'the Bogotazo'. After the outbreak of protests in Bogota, groups running from the government's repression fled to the countryside and organized themselves as relatively independent peasant communities in the Marquetalia region. The official forces pursued this resistance for years, and finally managed to destroy the resistance communities in 1964, and 27 May 1964 is the date the organization claimed its creation.

The other significant illegal armed group of leftist orientation still operating in the country is the National Liberation Army (ELN: Ejercito de Liberación Nacional)[2]. It was created in Cuba on 9 July 1964 and is more directly associated with Cold War dynamics and the impact of the 1959 Cuban Revolution in Latin America, since the members of this group came to Havana to learn insurgency techniques such as 'the Foco Theory'[3], conceived by Ernesto 'Che' Guevara, one of the leaders of that movement.

Drug trafficking has been part of the dynamics of the conflict since the 1970s. At this time, the profits the insurgent groups made from the marijuana and cocaine trade were a relatively small part of their financial resources (Labrousse 2010: 122). In the 1980s, however, the financial support received by the insurgent groups from the Soviet Union dried up, at which point the profits from the cocaine market, which were relatively marginal, became indispensable for their survival[4].

At a certain point, other armed actors stepped in and transformed the conflict, creating an even more complicated web. The easing of Cold War tensions, resistance against the reformist policies of President Belisario Betancur (1982-1986) as well as its

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declarations, they use the acronym FARC-EP (Revolutionary Armed Forces of Colombia- People's Army). I have applied FARC for reasons of simplicity.

[2] In the 1980s, the ELN also changed its name with the addition of the term Union Camilista (Camilist Union), to honour one of the founders of the group, Father Camilo Torres, and becomes Camilist Union-National Liberation Army(UC-ELN). Once again, we chose to keep the simpler acronym.

[3] The Foco Theory is a method of insurgent struggle that Guevara conceived inspired by Mao Zedong insurgency strategy in China. The original element he intends to add with the idea of foco is that the guerrilla, acting as the vanguard of the people, strikes to open a front in a war which will inevitably became a war of continental proportion. By opening a new front, the foco at the same time sets an example and opens an opportunity to other groups, in principle not coordinated with its own effort, to make their strike and transform the massive rebellion in a self-fulfilling prophecy (Guevara 2000[1963]: 245-246).

[4] The involvement of FARC with the drug trade began in the late 1970s. According to Labrousse, the evidence suggests that when the involvement of the FARC with the drug business began in the 1970s, they only collected taxes from the small farmers cultivating (mainly)coca leaf in the areas under their control. But the late 1980s/early 1990s this situation changes. The activities of the guerrilla increases radically and it grows more dependent of the coca revenues. They start to collect the leaves and the cocaine-base paste themselves, eliminating the intermediaries(Labrousse 2010: 122-123).

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peace initiative, gave rise to small right wing militia groups who recruited from existing mercenaries and other private groups. Part of their purpose was to contain the advance of the guerrillas, although they were also strategically trying to establish themselves as a criminal enterprise and to control the cocaine market. Different right-wing paramilitary organizations scattered around the country combined their forces for the creation of the United Self-Defense Groups of Colombia (AUC: Auto Defensas Unidas de Colombia), in 1994, which became an important actor in the conflict until their demobilization in 2005, which in its turn led to its fragmentation into several smaller armed groups known today as 'bandas criminales'.

With these complexities in mind, this conflict resists straightforward categorization by concepts commonly used in the international relations and conflict resolution literature such as 'failed states' or 'new wars'. It is marked by the co-existence of militarized activity and territorial control on the part of non-state actors, on the one hand, and the preservation of the stability of governmental institutions, on the other. Contrary to the regular route taken by other Latin American countries, which were subjected to authoritarian regimes for more than a decade, Colombia sustained a democratic electoral system since the end of the nineteenth century, with the exception of a limited and short-live period of dictatorial rule (1953- 1958).

The DSP as launched by Uribe changed the government's orientation towards the conflict in significant ways. Uribe appropriated the American rhetoric of the 'war on terror' and closed the doors to negotiations between the state and the different insurgent groups. Since the government of Betancur, setting an agenda for possible negotiations with the insurgents had been the main strategy of the state in dealing with the problem of political violence in Colombia. By contrast, the Uribe Administration, with its DSP, denied the very existence of armed conflict, and with this any grounds for legitimacy that the insurgents might have in international law. Its program states that, far from experiencing an armed conflict, Colombia is a stable and democratic country that is threatened by terrorist organizations. Moreover, the government entered into negotiations to demobilize combatants of paramilitary organizations. It was the first time that the government had designed a strategy for their re-integration into society[5].

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[5] It was the first time they were reintegrating paramilitaries. A demobilization and reintegration program was designed in the early 1990s to benefit the insurgents that negotiated a peace deal with the government of Cesar Gavíria (1990-1994)

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These groups had never presented the state with a political agenda of demands as a reason for their armed activities. These positions from the government's program changed the way the country dealt with the problem of the conflict. During the Cold War and up until the government of President Julio Cesar Turbay Ayala (1978-1982), the resistance was stigmatized under the rubric of the communist threat, by which they were denied any kind of political legitimacy. The conflict was anchored in the polarization of society, between those standing alongside society versus the communists.

In the 1980s and with detente, the Colombian government started to consider different options. The turning point in the strategy of the government was the peace process inaugurated by Belisario Betancur in 1982. At that time, the position changed from the polarization to the reconciliation of society by accommodating the political position presented by opposing armed groups. Even when Plan Colombia was agreed to with the US in 2000, the peace negotiations were not disrupted. These groups kept their status as belligerent forces until the negotiations failed in 2002. With Uribe and the DSP, there was a clear return to polarization under the rubric of terrorism, which had further implications in the post September 11 for the designation of these groups in international law.

1.2 The DSP and the Human Security Approach

After the peace process conducted by President Andres Pastrana from 1998 to 2002 failed, the belligerent discourse of Uribe galvanized strong support among the population. His strategy, which focused on defeating the FARC, achieved significant results in a short period of time, thereby building momentum for his program. However, the mobilization of Colombian society around a rhetoric of war also had consequences. The humanitarian costs of the country's 'war on terrorism' were high and affected the lives of millions of persons. The war effort needed as part of its strategy a counter-insurgency component aimed at winning the support of the population and stigmatizing the operation of insurgent groups. This orientation led to a wave of denunciations and suspicion within communities, and blurred the lines between combatants and non-combatants even further.

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Uribe's DSP, especially in its first term, combined elements of regular and irregular warfare. A large military effort inevitably increases the number of people affected by the violence and its consequences. In light of this dilemma, the dissertation explores the appropriation of human security narratives in Colombia and the extent to which they gave meaning to the predicaments experienced by individuals as a result of the conflict in a way that would allow the state to reinforce its position as the legitimate provider of security (and not a source of *in*security) while silencing the resistance of those who pointed to the contradictions arising from the reproduction of military engagement.

To achieve this, the investigation combines an analysis of the social space of the conflict with an analysis of the trajectory of human security. This includes a discussion of the transformation in the relations between the state and the different armed groups, as indicated above. In parallel, the dissertation analyses how a global discourse, which emerged in the 1990s, configured the individual as an object of security and reflected on the exercise of global governance. While not necessarily constraining sovereignty, this new discourse offered the different actors - including the state - new tactical possibilities. Finally, the study analyses how the discourse informed the narratives of individuals affected by the conflict as they have been deployed in Colombia and points to how this influenced the capacity of the government to manage the conflict.

Progression to this second step involves a discussion of human security, including a debate about the conceptualization of the term, where the question of how this notion of assumed universal validity informs the different understandings of human suffering produced. Rather than simply contextualising the different articulations of human security, this research also calls attention to the performative effects not only of those policies but also of the attempts to make sense of them.

As a notion elaborated with the deliberate purpose of addressing a series of policy related issues at the UN level, human security and the analyses surrounding it are involved in the dilemmas of policy-making. By delivering their account of the concept, the different authors engaged in this debate have attempted to assess the appropriateness or efficiency of its implementation. In contrast, this study will focus on the different manifestations of the discourse of human security, how they inform claims about the

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vulnerability of individuals in specific scenarios, and the implications of all these practices for the configuration of the conflict.

Rather than trying to fix a definition of human security, a concept of archaeology will be used to analyse the discourse and its performance[6]. In so doing, the idea of an archive is presented as a series of discourses and statements that condition what counts as knowledge under specific circumstances. Human security is understood as a set of discourses that articulate a limited number of ways of characterising the 'human' as an object of security.

On the basis of this archive, it seeks to describe the singularities of the appropriation of some of these statements in light of the situation of conflict in Colombia and the deployment of Uribe's national security strategy. The investigation concentrates on two important formulations that were mobilized by public opinion: the one on the Internally Displaced Persons(IDPs) and the one on the victims of the conflict - as articulated in the transitional justice mechanisms foreseen in the Justice and Peace Law (JPL) and the policies and institutions which were grounded in its text.

These are the main lines upon which the research is conducted. In the following sections of this introduction, the plan will be presented in a step-by-step fashion. Each section corresponds to a chapter of the dissertation.

2. Theoretical background

In Chapter 2 the dissertation expands on the theoretical assumptions and conceptual choices concerning the investigation of the object of study described in the introduction. It accounts for how human security became an instrument for the production of knowledge about the safety of individuals in situations which now go beyond immediate conflict, and what are the implications of the deployment of the practices under study. Here it is briefly presented.

Human security reflects important changes in the international system associated with the end of the Cold War. Many of the norms, institutions and procedures involved in these practices were created before, but through these practices they are arranged in a

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[6]Archaeology here is conceived as a category of analysis, the way it is elaborated by Foucault in *The Archaeology of Knowledge*(1997). The notion of archaeology and its relevance to the study will be further explored in chapter 2.

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discourse that makes two claims relevant to understanding the international system in the period: the first claim is that there are international instruments adequate to access the causes and effects of insecurity at the individual level, which are not a derivation of the predicaments of national security; then, as a consequence, the adequacy of the national security discourse to promote or jeopardize the actual security of the different individuals affected by it can be assessed. It puts actors in a position to judge whether a specific national security policy translates into the promotion of the safety of individuals.

It is important to understand how human security discourse mediates relations between actors in the international space, and the narratives and strategies that are deployed in the different scenarios based on its use. The text tries to apprehend these prerogatives by presenting the discussion Foucault formulates about government. More than the product of a specific technology of power, his understanding of the problem of government implies the regulation of conduct through the instrumentalization of different dimensions of social reality - the problem of government therefore transcends, by definition, that of sovereignty.

After the Cold War a series of institutions at the international level appropriated the problem of government in that sense. And human security is a central part of the normative framework based on which these tasks of government are being performed. It has implications, at the same time, for the relations between governments and the different societal groups, and also between states and how they deal with each other's affairs.

The normative framework that emerges from these processes differentiates states as sovereign entities: it imposes a distinction between the states that uses their sovereignty to promote the safety of their citizens, and those whose authority is not translated into the effective protection of those living inside its borders. At the United Nations, certain groups began to build institutional arrangements aimed at mediating the responsibility of the state and the 'international community'. Through this discourse of human security, the legitimacy concerning the claims for intervention and the very nature of that intervention are negotiated.

One of the central processes that unfolded as a result of the consolidation of human security, and which has a relevant role in the 'government' of international

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space, is the construction of the so-called humanitarian space. Through the claim to a humanitarian space, different organizations attempt to override the dynamics of the political and military disputes over the territory. They declare moral authority to be on the ground and argue that their expertise is sufficient to provide relief and assistance to all individuals, independent of their position in the struggle underway. Even if restricted to the space and time of the conflict, which they do not control, these agencies are supposed to organize that space and regulate the lives of those who circulate through it.

This leads from the role of human security in contemporary international politics to how to describe the trajectories that can be traced to the different appropriations of the idea, its use by different actors, and its implications for the case under consideration. For this, the dissertation considers the mobilization of the concept as it is deployed in several contexts and at distinct levels simultaneously. Some states, which are portrayed in these interpretations as subjected to monitoring and surveillance by international mechanisms, are in fact in a much more ambiguous position. They reappropriate these instruments in order to reinforce their position vis-a-vis national and international actors in the domestic scenario, while at the same time the concept is mobilized to contain their position and limit their agency in the transversal space of global politics.

2.1 Human security, archaeology and genealogy

In order to identify the different formulations involving human security, the analysis is organized into two phases, using two concepts also formulated by Foucault: archaeology and genealogy. The intention is, on the one hand, to clarify the conditions of possibility for claims about human security, and on the other, to appreciate the different formulations informed by those claims and their effect in the construction of subjectivities related to the existence of the conflict.

First, the chapter presents a small-scale archaeology of human security. It explores human security through the notion of archaeology because it emphasizes two dimensions in its analysis: the idea that these enunciations accumulate and produce a meaningful aggregate, the archive, a patchwork bound to the context that produces a field open to different possible games; and also the performative connotation of these

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statements. As Foucault emphasizes, they are not merely descriptive, but have a positive function as a historical 'a priori', i.e. as conditions of enunciation and legitimization of other discursive practices.

It must be noted that an archaeological study does not dwell on the characteristics of the actual formulation of the discourse, but in its conditions of existence. To analyse those formulations, as well as their displacements and transformations, the genealogies of the policies for the internally displaced persons and the victims (within its rendering in the Justice and Peace Law) are traced.

Genealogy, as a modality of historical investigation, is used to complement the archaeology that is presented in the former section. The archaeological investigation emphasizes the conditions of possibility and intelligibility of certain practices, while the genealogy of specific formulations delves into the visualization of the strategies displayed in a specific scenario. This kind of analysis is pursued to clarify the uses of the concept of displaced and victim. However, it does not trace modifications in a chronological sequence. The research focuses on the synchronic displacements performed when formulations drafted in international institutions are appropriated in domestic settings.

3. Dynamics of the conflict

Chapter 3 proceeds to an analysis of the DSP. It is important to understand the transformations in the government's security strategy because they form the background against which the processes of subjectivization being analyzed take place.

The first important topic is the explanation of the DSP's role in the shifting approach of the Colombian government to the conflict. Uribe seized the momentum provided by the failure of the negotiations and appropriated the rhetoric of the 'war on terror' promoted by the U.S. administration of George W. Bush (2001-2008) after the events of September 11. The symbolic capital extracted from the enthusiastic alignment with Washington was such a central element of the government's vision about the internal security situation that they stuck to it even after the United States abandoned the notion and changed their national security strategy when Barack Obama took office in 2009. The Colombian government invested heavily in this proposition in order to de-

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politicize any form of illegal organized armed struggle in Colombia, especially concerning the activities of the FARC. With this, what the Colombian government intended was not only to deny the group any kind of political legitimacy, but also to exempt the public forces from the standards of humanitarian treatment advocated by the Geneva Conventions and other instruments of international humanitarian law.

But the rise to power of President Alvaro Uribe and his proposal of a DSP had implications for the country that went beyond the discourse of the war against terrorism. These transformations in Colombia's political space reflected the convergence of three events: the resuming of the military offensive that began in the Pastrana government, but was radicalized under Uribe's rule; the legitimacy that anti-terror discourse acquiresd after September 11; and the spectacular failure of the negotiations conducted with the FARC between 1998 and 2002, which consolidated an understanding (not hegemonic in Colombian society at that point) within public opinion that a process of negotiated peace with the guerrilla groups was not feasible or convenient.

Another important consideration about this scenario is that the government's new security policy represented a reorganization of the country's strategy in relation to the twenty years previous to the DSP. Since the Cold War in Latin America started to decline in the 1980s, the government in Colombia changed its focus from the struggle against Communism to an agenda of ending the conflict by reaching a negotiated deal with the insurgent groups. Between 1982 and 2002, from the administration of President Betancur to that of Andres Pastrana, negotiating a deal with the guerrillas was an important concern in the government's agenda, and also a recurrent demand of Colombian society.

In order to make this argument, the chapter is structured in four parts. The first discusses the formation and consolidation of the Colombian Armed Forces and its social role. After that, the next section identifies the implications of U.S. policy for the region to the country, emphasizing the importance not only of the position of both governments, but also the cooperation between military forces during the Cold War and afterwards. The third part examines the formation of insurgent groups in Colombia, focusing on the FARC and the ELN, and the negotiations that took place between them and the government between 1982 and 2002. Finally, the chapter describes the emergence of the phenomenon of paramilitarism in the country, and points to the

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different forms it took in the period leading up to the demobilization program anchored in the Justice and Peace Law (JPL) of 2005, the fragmentation of the AUC, the current discussions about the 'parapolítica' and the appearance of the new 'bandas criminales' or 'bacrim'.

In the conclusion, it is reasoned that the DSP represented a significant change of direction in the government's security strategy and its relation with the other groups in comparison to the previous twenty years. It regained some traits of the National Security Doctrine (NSD), a set of directives formulated in the U.S. to guide Latin American governments in the struggle against Communism, and was focused on the threat presented by the internal enemy; however, it was not a repetition of the Cold War. Its consequences for the polarization of society have to be addressed in terms of the present dynamic.

4. Human security

Moving on from considerations about the conflict itself, Chapter 4 engages in an archaeological exercise with a focus on the contemporary discourse that came to be known as human security. It proceeds to an analysis of the concept and the different struggles in which its enactment is involved. With this the research intends to flesh out the two different accounts of individual insecurity constructed throughout the trajectory of the concept. One describes the suffering of the individual as deprivation, to be observed in the degradation of his/her material conditions. The other makes sense of it in terms of protection, as a threat to physical and mental integrity. It is claimed that these are two different ways of producing knowledge about the vulnerability of individuals conveyed by human security discourse. They provide the political legitimacy and the conditions of possibility for the design of the different set of policies investigated.

4.1 Human security, the UNDP and the transformation of development

The starting point for an archaeology of human security is the emergence of development after World War II. Development was then associated with the idea that

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promoting industrial progress in the poorer areas of the globe (that would then be labeled underdeveloped) would not only help promote growth in these areas but have an aggregate effect in increasing the wealth of the whole World.   International institutions such as the World Bank and the International Monetary Fund (IMF) were created to coordinate policies in order to optimize growth and allow for the provision of technical assistance.

This generated many challenges concerning the political implementation of such a vision. The series of reflections on how to deal with the problem of political order in these societies in transformation inaugurated what was called Modernization Theory. Although there are different versions of how exactly to define Modernization Theory, they all convey a central basic idea that all societies must progress through the same stages in order to reach a given set of standards of material progress. The task that development was supposed to make possible was to bring about a masterplan, a strategy to transform the political economy of a set of countries that had little to do with one another into an environment fit for a market economy to prosper in a sustainable manner.

This was how development started to play a key role in the mediation between those who were later labeled First and Third World countries. Although this demarcation could put them in an uncomfortable inferior position, it also set the groundwork for a new political agenda about the place of these countries in the international system. This political agenda took place in UN multilateral forums like the General Assembly, where these countries were the majority; and mostly within the United Nations Conference on Trade and Development (UNCTAD), and the Economic Commission for Latin America and the Caribbean (ECLAC). UNCTAD was created to promote policy debates on development issues, and to bring about a political agenda for a joint action from these countries at the UN level. The ECLAC united some of the key economists of Latin America at the time, such as Celso Furtado and Raul Prebish, and became an important space for the promotion of a school of economic development that would make an important critique of the liberal thinking, and on behalf of national development strategies.

In the 1980s, along with the waning of bipolarity, the lobbying of the developing countries lost momentum. Development strategies, always understood at this point as

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national development, started to be heavily criticized by the World Bank and the International Monetary Fund. When the notion of development did recover its strength in the 1990s, it was not to reclaim these strategies, but to oppose them. This is what was behind the changing of the nexus from national development to human development.

The UNDP was created in 1965, almost at the same time as UNCTAD, though it was not so relevant to policy making concerning developmental issues until the 1990s. At that time, the UNDP released the Human Development Report, which stressed a demarcation between national development and human development. It associated national development with growth in the GDP and claims that GDP-oriented strategies failed to account for how this growth translated into the enhancement of the capacities of the individuals living in those societies

The Human Development Report 1994 worked deliberately to label a platform for what they called human security. The goal of this move was not so much to advocate the centrality of a specific definition of humanity to the management of security issues as it was to securitize the definition of development that they were working on during the previous years. What was potentially under threat in the report's definition of security is exactly the capacities that were the focus of the discourse on development. According to the report, security must be understood to be beyond political violence and in terms of the complementarity between 'freedom from fear' and 'freedom from want'. This represents a shift in the understanding of the nature of the threat to center it on an assessment of the individual's living conditions. It further extends the reach of the security discourse beyond the space and time of the event of the conflict.

4.2 Human security and the responsibility to protect

An important change in the appropriation of human security began with the instrumentalisation of the idea within Canadian foreign policy in the second half of the 1990s, especially under the leadership of Foreign Minister Lloyd Axworth.

Axworth's foreign policy tried to promote a liberal internationalist approach, and the concept seemed a useful tool through which to synthesize it, although it did not

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exactly coincide with the UNDP agenda of human security. The most assertive initiative of Canada's version was when, in September 2000, the government established the International Commission on Intervention and State Sovereignty. The very influential Commission's final report *The Responsibility to Protect*(2001) tried to sharpen the focus on human security and to give this normative commitment an imperative character.

In what concerns the characterization of the suffering of the individual, the first important noticeable element is that his formulation was not advocating a reinterpretation of what constitutes a threat. This was very directly about the physical safety of individuals; there was no complementarity between 'freedom from fear' and 'freedom from want'. Contrary to the UNDP's reports, this was not a discussion about the empowerment of the individual's capacities. Besides that, there was a focus on the situation of conflict and its aftermath. According to this vision, the focus of human security should be the human costs of violent conflict and the safety of the individuals involved in these situations (MacFarlane and Khuong 2006: 152).

There were several attempts to systematize the debate about human security. More important than struggling for an essential definition that would, among other things, imply a dispute for the boundaries of the concept, is to realize that there are key articulations consolidated in very important international documents, and they inform policies grounded in their claims about the subjectivity of individuals in situations directly or indirectly related to conflict, such as those investigated in subsequent chapters.

5. Discourse on Internally Displaced Persons

The fifth chapter sets out to discuss how the notion of internally displaced persons emerged in the space of international organizations, and to analyze the different connotations displayed in different scenarios and consider what the stakes were in those shifts. Afterwards, appropriation of this notion in Colombia is examined, explaining how the set of international norms developed around the concept were internalized inside the Colombian legal system, the mechanisms foreseen for the implementation of the law, and the measures undertaken by the Uribe administration regarding them.

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Finally, the political and normative struggles generated during those years are emphasized.

5.1 Building a normative body for the protection of IDPs

The expression 'internally displaced' is recent. It derives from earlier references to 'displaced population' that appeared for the first time in a peace agreement signed to end the conflict in Sudan in the 1970s[7]. The signs that would lead to the creation of the category of internally displaced person (IDP) could be observed in different documents and reports during the 1970s and 19780s. But reporting in an international forum about the situation of civilians who were supposed to be under the jurisdiction of a country where they were still geographically located was a sensitive issue at this point during the Cold War.

In nominal terms, the easiest way to make sense of the circumstances and necessities of these individuals was through the category of refugee. The UN forums that were advocating for this cause in the 1980s were already framing them as 'internal refugees'. But in terms of how to address the suffering of these individuals, the emphasis was not on their protection once they were not yet outside the jurisdiction of the state where the persecution was occurring, but in providing them with humanitarian assistance in the hope that attending to their basic necessities would avoid a political crisis with the potential to escalate.

Yet in the 1980s the General Assembly issued a resolution in which it requested Secretary-General Javier Pérez de Cuellar to study the necessity for an international mechanism to coordinate relief assistance projects to the internally displaced populations. He designated UNDP representatives to be the focal points of these policies. However, according to Thomas Weiss and David Korn (2006:16), these representatives were not able or willing to carry out this role. Their jobs concentrated on issues relating to economic development and they did not have the know-how to coordinate policies of humanitarian assistance they were intending to design.

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[7] The Peace Agreements of Addis Ababa, signed in 1972, that put an end to conflict in Sudan was the first to make explicit reference to a policy of international scope that could be applied to those internally displaced (Phuong 2004: 6)

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In the 1990s the problem of internal displacement began to gain more widespread visibility, as the number of those affected rocketed even in comparison with those of refugees. But there were both legal problems regarding circumventing the sovereign prerogatives of the states affected as well as problems to operationalize their assistance at the UN bureaucracy.

At that point, a group of activists and scholars became engaged in the issue of the creation of a normative framework for the IDPs at the UN level. They tried to overcome the problems of institutional design that emerged by developing the notion of 'sovereignty as responsibility'. According to Thomas Weiss and David Korn (2006:.3), this concept had two parts, the first being that a national government is in principle responsible for the human rights of its citizens as a fundamental requirement for the exercise of sovereignty; and the second that when these governments are proven unable or unwilling to promote the security or the well-being of their citizens, there is a residual international responsibility that is automatically activated to protect the vulnerable individuals. Afterwards, this notion acquired a life of its own, as an idea that supported important developments of the UN, such as the 2001 document 'Responsibility to Protect' (Weiss and Korn 2006: 71)

Inside the UN bureaucracy, the creation of the category and its possible implications created tension between the agencies concerning the design of such policies and their implementation on the ground. In 1992, UN Secretary General Boutros Boutros-Ghali named Francis Deng as the Representative of the Secretary-General for Internally Displaced Persons. A certain number of approaches were considered in order to find an institutional format that could provide international policies for the protection of the internally displaced. The option that proved itself to be the politically possible was the coordination of the main international agencies that might be somehow be related to the IDPs, such as the United Nations High Commission for Refugees (UNHCR), United Nations Childrens' Fund (UNICEF), UNDP, World Food Program (WFP), and others that were not part of the UN system, such as the International Committee of the Red Cross (ICRC) and International Organization for Migration (IOM), and other NGOs (Weiss and Korn 2006: 76-79). For that purpose the position of Emergency Relief Coordinator(ERC) was created in 1992. The UN official in charge of heading up the ERC presided over the Inter-Agency Standing Committee

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(IASC) and was also head of the Department of Humanitarian Affairs (DHA), which later on was transformed into the Office for the Coordination of Humanitarian Affairs (OCHA).

All the agencies standing in the IASC had their agenda affected by the designing of policies specifically for this newly created category of IDP. But this initiative led to a reflection about the very mission of the UNHCR in a particular way. It promoted a struggle within the UNHCR during the 1990s concerning the trajectory of the institution and the contemporary role it was supposed to perform in humanitarian affairs. There are two narratives about which would be the most consistent way to pursue the mandate of the agency in the face of the new circumstances.

One of the narrative claims that the agency developed along the years was a unique know-how to assist certain kinds of individuals in certain kinds of situations. Its priority would be maximizing the utility of this know-how. When the circumstances of the individual at stake were adequate for the kind of assistance the UNHCR was prepared to provide, it would step in even if this individual did not fit the juridical category of refugee as described in international law. In opposition to this view, there is a narrative which claims that the agency's priority should be to protect the instruments of international law that it helped to develop, such as the principle of non-refoulement and the institution of asylum. The UNHCR's mandate was designed to preserve a specific system of legal protection, being the right to asylum and the principle of non-refoulement[8] the milestone of that system (Adelman 2001: 9). Therefore, acting inside the border of the conflict where the conflict was happening may be used by neighboring countries as a justification for closing their borders to those being persecuted, making the case that they are already being provided with assistance in their own country. According to this narrative, by getting involved with the IDPs, the UNHCR threatened its own independence and ran the risk of being used as a surrogate for political action (Goodwin-Gill 2000: 26, Phuong 2004: 85).

In 2001, The UN High Commissioner for Refugees, Ruud Lubbers, tried to bring a closure to this debate by summarizing the agency's approach towards internal displacement in what he called 'the 3 green lights'. An operation focused on internal

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[8] The principle of non refoulement is a norm consecrated in customary international law that forbids that those recognized as being persecuted be returned to a place where their lives may be at risk. Besides being a norm of *jus cogens*, it is also reasserted by the Refugee Convention of 1951(UNHCR).

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displacement would be subjected to three requirements before it could be launched: a request coming from the Secretary-General, the consent of the country in which they would be acting and specific funding for this purpose (Zard 2006: 48).

5.2 IDPs in Colombia

Internal displacement in Colombia is not a recent phenomenon. In its history as an independent country, it experienced many episodes of intense political violence. Until 1948, these were mainly disputes between the landowners in the rural areas. With the assassination of the liberal political leader Jorge Eliecer Gaítan and the events that followed, the conflict took to the streets of Bogota and a period of intense internal confrontation took place, referred to by the Colombian historians as *La Violencia*, or The Violence, and which lasted from 1948 to 1966. It is estimated that this event caused the displacement of more than two million Colombians, which at the time represented 20% of the population (Springer 2006: 7). In the last twenty years, the attacks against the civilian population had a central place in a war that was being waged over control of the territory, intensifying the occurrence of displacement. The civilians who lived in the areas of conflict were targeted and coerced by the different groups. Therefore, beyond the issues more directly associated with the violations of human rights, the land disputes and the illegal encroachment of land are important underlying factors contributing to forced displacement.

The milestone of the legal framework built to deal with this situation was Law 387 from 1997. It addressed the state's obligations regarding the displaced, and stated that assistance should be organized in three phases: prevention, emergency humanitarian assistance and socio-economic stabilization. At the baseline of the strategy designed to attend to the displaced by the Ministry of Economic Planning was the fact that the socio economic situation of Colombian IDPs was, on average, much worse than that of the poorest strata of the non-displaced population.

When President Alvaro Uribe took office, he announced the realization of a new government planned strategy, the National Development Plan 2002-2006, in which internal displacement was considered 'the most serious humanitarian emergency situation in Colombia' (Departamento Nacional de Planeación, 2002: 78). In 2003, the

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rights of the displaced and the obligations of the government became objects of a judicial dispute. Hundreds of displaced organized themselves to make a case before the Constitutional Court of Colombia. They claimed that their rights were being violated by the inaction and inefficiency of the state. The Court decided to accept the case, and performed a thorough review of Uribe's program and its results. On 22 January 2004, the court issued Sentence T-025 of 2004, in which it declared the current conditions of the internally displaced to be an unconstitutional state of affairs, and reasserted that this population should be the 'object of special protection from the part of the State' (Corte Constitutional de Colombia 2004).

However, Sentence T-025 evaluated the government's policies 'against' the text of Law 387, which defines internal displacement in Colombia as a humanitarian emergency, therefore prescribing measures of relief assistance. Displacement was not characterized in terms of the violations of these people's human rights, which would imply the juridical obligations of the perpetrators and a thorough examination of the case (especially if state agents were to be involved). Therefore, there was a set of limits to what the Constitutional Court could require from the state regarding the fulfilment of its obligations.

The policies regarding assistance of the internally displaced, despite the complexity of the case and the overwhelming difficulties of implementation, had two very important characteristics: the first was that these policies reduced the circumstances of the displaced to a set of socio-economic indicators. This automatically shaped the answer to be offered by the government as a policy of assistance, not one of protection. What followed from the selectivity of these instruments was that the role of the violence and persecution to which they were subjected and the systematic process of expropriation of their land was not to be taken into account in the juridical considerations of the phenomenon, and therefore the displaced would not be able to use those laws to pursue such claims, or to associate their own existence with the violence of the country. As displacement is figured as a process of economic deprivation, the violence that generated it loses its concreteness, and the responsibility for the past is ignored so the government can concentrate on'socio-economic stabilization' without further political consequences.

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The second aspect of the way that norms regarding displacement were appropriated in Colombia concerns the centrality of the state in the network of agencies that were involved in attending to these individuals. This is not an intuitive configuration. As Mark Duffield (2001: 45) argues, a key feature of the institutionalization of the governance networks of human security were the privatization and the subcontracting of the different agents to perform tasks that used to be attributed to the state. In fact, several local and international NGOs, not to mention the UNHCR itself, were actively participating in this process. But this network functioned with the state at the centre of its articulation. There were twenty-three state institutions that regulated all dimensions of the policies aimed at the displaced.

6. Transitional justice and the victims of the conflict

Chapter 6 traces the notion of victim that was used as a central element in the formulation of the Justice and Peace Law (JPL) (El Congresso de Colombia 2005), using a genealogical analysis. It finds *this use* of the notion of victim under consideration as an appropriation of the transitional justice framework that consolidated throughout the 1990s, particularly in a specific discussion within this framework regarding the promotion of the rights to truth, justice and reparation. Therefore, this is an investigation into the construction of the transitional justice framework, describing how it is appropriated in Colombia through the notion of victim as well as the implications of this process for the reconfiguration of the social space of the conflict as a whole.

In regard to the consolidation of a global discourse on transitional justice, it is a product of the emergence of a class of professionals in international law and the construction of a body of norms through which these individuals are authorized to judge the processes of transition from war to peace in certain societies. In divided political communities and those in the process of reconstruction, it is usually difficult to ground the criteria for justice in a political consensus held by the community itself. Therefore, international courts sound like stable sources of legitimacy based on which a modern political community can be rebuilt.

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Importantly, once it is identified here how different events are connected to build this discourse, it looks for the different narratives that cross over the events in which transitional justice is grounded. The intent of this exercise is to display the micro-universe of possibilities where the disputes regarding the transitional justice framework take place.

Applying this reasoning to Colombia, the crucial event that brought the transitional justice framework to the agenda was the negotiation with the paramilitaries and the repercussions it then provoked in Colombian society. In the beginning, to address the perspective of the victims was not a crucial concern to the parties at the table. Accommodating and demobilizing the paramilitaries had an important role in the strategic considerations of Uribe security policy, but he was not willing to make further concessions to a human rights agenda.

In 2003, the government and the leaders of the paramilitary organization AUC signed the Santa Fe de Ralito Agreement (El Gobierno Nacional… 2003) which intended to regulate the demobilization of the paramilitary troops and their reintegration into civilian life. However, despite the fact that negotiations were advertised as an essential initiative to bring peace to the country, they faced resistance inside Colombian society. This resistance questioned the authority of the government to strike a deal that implied such a level of impunity to insurgent groups outside the law, given that some of its members were accused of several human rights violations.

In fact, the autonomy of the executive to negotiate with such groups was the object of specific regulations. During the nineteenth and twentieth centuries, multiple negotiation processes of this kind took place. Notwithstanding this, with the end of the Cold War, a new constitution was drafted which constrained the prerogatives of the government to deal autonomously with the issues of war and peace. Amnesties or pardons that offered forgiveness to violators of human rights or perpetrators of atrocious crimes such as kidnapping could not be tolerated any longer.

This generated a legal struggle that threatened to jeopardize the government's negotiation efforts. Civil society groups explored the issue in national and international agendas, putting additional pressure on the government, and mobilized the Constitutional Court of Colombia trying to oppose the government's enterprise.

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Once the government could no longer ignore them, it opted to change its tactics and took the initiative on the issue of victims in an attempt to control the narrative. The transitional justice framework was appropriated in that context as a device that could provide an exceptional space for decisions regarding the pursuit of peace and reconciliation. From an instrument created to strengthen and complement domestic legal instruments in an exceptional scenario, it was used in order to increase the discretional power of the government vis-à-vis the Constitutional Court and create a set of norms that would overrule the current legislation.

Colombia is, of course, a very unusual case for the deployment of transitional justice, and far from being a society whose regime of authority is in transition, in Colombia the government is reinforcing its authority. And the transitional justice framework, by providing the government with the legal leverage for the pursuit of its strategic goals on the security front, is part of this process of consolidation of such authority.

On the other hand, transitional justice opened up a conceptual space through which the rights of the victims were able to be addressed. The figure of the victim provides a direct association with the conflict and exposes the dilemma between the protection of the individual and the strategy of the State. This linkage resonates with attempts to forge a connection between the plight of the displaced and the conflict that is at the root of their condition. However, while the displaced were reduced to a set of socio-economic indicators, the image of the victim immediately invokes violence as a defining feature.

The juridical struggle that followed the contestation of the Santa Fe de Ralito Agreement led to the formulation of the Justice and Peace Law (JPL) in 2005. The law frames Colombia as a transitional society and allows for the application of a transitional justice framework to regulate it. It offers the paramilitary the benefit of an alternative penalty system, as well as foresees measures of reparation for their victims, and policies for the reconciliation of society

In contrast with the generosity of the enunciation of this law regarding the elaboration of the rights of victims, the document foresees no mechanism to enforce the rights granted in the text. But despite the clear problems of implementation, it achieved an overwhelming consensus in Colombian society.

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This new symbolic capital transformed the configuration of the conflict. When Uribe was still a presidential candidate, he differentiated himself from his opponents by offering the discourse of war and pointing to the impossibility of reconciliation and forgiveness. He sought deliberately to polarize society and expected the failure of the 1998-2002 peace process to be the undeniable empirical proof of his vision.

Once the figure of the victim became a useful tool to groups willing to dispute his militarization of Colombian society, he managed to accommodate their contestation by appropriating the notion of victim and reorienting the focus of its use. He built a comprehensive state apparatus to regulate the policies regarding them. This meant that the politics of attending to victims would be managed from inside the state from that moment on so that the government could control the narrative about those affected by the violence of the conflict.

Confronted with the challenge of accounting for the victims of the war he struggled to wage, President Uribe and his administration provided a new vision about the unity of Colombian society. The difference between this claim for the reconciliation of society and the other one openly rejected by Uribe were the different assumptions about the proper position of the state.

In 1998, the Pastrana administration clearly acknowledged the exceptional situation of the state at that point. What was expected from the negotiations was to channel the political demands of the group through regular political procedures and negotiate the demilitarization of its combatants. In the Justice and Peace Law, using as leverage the new balance of power vis-à-vis the armed groups and the legitimacy granted from the rhetoric of the combat against terrorism, the government proposed a juridical framework that would acknowledge the exceptional situation of specific individuals involved in the conflict (the former combatants to be reintegrated and the victims to be granted reparation), but would not grant the group the status of political belligerent.

This possibility of suspension of the law was made possible by the characterization of Colombia as a society in transition. However, contrary to an effective transition, the government and the functioning of the institutions were never put under scrutiny; on the contrary, the discretionary powers to fight the opposition (legal and illegal) have only increased. Besides, the act of political violence performed

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against the government was not re-evaluated under the light of the acknowledgement of an exceptional scenario; it was further stigmatized under the rhetoric of the 'war on terror'.

In 2009 certain groups associated with the protection of human rights started to defend the formulation of the Law of Victims. What was at stake for the supporters of this law was two improvements relative to the JPL: first, the JPL applied only to the victims of illegal armed groups that had decided to demobilize; and second, it could not be extended to those claiming to be victims of the incursions of the official forces.

The aim of the Law of Victims was to reformulate the legislation regarding the victims in Colombia based on the principle of equality. This implies building a normative framework that would transcend the transitional character of the JPL and the specific focus on the demobilization of paramilitaries. However, the Uribe government saw the law as inconvenient because it provided an instrument that could be used against the state. The project of the Law of Victims was rejected during the Uribe years, but brought back to the legislative agenda during the first year in office of President Juan Manuel Santos.

7. Conclusion

The concluding chapter articulates the argument that is elaborated throughout the other sections of the dissertation, and summarizes the arguments of this research. The objective of this dissertation is to map the transformations identified in the discourse of human security in the context of the Colombian conflict during the Uribe government. By designing the research in this fashion the aim is to contribute to two different literatures with its analysis: first it constructs a methodology to understand the process of translation of human security between the social space of international relations and the social space of the Colombian conflict[9]. Here it positions the investigation on the literature on human security and on how it should be studied.

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[9] In this work the concept of social space is introduced to denote a space of relations where actors' strategies can be identified by the position they take in relation to other actors and the trajectory they pursue within this space up to that point in time. The social space of international relations is then composed by the aggregate of relations actors such as states, international institutions and NGOs engage whose implications are recognized as transcending the domestic affairs of states. The social space of the Colombian conflict is composed by the relations between the actors involved in the conflict that are

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Human security scholarship, following a tendency also present in the IR literature in general, is developed very closely to the policy-making community. A consequence of this association is that it reproduces the worldview of specific actors who use it to transform their expertise in political authority. Besides, the insistence in the process of categorization – which reflects the attempt to make the concept operational for the policy-makers – results in a recurrent exercise of fixation of the meaning of human security. This in turn neglects the transformation it undergoes as it is translated in other social spaces. This dissertation offers a contribution that addresses these limits and offers a critical view of these processes by designing a research that proceeds in two steps: it identifies the performative dimension of the construction of the concept by conceiving it as an archive; and then points to the concrete struggles where human security practices acquire their meaning, with genealogies of specific narratives.

Besides, the focus on the action of appropriation points to the stakes of the actors within the current developments of the conflict and allows for the identification of the role of the concept for the present configuration of this social space. In this point the research makes a contribution to the study of the conflict dynamics and argues that this normative framework had an important role to perform in light of the process of militarization in which Uribe engaged Colombian society.

The investigation is conducted by indicating two specific categories through which human security claims are performed: displaced and victim. This allowed the dissertation to perform a genealogical analysis of the struggles in which these categories were involved. Each of them produced a specific process of subjectivization with important political implications for the configuration of the conflict. It informs in important ways the strategies of the state and other actors because an objective description of this image helps to make sense of the ways through which the security of the individual is opposed to the security of the state, and it conditions our visions about the possible ways through which those claims (about the individual and the State) might conflict or be reconciled.

A second conclusion is about the aggregate effect of the two categories for the configuration of the Colombian conflict. The discourse about the displaced is performed with a rationality based on human development, which conditions the policy

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related to its dynamic. The dissertation delineates these two social spaces to focus on how human security practices circulate between them.

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making and the responsibility of society towards this issue as a matter of assistance, not of protection. The discourse about the victim is brought to the agenda in an attempt to resist the security strategy of the state: the victim was depicted as the voice that was being silenced in the deal with the paramilitaries, the voice that pointed out the violence that was being forgotten. But the use of the concept of victim was transformed when appropriated by the government itself: it presented the victim as having experienced a violence that took place in the past. It presented the event of the violence as materialized in a trauma the victim is supposedly struggling to work through[10]. The institutions the state puts in place provides a therapeutic procedure through which they can deal with the past and be reintegrated into society.

Therefore, by accommodating the resistance to the polarization of society, both images played a relevant role in the legitimization of the Democratic Security Policy. In fact, the discourse about the victim performs a complementary role in relation to the empowerment one observed in the policies for the displaced. Through the empowerment narrative, the Colombians envision the breaking of the chains of poverty and the transformation of their future; the narratives of the rights of the victims, through their rituals of reconciliation, operate the reconstruction of their past. It stabilizes their sense of self in order to keep them in line with the promises of the empowerment discourse.

7.1 Final thoughts

This initial chapter outlined the format of the proposed investigation. It starts with the trajectory of the armed actors in the social space of the Colombian conflict, and points out that the DSP implied an increasing polarization of society. The chapter then argued that a military engagement of such a scale may not have proven sustainable. It became sustainable through efforts of the state to manage the unintended consequences of its deployment in such a way as to avoid any harm to its position as the provider of

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[10] When the dissertation addresses the issue of trauma and reconciliation, it deals with it as a feature of political discourse, not as a way of describing the subjective experience of those affected by the conflict based on psychoanalytical notions such as repression and unconscious(Fierke 2006: 117). The focus of the investigation is how this vocabulary is appropriated by narratives informed by the human security discourse; with the effect of locating violence in the past and reinforcing the role of the reconstruction of the political community in the 'healing' of the subjective experience of the victims.

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security rather than a source of insecurity. Therefore, the main contribution of this dissertation is to highlight how the circumstances of individuals affected by the violence were addressed and the consequences for the relationship between the actors. This requires developing an understanding of the formation of the discourse of human security and its appropriatation in the Colombian context. The chapter that follows will clarify the theoretical assumptions and conceptual choices guiding this analysis.

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Chapter 2

Theoretical Assumptions and Conceptual Choices

1. Introduction

The objective of this chapter is to set out the theoretical assumptions and conceptual choices relating to the uses of human security in the Colombian conflict during the Uribe government. In other words, this section develops the instruments for analyzing how human security became bound up in the production of knowledge about the vulnerability of individuals in situations which go beyond immediate conflict. It also points to the implications of practices informed by such knowledge for the Colombian conflict.

The aim is to address how human security informs different kinds of relations among states and other actors. This requires a specification of the quality of effect that human security practices perform and a differentiation of human security from other discourses that claim universal validity based on knowledge claims about the individual, such as that of human rights.

The discourse of human rights has played an important role in the twentieth century, particularly since the end of World War II, as an instrument created to be used against the political authority of states. The discourse insulates fundamental dimensions of human subjectivity, claiming they are ontologically prior to the political considerations of states and power relations. This is reflected in key documents, such as the Universal Declaration of Human Rights, which declares that '*the inherent dignity* and of the equal and inalienable rights of all members of the human family *is the foundation of freedom, justice and peace* in the world' (UNGA, 1948). These norms create instruments that protect the individual by placing the individual's humanity beyond the realm of the political.

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Human security is a more pragmatic proposition that questions alternative answers to the vulnerability of the individual on epistemological grounds rather than ontological ones. The concept provides criteria for characterizing the individual's condition of insecurity independent of considerations of national security. As a result, an assessment of the individual's condition becomes the parameter against which the appropriateness of different security practices might be addressed. Through human security, new relations of power and authority between states, international agencies and other social groups and institutions are established. Contrary to the human rights discourse, human security does not necessarily work by ascribing limits on the exercise of power. Instead, the current transformations affect the very ways that rule is exercised (Rose and Miller, 2010: 272). As Nicholas Rose (2000:23) puts it, the hegemony of liberal democracies reflected in a 'widespread recasting of the ideal role of the State'. This perception made way for an argument that national governments should not necessarily aspire to be the sole guarantor or the ultimate provider of security.

The design of the research requires that the theoretical assumptions be addressed through two 'phases'. On the one hand, it examines the role of this discourse in contemporary international relations. On the other hand, it seeks to understand how the discourse informs actors within the Colombian conflict and influences their choice of direction.

Many authors, mainly inspired by Foucault's work on governmentality, claim that the study of contemporary politics requires conceptual tools for the analysis of forms of government that go beyond sovereignty. Governmentality is a concept that Foucault formulated in his book, *Sovereignty, Territory, Population* (STP), which lays the foundations for a more historic study of different forms of government[11]. Foucault was trying to make sense of a form of government that has its roots in the eighteenth century, as the population emerged as a central problem of government (due to the demographic expansion), as well as of the instruments that would allow European societies to identify and quantify its effects (Foucault 2008: 137-138). This focus on the population as an aggregate distinguished it from other technologies of power identified in his former works, namely sovereignty (which is exercised over territory) and discipline (over the individual body).

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[11] The discussion about governmentality, as well as what Foucault understood by the notion of government, will be further explored later in this chapter.

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The process of construction that results from the exercise of government by human security practices shapes what the humanitarian agencies refer to as the *humanitarian space*. Understanding the construction of this space is a fundamental step towards making sense of how, through this discourse, knowledge and expertise are transformed into instruments of authority that can be appropriated by other actors. However, through their interventions in the construction of humanitarian space, different agencies adopt distinct perspectives on how this space should be conceived and on its prerogatives. Their narratives reflect particular institutional histories, as well as their positioning vis-à-vis one another inside this space.

The chapter has two parts: the first addresses the question of how to understand the role of human security in international relations in terms of governmentality and government, pointing to its relevance for the conception and consolidation of humanitarian space. The aim of this first part is to discuss how the contemporary discourse of human security allows specific agencies to perform tasks of government that shape the international space.

The second part proposes a method for an investigation of the different uses of human security practice and how these can change the configuration of conflict. The notions of government or governmentality do not provide an instrument for understanding how these practices circulate through time and space, or what conclusions can be drawn from an aggregate analysis of that circulation. With this in mind, the following two parts build on Foucault's concepts of archaeology and genealogy to engage in this analysis.

An archaeology of human security identifies the limits in the discursive formation that conditions the strategies of the different actors. It assembles the documents, organizations and statements that are involved in the construction of this discourse and grounds the different claims that are associated with it. After that, the research proceeds to present two genealogies of two different articulations of this discourse in the case being considered: the policies concerning internally displaced persons and those directed at the rights of victims. It emphasizes the contingency of those claims, but also questions the grounds of their assumed universality and identifies the political strategies that are behind these appropriations of the language of human security.

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1.1 Some preliminary definitions: discourse, narrative and performativity.

Before proceeding to the discussion of how the object unfolds and the concepts needed in undertaking the investigation, the following section will briefly address notions at the heart of this research design. It is important to be explicit about the status of human security as a discourse, and how this differs from the role of narrative and performativity in the analysis.

Human security is a discourse in so far as it provides a vocabulary for making sense of objects and events in the world while, at the same time, constituting the objects and events it refers to. It is an identifiable and dynamic social formation that informs policies and statements. Therefore discourse is here a semantic field that, at a given moment in time, is the result of an interplay between event and meaning, as stated by Ricoeur[12] (1976: 11). Narrative refers to the appropriation of the discourse in the articulation of a specific construction of 'reality.' It translates the elements present in the discourse into an articulation of series of events that provide a coherent account of a given perspective.

The emphasis on performativity results precisely from this definition of discourse. Discourse has a descriptive and a productive dimension; and the concept denotes the effects of the latter[13]. Performativity is, as Judith Butler (1993: 7-8) presents it, "the reiterative power of discourse to produce the phenomena that it regulates and constrains".

2. Governmentality and government

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[12] It should be noted that for Ricoeur this relationship is necessarily a dialectical one. But this comes from his project of developing a theory of discourse. Therefore the dissertation is bringing Ricoeur's understanding, stressing his emphasis on the semantics (as opposed to the emphasis on the semiotics from those that base their works on structuralists like Saussure), but without taking a position on the issue of whether this notion could (or should) lead to a theoretical framework that postulates a general thesis about how discourse produces meaning.

[13] Being analytically capable of distinguishing facticity and performativity as different properties of a discourse is important because the dissertation is specifically interested in the different *uses* of human security and the consequences of its deployment in the Colombian conflict. But this by no means assumes that there is some kind of ontological distinction between performative vs. constative utterances as is the case with John Austin's(1962) categorization. The analysis is rather consistent with Wittgeinstein's account of language as expressed in *Philosophical Investigations*(1958), where use and meaning are considered to be inseparable, two sides always present in any communication.

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To understand how actors appropriate the human security discourse to perform tasks of 'government', a clarification of what it means to exercise government in this case is needed as well of as understanding of why it the concept of government is considered pertinent for this analysis and how its exploration may illuminate the role of these practices in the current research. Government, as used here, has a specific connotation that points to relations of power and authority that cannot be reduced to the exercise of sovereignty. It is with this aim that Foucault in STP calls attention to a literature that developed in Europe between the sixteenth and the eighteenth centuries. In his argument, this group of authors wanted to lay the grounds for an 'art of government' in opposition to a modality of political treatise common from Ancient Greece up until that point which framed the debate about politics in the format of 'counsels to the Prince' (Foucault 2008: 118).

The main reference of this kind of work in this period is Nicollo Machiavelli and his book *The Prince*. Those who advocate the 'art of government' consider that works centered around the Prince (which is, in a way, the personification of sovereignty) conceive of him as external to the political community. The implication of this artificial bond is that the final aim of the exercise of power is to allow the Prince to seize and retain control of the polity. By replacing the problem of the Prince with the problem of government, the main objective of the reflection about politics becomes how to strengthen the political community, not the figure of the Prince (Foucault 2008: 122).

In STP the work Foucault begins to formulate his concept of government[14] as a central problem. His earlier work, *Society Must Be Defended*(SMBD)(2003)(based in lectures given in 1976), defined sovereignty and discipline as different technologies of power. The problem is power, not government[15]. In *STP* (lectures from 1978), he starts to change the question.

Foucault's reflection on the art of government is based on the treatise of Guillaume de la Perrière, *Mirroir Politique* (Political Mirror, originally published in

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[14] Foucault claims the exercise of government is about the 'conduct of conduct'(Dreyfus and Rabinow 1995: 244). It is not something that takes place exclusively at the level of the State. He argues that in the XVI century the problem of government emerges through various dimensions of social life simultaneously, such as the government of the self, of the soul, of the family, etc. Government is a relatively deliberated rational activity that shapes conduct with a specific purpose.

[15] Foucault addresses the issue of his project for the future in the first lecture of SMBD that he is moving towards an analysis of power as a way of reconsidering what was at stake in the genealogical investigation he performed in the previous years. He says: "what is at stake is to determine which are, in its mechanisms, in its effects, in its relations, these different dispositives of power"(2003: 19) .

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1567). For La Perrière, government is about 'the right disposition of things arranged as to lead to a convenient end' (Foucault 2008: 127). The goal of government is the common good, which had to be thought about in terms of the wealth and the strength of the state[16] and the different social processes that may influence this outcome.

In STP Foucault argues that the 16th century reflection on the proper exercise of government did not have a systematic effect on the management of the state until much later. Works such as the *Mirroir Politique* stated general principles instead of detailed political programs. Mercantilism is the body of knowledge that for the first time provided the State with instruments aimed at increasing its wealth. But the final goal of mercantilism was still to maximize the income of the Crown, rather than the average income of the families living under its rule, and therefore it remained inside the institutional structure of sovereignty. What actually changed this dynamic (or, as he puts it, 'unlocks the art of government') is the series of processes that gave rise to the emergence of the population as a relevant category for the administration of the state; such as the demographic expansion and the consolidation of the science of economics. The economists, with their management of statistics, were able to identify and quantify processes that treated the population as an aggregate, and whose understanding could not be reduced to the administration of the household.

In addition, the demographic expansion made the population a definite matter of State that could be addressed with the help of new instruments (Foucault 2008: 138). For Foucault this historical process is crucial because it inaugurates a new dimension of complexity in the management of the state. Rather than replacing the former logics that he identifies as technologies of power, such as sovereignty and discipline[17], these were reorganized around a new and bigger problem, that of government, and with a new technology that became the driving force of that transformation, what he calls 'governmentality'. This is how he describes this new concept he formulates:

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[16] Or the unity whose government is been discussed- the individual, the family- once La Perrière reflection about the issue is not restricted to the management of the State.

[17] Foucault did not understand governmentality as some sort of new stage that redefined the whole polity in its own terms. He makes clear in STP that the new knowledge and the new techniques which were products of contemporary problems accumulate and overlap with the older ones. Therefore, what can be observed in contemporary politics is discipline, sovereignty and governmentality being deployed in different configurations and different contexts (Foucault 2008: 143). .

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> *"By this word, 'governmentality', I understand an ensemble constituted by the institutions, the procedures the analysis and reflections, the calculations and tactics that allow the performance of a very specific, although very complex, form of power that has as its main target the population, as its main form of knowledge the political economy and has its essential technical instruments the dispositives of security. In second place, by 'governmentality' I understand the tendency, the lines of force that, throughout the West, did not stop conducting, and from a long time, towards the preeminence of this kind of power over all the others- sovereignty, discipline- and that brought, on the one hand, to the unfolding of a whole series of apparatuses specifically of government and, [on the other], the development of a whole series of knowledges… (Foucault 2008: 143-144).*

This transformation was consolidated with the emergence of the Reason of State, i.e., the transition from an exercise of sovereignty that was anchored in the legitimacy of the dynasty to a scenario where the state became an end in itself. As sovereignty, in this argument, should be exercised to govern men in order to maximize the power of the state, the Reason of State promoted a convergence of sovereignty and governmentality. This implied that the exercise of government was moving towards the management of multiple aspects of the population's life. This happened simultaneously with the consolidation of a whole body of knowledge (statistics, demography, social sciences) and had as its object the population and as its goal the promotion of wealth and health. A more capillary knowledge, as well as the increasingly regulatory character of law, are key features of modern government.

Managing the population meant intervening in the logistics of public health, nutrition, housing, and urban affairs, areas that the government had not previously associated with the exercise of sovereignty. In this new moment, guiding the conduct of individuals did not imply a focus on their individuality (as for example in certain forms of pastoral power), but rather aggregate patterns and effects through the statistical composition of curves of normality. This was the genesis of the general framework of biopolitics, where knowledge is produced to treat the population as a living species, on behalf of a rational state that becomes an end in itself (Foucualt, 1997:.86).

2.1 Governmentality and analysis of the international

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Dissociating the practices of government from the exercise of sovereignty are particularly important to the analysis of the post-Cold War moment because the hegemony of advanced liberal democracies in World politics imposes a modality of power relations characterized by a plurality of alliances which take place in different dimensions of social life (Rose and Miller 2010: 272). The transformation of the Reason of State to governmentality in the seventeenth century is thus transposed to the international space.

According to Laura Zanotti (2005: 471), in the post-Cold War era, governmentality, which previously pertained to domestic governments, emerged as a modality of the international regimes promoted by the United Nations and other international organizations. These modalities of government constitute, from the perspective of governance doctrines, the means for consolidating disorderly states, facilitating development, and improving a population's living conditions. This process has lead to a diffusion of institutional mechanisms, a proliferation of codified processes, and a standardization of information so that social demands can be channeled, understood, and processed by governing centers.

Zanotti claims that the new international institutions and mechanisms provide unique knowledge of the management of certain populations that are not integrated into the global space. The aim of these institutions is to identify states where the insufficient robustness of modern institutions may jeopardize the stability of the state system, and then to governmentalize them. This is done in order to improve the life of populations as well as the predictability of international space. The management of these populations ceases to be an exclusive problem of their national governments, and becomes a matter to be dealt with at the level of international institutions. The movement of populations has to be controlled in order for the whole system to be stabilized.

2.2 Humanitarian space

Part of this new dimension of government in the global space consists of practices that are part of the human security discourse. The formation and the transformation of the so-called humanitarian space is symptomatic of this process of

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construction. Humanitarian space is informed by the expertise of a group of professionals working in humanitarian agencies and aid institutions, such as human rights activists, development workers and international law specialists. As stated previously, the knowledge produced by these humanitarian agencies is important for bureaucratic elites situated in first world countries or international organizations because it helps them to de-codify the distance between them and their object. Knowledge production helps them to make sense of this space, access potential threats and design strategies to manage it. In one sense, the humanitarian space is created for the purpose of government inside those places.

The practices of these agencies bring to the field different normative contents according to their particular perspectives. Agencies that claim a notion of humanitarian space not only identify and contain a certain set of practices and experiences, but transform them. The term humanitarian space appears to originate in the Cold War conflicts in Central America, where it was reportedly used by the UNHCR to describe a space for humanitarian dialogue with belligerent parties, and to characterise the broader operating environment within which humanitarian agencies worked (Collinson and Elhawary, 2012:1). The roots of the concept are in the Geneva Conventions of 1949. The document points out that 'certain areas should enjoy special protection even in the midst of ongoing conflict'. This space designed for the deployment of humanitarian aid provided an enclave between warring parties, in which those who were wounded in battle could be assisted. The different actors engaged in the construction of this space emphasized the figure of the human, the individual, as the element based on which the predicaments of the humanitarian space could be assessed, and action could be taken to solve or at least mitigate these problems.

Humanitarian space entered into wider usage in the 1990s. But the different actors, based on their different institutional and normative trajectories, constructed 'humanity' in different ways. According to Johana Grombach Wagner (2005), Rony Brauman, former president of Doctors Without Borders (Médicins sans Frontières-MSF), coined an important characterization of the term in the early 1990s. For him, humanitarian space was a "space of freedom in which we are free to evaluate needs, free to monitor the distribution and use of relief goods, and free to have a dialogue with the people" (Wagner 2005:24).

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For the ICRC, humanitarian space is synonymous with respect for the Geneva Conventions and its statute of neutrality. In 2005, Wagner, then the personal advisor to the Director General of the ICRC, issued a statement about the subject in which, it is worth noting, there is a tension between a space authorized by sovereign states (ICRC) and a space created by a particular idea of the organization of humanity (MSF), designed to provide continuous assistance, free from the interference of non-democratic sovereign states. As he (2005: 26) states:

> *"The ICRC, by virtue of its mandate and its will of the state parties to the conventions, claims a specific sub-part' of this 'space'. The ICRC has repeatedly insisted that its neutrality and independence must be respected because, among other reasons, that was the intention of the parties of the Geneva Conventions. This mandate was meant to allow the ICRC to reach and protect those who often bear the brunt of armed conflict. This is why the ICRC cannot fully participate in integrated missions that combine political, military and humanitarian objectives. Space for neutral and independent humanitarian action must be preserved at all times, within a large and more diverse humanitarian space."*

In the definition used by the Office for the Coordination of Humanitarian Affairs (OCHA), humanitarian space is equivalent to an environment where humanitarian operations can be conducted and where agencies can adhere to the principles of neutrality and impartiality. In this space a clear distinction should be maintained between the roles and functions of humanitarian actors (saving lives and alleviating suffering) and those of military and political actors (OCHA, 2003: 14-15).

Some humanitarian agencies also emphasize peoples' rights and their ability to obtain assistance and protection. The UNHCR similarly defines humanitarian space in relation to the abilities of both crisis-affected communities to exercise and enjoy basic rights and the ability of the agency to carry out its mandate in a secure and enabling environment. However, reflecting on its specific mandate, it is protection, rather than neutrality, that is central to the UNHCR's definition. Regarding the concept of humanitarian space, the UNHCR Policy Development Evaluation Services Report states the following:

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> *"22.They[UNHCR Staff] argued for a two-fold concept of humanitarian space which incorporates the potential for crisis-affected communities to exercise and enjoy basic rights, and which allows to deliver its mandated activities in a secure and enabling environment. Incorporating the perspective of beneficiaries was seen as an important element which reflect UNHCR`s protection and its commitment to accountability to the population it serves. 23.Accordingly, for the purposes of this paper, a working definition will be applied which links the key elements analyzed above with the specific mandate and activities of UNHCR: 'a social, political and security environment which allows access to protection, including assistance, of populations of concern to UNHCR, facilitates the exercise of UNHCR's non-political and humanitarian protection mandate, and within which the prospect of achieving solutions to displacement is optimized" (Tennant et al., 2010: 4)*

However, the configuration of humanitarian space does not depend exclusively on the perspective of the actors. The diverse contents brought by different agencies transformed the configuration of the space through time and in different contexts. Mark Duffield, in his book *Security, Development and Unending War* (2007) describes the trajectory of the humanitarian agencies in areas of conflict. He claims that, during the height of the Cold War, humanitarian space was severely restricted. Conflicts escalated in the Third World between the 1950s and the 1980s, causing massive humanitarian suffering and refugee flows.

The international humanitarian institutions played a limited and very circumscribed role at this point. Aid organizations were largely relegated to assisting refugees in camps in other countries. UN agencies were not centrally involved in these interventions. A partial exception was the UNHCR, which saw its mandate progressively expand to respond to refugee problems in the Third World from the 1960s onwards. But it was also mainly seen as having a role to play once victims of persecution and conflict had left their countries as refugees. The 1951 Refugee Convention explicitly restricted international protection and assistance to people who had left their country of origin.[18]

Triggered by the Biafran crisis and the growing international refugee crisis during the years that followed, the 1970s saw the beginning of what might be called an

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[18] The 1951 Refugee convention, Article 1A defines the scope of the application of the term refugee.

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international humanitarian system, with the creation of relief departments within donor governments and UN agencies, and an accelerating expansion of the Western-based NGO sector. At that point, many NGOs adopted an explicitly partisan position, supporting a variety of liberation and self-determination movements, seeing themselves as siding with the victims against their superpower oppressors. MSF was originally created in 1971 in a direct reaction to the ICRC position of neutrality and its silence in the face of the atrocities in Biafra.

In the 1980s, the waning of Soviet influence in Africa, combined with a growing sensibility of US and European public opinion regarding the humanitarian suffering in Ethiopia and elsewhere, encouraged the U.S. and other governments to seek ways to assist people in Africa's civil wars. The Ethiopian relief effort allowed the expansion of NGO assistance into both government and rebel-held areas, paving the way for a series of international humanitarian responses at the end of the Cold War, supported and facilitated on the basis of negotiated access. It was indicative of an important but relatively brief period of expanded political space, allowing for more purposefully 'neutral and impartial' humanitarian action. This was a significant departure for the UN, as its agencies directly engaged with warring parties other than recognized governments and in conflict zones in advance of any peace deal. As Duffield (2007: 75) notes, rather than negotiation with Third World States (the modus operandi during most of the Cold War), they pressured Western politicians to find ways so they could act directly to support civilians.

The manifold humanitarian challenges experienced in Somalia and the extreme violence against civilians that unfolded in Northern Iraq, Rwanda and Bosnia in the early and mid-1990s exposed the severe limitations of frameworks of relief-focused 'negotiated access' as the primary form of humanitarian engagement in active conflict zones. These frameworks provoked an abandonment of neutrality and the expansion of peacekeeping in the 1990s. Against this background, a far more robust form of humanitarian intervention began to take shape. A variety of factors prompted this shift, including the erosion of assumptions of non-interference in sovereign states, the growing preoccupation of Western governments with mass refugee flows across their borders and the continuing pressure from Western public opinion.

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The UN Secretary General Boutros Boutros-Ghali's 1992 report, *An Agenda for Peace,* advocated the increased use of UN military force to support a new role for the UN in peacemaking, peacekeeping and post-conflict peacebuilding. In addition, the UN Security Council delegated UN-sanctioned peacekeeping operations to regional organizations, including ECOWAS and NATO (Collinson and Elhawary, 2012: 8). At this moment, critique from the aid organizations was not that UN militarization of the humanitarian space jeopardized the autonomy of their operations. The NGOs claimed, on the contrary, that the political hesitation of national leaders reflected the lack of effective military action to protect people under threat.

The explicit promotion of humanitarian priorities in Western strategic thinking during the 1990s meant that the humanitarian aid sector could not easily resist its growing proximity to their donors' foreign policies. With the events of 11 September 2001, the humanitarian sector suddenly found itself dragged into an ambitious strategy of stabilisation in the context of the 'global war on terror'. Humanitarian objectives were now to play a secondary role to the much more explicit security agenda of Western foreign policy. As argued by Collinson and Elhawary (2012: 9), most of the problems that are commonly attributed to the so-called 'shrinking of humanitarian space' are, in fact, the types of problems that inevitably result from attempts by humanitarian actors to involve themselves directly in large-scale assistance or protection efforts in the midst of conflict. .

2.3 Translating human security into domestic settings

The examination of humanitarian space is illustrative of the questions the dissertation analyses in regard to the use of human security practices. The actors construct and take position in relation to humanitarian space while claiming authority over the same normative references, informed by their particular position within this space.

At this point, in the process of delineating the design of this dissertation, it is important to emphasize how the reflection on government fits within the objectives of the research. Government describes the emergence of a political rationale within which the deployment of human security discourse is involved. Without this, it would be

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impossible to undertake research on the recodifications these statements undergo in time and space, as well as its consequences.

Once these practices of government conceived in the context of the international institutions are created, they are appropriated at different levels. The meaning it will acquire in a specific site will be conditioned by the contextual dynamics. Rose and Miller (2010: 279) refer to the set of procedures that mediate the political rationalities that inform the description of techniques and their operation, 'on the ground' *programmes.* It is in the elaboration of these programmes that experts use their knowledge to condition individual and social conduct in the way they understand appropriate and according to the goals they set.

Human security policies may establish new hierarchies between states at the international level, providing new instruments of control, a process of stigmatization, and grounds for legitimizing intervention. Having said this, the same instruments may transform the domestic context in different ways, as international economic and judicial institutions, different levels of the executive government and groups in civil society translate the larger international discourse to fit their contextual conditions and practices[19]. This raises a further question about how concepts designed by international institutions are transformed when appropriated in other settings.

3. Methodological concerns on the analysis of the narratives of human security

Human security presents different narratives through which the security of the State and the emancipation of the individual can be aligned in one coherent formulation; where they mutually reinforce each other. But to understand what is at stake in a specific statement a method is needed to discriminate the effects resulting from the communication of a discourse of human security and how these are translated in the social space. The following section describes how a combination of archaeology and genealogy provides such a method

3.1 Human security and the concept of archeology

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[19] To discussions of translation as a concept through which security narratives incorporate temporal and spatial sequences as they are deployed in particular sites, see Stritzel 2011a, 2011b.

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To perform such an analysis, the dissertation opts to begin its investigation of human security with an archaeology. In *The Archaeology of Knowledge* (2007) Foucault states that the notion of archive was an instrument of historical investigation conceived to oppose the assumption that words spontaneously translate into things, thoughts or deeds. He posited that discursive practices are organized in 'systems that install the enunciations as events and things' (2007: 146) and that it is this system of statements that he calls an archive. By conceiving the discourse as an archive he intended to avoid the method of deciphering the meaning of statements through the analysis of formal rules of construction, as the linguist structuralists of the 1960s had done. Instead, he claimed that the questions that needed to be asked were not about rules of formulation, but about the events that provide the condition for the existence of statements (Foucault 1991: 59).

An archive is not an abstract logic; rather, it is a factual accumulated existence of discourse, a set of statements that conditions what counts as valid knowledge in a particular circumstance. An archeological study involves looking at this accumulated body of correlated statements and identifying the limits that demarcate a field of relationships through which the discourse is enacted. According to Foucault in *Politics and the Study of Discourse*(1991), there are five sets of limits that can be identified through the concept of archive (Foucault 1991: 59-60). First there are the limits and forms of what is *sayable*, the demarcation of what constitutes the domain of the discourse and the kinds of discursivity associated to it. Besides, there are the limits and forms of *conservation*. It refers to the description of utterances that are reproduced in time and space, identifying those that have been lost with time and how the different formulation circulates in the different social spaces. There are also the limits and forms of *memory*. Here, Foucault refers to the construction of criteria of recognition, the acceptance of a statement as valid or invalid, has being or not part of a given construction. In addition to that, he talks about limits and forms of *reactivation*, how words, expressions, rituals or treatises are revalidated once in disuse, or brought in if external to the discourse. Finally, there are the limits and forms of *appropriation*. The archive provides a specific group of actors with a range of discursive resources that can be appropriated in a number of ways and influence an identifiable audience

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The archive is the locus of the rules and prior practices forming the conditions of inclusion and exclusion that enable certain practices and prevent others from being accepted as 'scientific', or 'moral', or whatever other social rubric grants an enunciation the legitimacy it needs to perform a given desired effect (Flynn 2006: 31). The archive is discourse not only as events having occurred, but as 'things', with their own economies and strategies that continues to function, transformed through history and providing the possibility of appearing for other discourses.

The appropriation of the archive in a specific context creates an event that is productive. This means that the system of statements that compose the archive do more than inform a proper sequence for the articulation and signification of events. They create and define a field in which 'formal identities, thematic continuities, translation of concepts, controversial games' might be developed. The archive works through what Foucault calls a 'historical a priori' (Foucault 2007: 144). It establishes the conditions for the enunciation, categorization and hierarchization of other statements. This presents the discourse as a source of authority but at the same time as open to interpretation and therefore transformation.

These characteristics clarify why an archaeology of human security is a fundamental step in our analysis of the uses of this discourse in the Colombian conflict. It is not possible for this dissertation to understand what is at stake in the strategies and narratives being considered if the field of relationships which is the condition of possibility of the enunciation of these statements is not demarcated. By identifying the limits and forms present in the configuration of the archive, which condition the validation, activation and appropriation of statements; the archaeology enables the analysis of the choices being made (and the ones being rejected) in a given enunciation of the discourse.

However, the question of how the archive is appropriated and how it conditions the actors strategies and the use that is made of this knowledge cannot be answered by an archaeology. Therefore, following on this first exercise, the dissertation provides genealogies of different policies through which narratives of human security are deployed in Colombia.

3.2 Human security and the concept of genealogy

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As Mitchel Dean's (1999: 41) study about governmentality emphasizes, even before Foucault's work, genealogy was a concept used by different authors to deal with the theoretical problems of historical writing. In Foucault's reading of the concept, it is through the way a specific event questions or redirects the narratives that inform the context of its emergence that it becomes significant. This is why he says that, in the case of genealogy, it is important to understand the event not as a decision or a treaty- which are empirical manifestations of a pre-ordered reasoning- but 'as a rapport of force that is reversed, a power that is confiscated, a vocabulary that is retaken and engaged against those who were using it'. 'The forces that are at play in history'- the author concludes- 'do not obey neither a destination or a mechanics, but the hazards of the struggle' (Foucault 2005: 273).

When he chooses genealogy as a methodological instrument in the early 1970s, Foucault tries to make sense of a tendency in the leftist movements of the time to attack metanarratives and teleological reasoning, discourses that claim to encompass the totality of reality. It becomes important to address, as a point of departure, not only the discourse itself and its assumptions, but the narratives that are a product of its deployment. The archaeology represents Foucault's attempt to reconstruct a statement as setting the historical conditions of possibility of the ahistorical validity it is claiming through the event of its enactment. By contrast, with genealogy the object of knowledge is the struggle that results from the event. The objective of a genealogical investigation is 'the constitution of a historical knowledge of the struggles and of the utilization of this knowledge in contemporary techniques'(Foucault 2003: 13)

Foucault engages in this method as a way to expose and question the effects of the institutionalization of the social sciences in the hierarchization of knowledges as well as between the experts who produce knowledge. The author argues that the claim of science to a true knowledge creates a unitary theoretical instance that filters and hierarchizes what is produced in the realm of the humanities.The main purpose of his genealogical investigation is to resist the effects of this centralizing power which results from the deployment of scientific discourse.

In the same way, the dissertation shows that human security produces a unitary theoretical instance through which those articulating the concept feel entitled to identify

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the causes of insecurity of all individuals and groups, as well as how to address it. To understand how human security produces expert knowledge and empowers the actors authorized to provide it, chapters 5 and 6 engage two sets of policies whose objects are constructed by this discourse, in this case the internally displaced and the victim. The genealogies look into past formulations of the given object in order to identify the historical struggles that took place in the formation of a singular arrangement. Bringing this knowledge to the present, a genealogy uses the contingency of past claims to contest the pretension of the universality of present formulations, addressing the political nature of both the continuities and the discontinuities indicated.

Genealogy is an instrument particularly suited to this task because the effect of constructing a discourse based in an image of the human is precisely to enforce one's claim as universal and necessary. A genealogy, by the careful description of its discontinuities, reveals the political nature of the choices made, of the strategies pursued, and even the role played by the attempt to characterize it as a universal formulation.

The articulation of these two modalities of historical investigation allows for a consistent critique of the universalizing effects of this discourse. The archaeology identifies the instruments that grounded the construction of the discourse on human security. The genealogies reconstruct narratives that trace how elements of this archive are appropriated and translated into specific settings. By combining these analyses, the dissertation interprets the policies under consideration not as the application of a technical rationality on behalf of solving a specific problem. Instead, it shows them as processes of subjectivization through which individuals are framed by the subject positions that are imposed on them by the discourse. These positions constrain the way the individuals are able to make sense of their own predicament, as well as the possible solutions to them.

4. Conclusion

This chapter has worked through the epistemological assumptions that underpin the research that follows. The methodology seeks to analyse how individuals affected by the conflict in Colombia were constituted and the consequences for relations between

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the state and other actors during the period of the Uribe government. Human security, as a normative framework, informs the policies implemented in Colombia in regard to the predicament of individuals, specifying its dimensions and what might be done to mitigate their suffering.

The first distinction to be made is between the sovereign prerogatives of national governments and the role of human security in mediating relations of power and authority. Foucault's work on government establishes a basis for a distinction of this kind. As managing populations became a central problem for European monarchies in early-modern Europe, sovereign power came to be understood as one technique of the wider problem of government.

When applied to the analysis of human security, Foucault's conceptual reflection is useful for exposing the exercise of modalities of government at the level of international institutions. The construction of humanitarian space is the result of the deployment on a global scale of agencies that attempt to manage the lives of millions of individuals based on knowledge claims about human security.

However, distinct agencies appropriate this knowledge in different ways according to their institutional path and position vis-à-vis one another. The methodological concern of the investigation is how to analyze specific appropriations of this discourse that are relevant to the dynamics of the Colombian conflict. This study combines different instruments of historical investigation. The concept of archaeology is used as a framework for identifying a body of rules, norms and practices that constitute human security as an archive, the historical 'a priori' of the interpretations and strategies that are pursued by the different actors. In addition, the concept of genealogy is used to identify the contingency of struggles within the discourses of the archive and to question the linearity and assumed universality of the narratives that inform policy in Colombia.

To set the stage for this analysis, the next chapter investigates the armed actors in the country and the relationship between them. It highlights the role of the DSP, which was promoted by President Uribe, and reconstructs, in historical perspective, the processes that were associated with policy formation. The chapter flushes out the role of DSP in the reconfiguration of these relations, to draw a clear picture of the stakes involving the appropriation of human security in this specific scenario.

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Chapter 3

Democratic Security Policy and the Polarization of Society

1. Introduction

Following on from the discussion of the theoretical background, this chapter analyzes contemporary practices in Colombia and their relationship to policy. As stated in the introduction, it is important to make sense of shifts in the government's security policy in order to properly characterize the processes of subjectivization that result from the appropriation of human security.

One of the central features of the DSP is to state, contrary to the readings of previous governments, that the Colombian space is experiencing a military threat, not an armed conflict; and that military threat is fundamentally defined by the use of terrorism as a fighting technique (Ministerio de Defensa Nacional 2003) This move allowed the government not only to de-politicize the operation of the armed groups it was struggling against, but also to exempt itself from the possible constraints imposed by the rules of international humanitarian law. Once this threat was named, the priority of the country's national security, the Uribe government moved towards a close alliance with Washington in his proposal for a global war on terrorism (White House 2002).

This chapter contextualizes the country's security policy through a presentation, in historical perspective, of three processes in which it was deeply involved: the formation and consolidation of the Colombian armed forces; the role of the country's relationship with the United States on security issues; and the manifestations of civilian armed groups of paramilitary orientation and their relationship with the official forces.

The argument is structured in three parts: first, it discusses the formation and consolidation of the Colombian army and its social role. Second, it describes the role of U.S. policy toward the region, emphasizing the importance not only of the position of governments, but also the cooperation between military forces and the implications of these policies for the establishment of civilian armed groups in Colombia. Finally, in the

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third section, it examines the phenomenon of paramilitarism in the country and the different forms it has taken up to the present time. In the final remarks, the three elements form an argument that what mostly clearly demarcates the shift promoted by Uribe is how this strategy deliberately invests in the polarization of society. This allows for the observation of important continuities between the DSP and National Security Doctrine (NSD), the set of guidelines that set the parameter for counterinsurgency in Latin America during the Cold War.

2. Formation and consolidation of the Colombian armed forces

The concern in Colombia with the formation of a professional army dates from the end of the Thousand Days War (1899-1902). The country had watched the independence of Panama with the help of the United States (Avilés 2006: 26). Despite resistance from political forces, mainly the conservatives, who saw in the army ranks a privileged space for the exercise of their influence, a debate settled in society about the role of the national army in the early twentieth century. President Rafael Reyes (1906-1910) took steps that were aimed at modernizing the armed forces. Among them, he significantly reduced the contingent, reorganized the deployment of troops and devoted part of them to public works in order to justify its budget and bring it closer to the population. However, the key step towards the professionalization of the institution would be sought by building a school for cadets, with teachers hired through the creation of a Chilean mission (Cruz 2009).

As reported in Cruz (2009), the three Chilean missions and the Swiss mission hired to train the Colombian army between 1906 and 1930 failed in general terms. The work of the missions ended up being blocked by social and partisan practices. The author in his conclusion is incisive in his diagnosis of the situation:

> *'The failure of the professionalization of the army at this stage should be sought in the very discourse of society. In the early twentieth century, in the political sphere the democratic imaginary was not consolidated. On the contrary, the continuing civil wars of the nineteenth century, as well as the action of parties and regional elites, seem to reproduce the image of a fragmented nation where the capacity to exercise ownership and power passes through the assault on weak state institutions. The explanation about*

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> *the ambiguities of conservative hegemony with respect to the process of professionalization of the army may find in this its fundamental ground: the national army is one more element to be placed in the balance of power (Cruz 2009: 192-193)'.*

What gave the decisive impetus to the professionalization and expansion of the activities of the Colombian army was the intensification of social conflict in 1930s and 1940s (Rouquie and Suffern 1994). However, the gradual acquisition of a professional ethos specific to the militaries, detached from the rules of partisan competition, did not happen without incident. The first occasion on which the military intervened in national politics was during the failed coup against Alfonso López Pumarejo in 1944. When he reassumed the presidency in 1942, sectors of society such as the Church, the Conservative Party and even members of his Liberal Party articulated themselves in order to prevent him from reentering the reformist platform of his first four-year term (1934 - 1938). His reputation with the military had deteriorated when he arrested and shot the Secretary-General of the Ministry of War, an important career officer. Yet the coup was short lived because the colonel who led the mutiny was easily isolated, and the initiative failed (Palacios 2006: 116-120). The relationship between the armed forces and the other groups within society rapidly normalized after the incident.

Both the conflicts that marked the period of La Violencia[20] (1948-1966), as well as the subsequent clashes with the guerrillas and other armed groups concentrated in rural areas of recent colonization. Those were the areas persecuted groups were heading for once they lacked the presence of state forces. During this period, the military played an important role in assisting landowners and cattle ranchers who were located in nearby regions. The military not only worked towards the containment of the guerilla movement, but also in controlling social unrest in the urban areas. Alongside this

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[20] La Violencia refers to a period of Colombian history that is often defined between 1948 and 1966. It is a period characterized by the intensification of violence and political persecution in the country to levels hitherto unprecedented in its independence history. What triggered the violence was the death, in 1948, of the political leader of the Liberal Party Jorge Eliecer Gaitan. Gaitán was assassinated during a mass rally at the Ninth International Conference of American States in Bogotá (Bushnell 1993: 202), in what became known as the Bogotazo. Immediately after the incident, the streets of Bogota were the scene of violent confrontation, with outbreaks of looting and clashes between demonstrators and police (Palacios 2006: 29). From there, the violence spread to the countryside and then throughout the country, justifying an almost permanent state of siege during the years that followed the Bogotazo (Palacios 2006: 125-130)

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process of repression, there was government persecution towards unions that multiplied with the growth of the contingent of workers (Avilés 2006: 30).

The demand for containment of the growing political unrest led to the creation of the national police force in 1950, during the government of Laureano Gómez (1950-1953). The new force was directly accountable to the Minister of Interior, and was used on several occasions in the service of political persecution. Many cities predominantly liberal were raided by police deployments whose members were recruited in cities of solid conservative hegemony. Retaliation usually followed in the form of an armed liberal response, be it against the police force or against neighboring communities where they were recruited (Palacios 2006: 159).

The creation of the national police in 1950 shows the same process of the field of partisan competition over determining the behavior of the police forces that marked the trajectory of the army before the 1930s. However, at this moment the army, though also directly involved in the repression of social movements, had gained institutional autonomy to such an extent that they had differentiated themselves from the interests of the professional politicians. The attempt to involve the police as an element in the dispute between the political elites generated, very differently from the beginning of the century, an increase in the tension of civil-military relations. Besides, along with the discontentment of military sectors, the violence in the country was escalating, which strengthened the opposition against the president.

General Rojas Pinilla staged a coup on 13 June 1953, with support from most sectors of society (Palacios 2006: 144-150). Once in power, he resorted to repressive measures to solve the problem of the social revolts that arose in different parts of the country. His administration intensified the process of criminalization of social movements. Rojas Pinilla's Statute of Security in 1955 indicated thirty-two categories of 'social danger'; some of these concepts were traditionally established by the criminology of facist Italy of the early century, such as vagrancy, begging, gambling and pimping. Others were simply inaugurated by the statute, such as the notion of 'illegal urban development' (Palacios 2006: 244).

However, despite the legitimacy provided by the mobilization of the anti-communist discourse in the Cold War scenario, the military government was unable to accommodate political forces concentrated in the traditional parties.

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Moreover, its emphasis on the consolidation of a labor movement generated strong controversy. Through this policy the President pursued, first, to contain the revolts that resulted from the infiltration of communists in the union movement, and, secondly, to co-opt them in order to gain political power and leverage in his dispute with the political elites. However, because of this approach towards the unions, he ended up being associated with a populist rhetoric and was therefore viewed with suspicion by the Americans (Bushnell 1993: 219).

To the extent that the non-sustainability of the military regime was made clear, a new engineering had to be considered for working out the relationship between civilians and the military. In the negotiations that resulted in the National Front Government (1957-1974), civilian leaders emphasized the importance that military leaders remain aloof of political affairs and matters of state. In compensation, the military demanded greater autonomy in the conduct of security affairs in order for the rationality of its operations not to be compromised by the setbacks of partisan dispute (Bushnell 1993: 35). This political engineering eventually proved to be of great institutional stability. The military refrained themselves from intervening in the political process on one hand, but on the other hand they increasingly polarized society, strengthening their role in demarcating the border between conventional politics and subversion. In 1980, more than eight thousand Colombians were arrested for political reasons, most of whom were to be tried in military courts. During this period there was a significant increase in forced disappearances and allegations of torture committed by military officials reported by human rights organizations (Avilés 2006: 42).

The 1980s were marked by a gradual subordination of the military to civilian authority. After the security statute of Turbay Ayala (1978-1982), considered by historians such as Avilés (2006) and Palacios (2006) to be the apex of political repression in Colombia, the government of Belisario Betancourt assumed a reformist platform. Perogatives the military enjoyed until the late 1970s, such as training and arming civilians with self-defense patrols, and trying civilians in military courts, were revoked by Supreme Court decisions and presidential decrees. However, they retained control over the Ministry of Defense, the intelligence agencies and the military justice system (Avilés 2006: 47).

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In the 1990s the conflict as well as activities related to drug trafficking reached unprecedented levels. The Colombian context presented itself as particularly troubled in the field of political violence. After demobilizing various armed groups involved in negotiations that included their participation in the Constitutional Assembly of 1990, the election that followed was marked by the murder of three presidential candidates in an election that would be won by the Liberal politician César Gaviria (1990 – 1994) (Pizarro 2004: 93). The attacks on major facilities of the drug cartels, and the attempt to extradite their leaders to the United States, generated violent responses from these groups.

However, these events were unable to prevent the 'modernization' of the relationship between civilian and military, and the deepening of reforms that began in the 1980s. They established civilian control over instances like issues of military justice and privileged access to military jurisdiction[21]. Notwithstanding this, the situation also caused the intensification of paramilitary activity in the country, and a demand by the civilian population to continue arming itself privately to face the increasing sense of insecurity (Avilés 2006: 96).

The program which was a central variable in the transformation of this equation was Plan Colombia, created during the government of Andres Pastrana (1998-2002). The plan was estimated at US$ 7.5 billion, to be divided among a large group of donors over five years (Avilés 2006: 130). The final proposal, drafted in 1998, focused on programs of redistribution and expansion of the government's support to areas that had long been neglected by the Colombian state. The Pastrana administration designed it as a counterinsurgency plan to consolidate state presence and state support among some of the areas where the presence of the guerrillas was intermitent. However, this design did not converge with the priorities of the U.S. agenda. As the main sponsor of the program, the U.S. priority was to provide Colombia with instruments to combat coca cultivation and production. Within one year's time the first proposal was dropped and

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[21] Although the military were successful in that the 1991 Constitution did not intervene in their privileged rights to military jurisdiction, existing agencies, led by civilians as well as officials- created by the 1991 Constitution, had the prerogative to investigate the militaries accused of violations human rights. Many human rights cases involving militaries were initiated by the prosecutor. The Office of the Attorney General was invested with the responsibility of bringing charges against members of state forces, including members of armed forces. He started to have the right to investigate human rights violations and to order the removal of the members of the armed forces, national police, and anyone at the service of the state responsible for such violations (Avilés 2006: 95).

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replaced by another, which emphasized military action in coca-growing regions as well as modernization and general strengthening of the armed forces.

Out of the U.S.$ 1.082 billion invested by the Americans in this new version of Plan Colombia in 2000 and 2001 (while Pastrana was still in office) over five years, U.S.$ 870.682 million was earmarked for Colombian armed forces, which included equipment and the training of three anti-narcotics battalions[22]. This assistance was provided even to groups with known or suspected links with paramilitary groups or that had been accused of human rights violations. The plan included a procedure that allowed the U.S. President to contour the conditionalities associated with the monitoring of the human rights situation in countries receiving U.S. support, such as the Leahy Amendment[23]. The claim was that the provision of this aid was in the interest of U.S. national security (Avilés 2006: 130). The resources coming from Plan Colombia allowed for the re-equipping and improved training of the armed forces, starting the expansion that would intensify during the Uribe government. It was Plan Colombia that enabled the army to reassume an offensive position within the dynamics of the conflict.

The administration of Alvaro Uribe not only greatly increased public spending on the military budget, but also implemented other strategies as part of its Democratic Security Policy, taking the conflict into the dynamics of civil society. At first through executive decrees, and then through anti-terrorism legislation, Uribe began providing military authorities with police powers[24]. On 11 August 2002, five days after taking office, Uribe use the power conferred on him by Article 213 of the 1991 Constitution to issue a decree declaring a 'state of internal commotion' in Colombia[25]. Using the prerogatives granted by this decree, Uribe issued an additional decree on 9 September 2002, creating the Zones of Reconciliation and Consolidation (ZRCs). The decree demarcated the areas where the emergency powers of the police and the military would be exercised in order to allow for a more dynamic and efficient performance of the

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[22] These numbers are displayed in Ramírez 2011: 111

[23] The Leahy Amendment was originally introduced by Senator Patrick Leahy as limiting the executive order to support foreign operations. The amendment was intended to prohibit U.S. assistance to foreign military forces "against whom there are credible allegations of gross violations of human rights"

[24] The evaluation of the Uribe years, its legacy for the political world and its consequences for the conflict in Colombia is one of the most important controversies in public debate today. Important assessments of those dilemmas can be found in Angariata 2011; Ballén 2010; Medellín 2010 and Rangel 2010.

[25] Decree 1837 from August 11, 2002. It provided the government with some exceptional powers (specified subsequently) for a period of 90 days, a limit imposed by the constitution. Along with this declaration, he also signed Decree 1838. This document also allowed for the creation of a tax that would be used to finance the counterinsurgency effort of the Colombian government.

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public forces. Decree 2002 granted police powers to the military, the national police and the DAS (Department of Administrative Security, Colombian Intelligence) throughout the national territory and especially, in the Zones of Rehabilitation and Consolidation (ZRC). It conceded further exceptional powers to the military forces, the governors and the mayors in the ZRC, and also provided exceptional measures for dealing with foreigners[26].

In the earlier years of the Uribe government, there was a notable expansion of the activities of the army throughout the country. However, this expansion had been accompanied by a series of controversies. Several groups have criticized the arbitrary action of the Colombian forces, emphasizing the seriousness of its consequences, and pointing to the repeated violations of human rights and international humanitarian law (Latin America Briefing 2009: 2).

Over time, and despite the huge popularity of the government, the President and his security policy, the excesses committed by the Colombian armed forces and the very brutality of the government regarding its opponents began to undermine them. In 2008, the Colombian media denounced the behavior of the armed forces. Investigations confirmed that there was a systematic process of production of the so-called 'False Positives'[27]. As a result of the scandal from these complaints, on 29 October 2008 the government removed twenty-seven officers permanently from the army, including three generals and four colonels, besides demanding the resignation of the Army Commander General Mario Montoya (Latin America Briefing 2009: 8-9).

Another recent scandal involving government security professionals were allegations that the Department of Administrative Security (DAS), the intelligence service that reports directly to the President, had orders to monitor the activities of judges and opposition politicians, as in the case of Sen. Gustavo Petro Urrego, for 'possible ties to terrorist organizations', without having any judicial authorization to

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[26] The government tried to extend their exceptional powers as long as possible. With Decree 2555 from November 8, 2002, the government extended the demarcation of the ZRCs for another 90 days. With Sentence C-063 from February 4, 2003, the Constitutional Court declared the government decree to be in accordance with the constitution. Uribe yet tried to further extend it with Decree 245 from February 5, 2003, but the Constitutional Court declared this decree unconstitutional through Sentence C-619 from April 29, 2003, putting an end to the ZRCs).

[27] False Positives are murders of innocent citizens, presented by the public forces as killings of members of illegal armed groups, in order to inflate the casualty count and thus improve the image of efficiency of the army. This also allowed them to get promotions and financial rewards. 'Positive' is a euphemism used by Colombian officials to refer to the death of a guerrilla or paramilitary fighter. For examples of denounces made during the period, see El Tiempo 2008a, 2008c.

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conduct such an investigation (El Tiempo 22 Oct 2008). An additional difference some analysts stress regarding Uribe's first and second term and his DSP is in the tactical terrain. The logic of the first large military operations performed during the first year of the DSP, such as Operation Órion and Operation Freedom, were structured through the assemblage of entire brigades. A joint military command organized these brigades to engage in open confrontation against the organized military structures of the FARC guerrillas, which were organized in fronts. In Uribe's second term, the program went through a thorough review. A group of Israeli advisors was hired to help develop a more efficient strategy[28]. After that, the Colombian Armed Forces started to emphasize special group operations, with much smaller units having more specific objectives, and more extensive use of intelligence and missions to be executed in a specific period of time. Some of these missions provided the most important achievements of the DSP: the operations that killed Raul Reyes, Mono Jojoy and the rescue of the former Presidential candidate Ingrid Betancour.

3. The Role of the United States

The role of the Americans in the contemporary configuration of the Colombian conflict began with a diplomatic alliance between the two countries after World War II. Colombia was the only country in Latin America to send troops to the Korean War, where its soldiers became familiar with the counterinsurgency tactics and tools that were being used by the U.S. in the struggle (Palacios 2006: 115). Moreover, the U.S. ambassador publicly supported the authoritarian measures of President Mariano Ospina Perez. Faced with growing levels of violence in the country, Ospina frequently resorted to the army to restore control. Similarly, the newly created police force was largely used as a repressive instrument (Avilés 2006: 30).

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[28] The first term of the Democratic Security Policy achieved results that allowed Uribe to show to the Colombian people that he was making good of the promises he made during the campaign. It specifically and strategically aimed at very specific indicators, which were very sensitive to the Colombian public opinion: the attacks against the public facilities and infrastructure and specially the kidnappings (Rangel 2010: 61, Medellín 2010: 125). However, the authoritarian way in which he proceeded governing through presidential decrees, and the implications of the 'state of exception' established in the ZCRs in terms of systematic violations of human rights made the government's policy target of several organizations, such as the UN High Commissioner for Human Rights(UNHCHR) (see report of the United Nations High Commissioner for Human Rights on the human rights situation in Colombia in 2003 (UNCHR, 2004). Even outside the ZRCs, the government was criticized for the massive number of arbitrary arrests, and the increase in extrajudicial killings(Medellín 2010: 157-160)

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In the aftermath of World War II, for the first time, two American military missions came to Colombia as consultants to assist its navy and air force (Palacios, 2006, p.116). Behind the American support for Ospina Perez was the promotion of the so-called National Security Doctrine (NSD) and the importance attached to the 'fight against communism'. This often meant support for authoritarian regimes through economic and military assistance (Avilés 2006: 37).

The National Security Doctrine emerged within the post-World War II era and was associated with the strengthening of the U.S. role in the security policy in the region. The NSD was institutionalized through documents such as the Rio Pact of 1947 and the Charter of the Organization of American States in 1948 (Hernandez 2009: 222-23). It is an interrelated set of concepts that emphasizes internal over external security. It did not necessarily deal only with military aspects, but incorporated a series of measures of social development in order to undermine the support base for insurgent groups (Avilés 2006: 38). Yet it is necessary to emphasize that the articulation of any development policy took place inside a strategy that was based on the authority of the military to identify and access the 'nature' of the subversion. Most of these plans were carried out through the implementation of a 'permanent state of exception', which gave ample powers to the executive and the military to carry out such actions as the trial of civilians before military tribunals, the military training of groups of self-defense in the rural areas, the establishment of 'zones of public order' and the intensification of military operations against the guerrillas (Hernandez 2009: 226).

In 1952, Colombia and the U.S. signed the Agreement of Mutual Defense Assistance, through which the Americans agreed to provide military assistance to Colombia in order to 'maintain peace in the Western Hemisphere' (Palacios 2006: 163). The results of this alliance with the Americans kept reverberating during the 1960s. One of the results of this alignment was the Plan Lazo. The plan incorporated the planning of public works and the supply of arms and the training of civilians in self-defense patrols. These programs, involving the arming of civilians, were substantially sponsored by the U.S. Agency for International Development (U.S.AID) and programs from the American Department of Defense, with no relevant contribution from the Colombian domestic budget (Avilés 2006: 38).

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The support of U.S. policy on the arming and training of civilians in Colombia resulted in increased paramilitary activities in the country. In 1962, the U.S. military also recommended that the Colombian soldiers select civilian and military personnel to perform clandestine training for counterinsurgency operations, in which they were used for paramilitary operations, tactics and sabotage activities against known communism proponents. (Avilés 2006: 106, Human Rights Watch 1996: 12).

From the 1980s onwards, the direction of American foreign policy in relation to Colombia and other Andean countries took a decisive turn toward the discourse of the 'war on drugs'. In April 1986, then President Ronald Reagan issued a National Security Decision Directive in which he qualified drug trafficking as a 'lethal' threat to the security of the United States (Avilés 2006: 47-48). Despite the new focus, this shift of policy emphasis was made throughout the continuity of some of the core practices prescribed in the National Security Doctrine: maintenance of the priority of fighting the internal enemy, the use of paramilitary units and support for establishment of information networks which counted on the participation of civilian population. In 1989, the American Central Intelligence Agency devoted a quarter of their budget in Latin America for the war on drugs, and the U.S. Army Special Forces were allowed to accompany Colombian forces in training anti-narcotics patrols[29].

During the Gaviria government, the United States deepened their involvement in supporting the security services in the Andean region. The centralization of security services was seen as particularly central in the war against drugs. Therefore, the application of such guidelines in Colombia led to the creation of thirty-four urban and rural intelligence networks. In fact, in 1991, U.S. special forces sent members of its staff to each of the fourteen regional bases of the Colombian National Police (Avilés 2006: 101).

However, during the 1990s, a dissonance emerged between the discourse of the U.S. State Department and the Department of Defense. The outgrowth of the lobby for human rights organizations inside the United States began to obstruct the military cooperation with Colombia and other countries. The State Department accused the Colombian armed forces of supporting paramilitary groups, with evidence that these groups had conducted massacres and other systematic violations of human rights.

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[29] Between 1988 and 1991, the U.S. military aid to Colombia increased seven times (Avilés 2006: 49).

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Based on reports from the State Department, American Congressmen sought mechanisms to restrict and impose constraints on American support to such activities. It was in view of these legislative provisions that the State Department, in 1997, demanded that the Colombian government sign an agreement committing itself to all units receiving support from American military should be thoroughly evaluated in their compliance with human rights standards. In Colombia, opposition to the agreement caused the resignation of the Ministrer of Defense Harold Bedoya. The ministers who succeeded him supported the terms of the treaty on behalf of the executive, but were strongly criticized by several groups inside the Colombian military which opposed compliance with its terms (Avilés 2006: 101).

After very tense relations with the government of Ernesto Samper (1994 – 1998), which was eventually weakened by internal and external charges of illicit campaign financing with money from drug trafficking, President Andres Pastrana took office with strong U.S. support, which raised the value of U.S. funding for Colombia to unprecedented levels. In 1998, Colombia became the third largest recipient of U.S. aid, behind only Israel and Egypt. The American contribution to Plan Colombia, and the central role they had in its reformulation clearly reflects the extent of its influence on the formulation and implementation of security policy in Colombia in the period. In turn, no other country had so many soldiers being trained inside the U.S. nor so many special troops being assisted, as was the case with Colombia (Pizarro 2004: 268).

Between 2000 and 2004, U.S. assistance underwent a transformation. Initially, military aid was designed primarily to address the war on drugs. Despite the fact that Pastrana's own agenda was more concerned with the strengthening of the Colombian forces in the struggle against the insurgency, the U.S. officials continually restated that the fight against drug trafficking remained the central theme of the bilateral agenda between Washington and Bogota (Pizarro 2004: 269). But with the events of September 11, Washington's foreign policy tended to turn to the establishment of a worldwide coalition against terrorism, and opened the gates for the direct use of these resources in a strategy that was deliberately focused on the repression of non-state

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armed groups[30] (Pizarro 2004: 257). In fact, after 2001, the Bush administration refused to apply such devices such as the Leahy Amendment in the support he offered to the Colombian Armed Forces[31]. Starting in 2007, the United States announced that it would be progressively reducing its contribution to Plan Colombia. Colombia started a restructuring of its budget, taking year after year a larger share of the payment so no activity would be interrupted, but instead would be covered by the national budget (Ramírez 2011: 53)

A sequence of events illustrates clearly the new government's attitude and the loss of influence of the human rights lobby in the U.S. On 10 December 2008, when Colombia underwent a periodic universal revision by the Human Rights Council in the UN, the resulting report harshly exposed much of the criticism that had already been made to the Uribe administration on human rights (El Tiempo 2008e). However, in the following month, on 12 January 2009, the then U.S. President, George W. Bush, honored Alvaro Uribe with the Medal of Freedom, the most important award that can be offered to a civilian in the U.S., for the exemplary role the Colombian Security Policy represented for the defense of freedom in the world (El Tiempo 2009).

With the rise to power of the Democratic administration of Barack Obama, these trends tended to be maintained, although the ideological alignment was not as automatic as the one between Uribe and Bush. Obama revised the U.S. national security strategy in order to unlink it, deliberately, from the rhetoric of a 'war on terrorism' (White House 2010). But its support to the Democratic Security Policy continues, and the military cooperation between the two countries is frequent. Episodes such as the collaboration with Americans in the complex operation that resulted in the death of Raul Reyes (El

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[30] In 2001, Colombia and the United States signed the annexes of Plan Colombia that allowed for the strengthening of the technical and operational capacities of the public force in the fight against drugs. Later, during the Uribe Government, a new annex was signed which included explicitly, as part of the goal of the cooperation, the fight against terrorism, which permitted the design of operations such as those of the Plan Patriota. Under these new terms, the cooperation with the United States allowed the instructions of pilots and technicians for the Air Brigades of the Arm and the National Police, the creation of the Joint Command of Special Operations and the Army's Counter-Guerrilla mobile Brigades(Ramírez 2011: 47-50).

[31] In 8 November 2001, Mark Souder, Chairman of Action Group against Drugs from the chamber of representatives of the United States, after a meeting with President Andres Pastrana, stated that the line that could exist between insurgency, drug trafficking and terrorism had totally disappeared, and therefore resources earmarked for anti-narcotics policies could be used to combat the FARC, ELN and AUC, if the Colombian government so chose (Pizarro 2004: 277).

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Tiempo 2008b) and the agreement involving the transfer of Colombian military bases[32] indicate that continuity.

However, critics of the Colombian government's policies inside the United States were trying to strengthen the opposition by fighting back in other dimensions of their bilateral relations. It affected, for example, negotiations regarding the Free Trade Agreement (FTA) between the two countries. The treaty has been particularly important for the Colombian economy, and the negotiation process has been dragging itself for years. Many analysts argue that it is the fruit of the Democrats' resistance to the country's security policy (El Tiempo 2010). This treaty was finally signed by President Juan Manoel Santos, who succeeded Alvaro Uribe, in 2011.

4. Paramilitary groups and other armed militias

Several irregular groups besides the guerrilla movements can be identified in Colombia, particularly since the time of La Violencia: assassins, death squads, several kinds of private armed formations, and self-defense groups of paramilitary orientation[33]. Their origins in most cases had to do with the need to defend groups of landowners and farmers who were victims of attacks and practices of extortion by the insurgents. There was also the motivation to organize groups to meet the protective services that these guerrilla groups sometimes provided. Both guerrillas and paramilitary fulfill protective functions in some regions (Rochlin 2003). However, as Sanchez (2001) exposes, these groups go back to a period prior to La Violencia, and its

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[32] In July 2010, The United States proposed Colombia a 'Complementary Agreement or Cooperation and Technical Assistance in Defence and Security. The most important part of this agreement was the concession of a military base 40 inside Colombian territory, with which the Americans intended to replace the base they had in Manta, Ecuador, whose contract would end in December. The issue generated a huge controversy inside and outside the country. Even inside the Army there were those who saw the disposition of a whole base to American troops as compromising Colombian sovereignty(they would review the agreement afterwards for the partial concession of seven bases, with Colombian troops also operating in all of them). Other Latin American government, such as Venezuela and Brazil, also complained, suspicious of the implications of the Americans(Reboledo 2011: 119).
[33] There is an extensive literature on the issue of paramilitarism and the conflict in Colombia. Important academic works include Avilés 2006; Cubides 2001; Garcia-Peña 2005; Gutierrez and Baron 2006; Hristov 2009; Medina 1990; Reyes 2007; Romero 2000a, 2000b, 2002; Sanchez 2001. It is also worth mention the important investigative work of political journalist Claudia Lopez in denouncing the activities of paramilitaries and bringing the issue to the attention of public opinion. Claudia Lopez, was one of the first to denounce the scandal of 'parapolitica', discussed on note 38.

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contemporary configuration was transformed by the implementation of the National Security Doctrine:

> *'The self-defense groups had different historical roots. These include private armies that met an important role in the civil wars of the nineteenth century, various forms of private police that the landowners used to oppose the agrarian conflict in early [twentieth] century and, more clearly, the anti-guerrilla groups formed during bipartisan confrontation in the 1950s. However, speaking specifically about their current configuration, the self-defense groups are a typical product of the well known doctrine of 'national security' that spread throughout Latin America during the years 1970 and 1980 as part of a global strategy against communism. In Colombia, self-defense groups received initial support from associations of cattle ranchers and drug traffickers, who were the youngest and some of the largest landowners in the country. With time and the collapse of communism, the dynamics of these self-defense groups, as well as with the guerrillas, became a project less ideological and more pragmatic, involving conflict over territory and resources (Sanchez 2001: 21)*

During La Violencia, the Conservatives began a campaign of intimidation against liberal politicians, murdering people, burning party offices and destroying newspapers. This was done with the help of pajáros, political assassins who were active in the region since 1947. Violence spread in the early 1950s, due in part to complicity of some military chiefs with the local Conservative leaders in the financing of pajáros[34] (Palacios 2006: 165).

The use of these irregular defense groups was expanded in 1961 and endorsed by law in 1965 - and again in 1968 (Palacios 2006: 190). Laws enacted in 1965 and 1968 allowed citizens to bear arms and entitled them the initiative to organize themselves militarily with the help of the armed forces.

> *'The organization of self-defense groups has been incorporated in military textbooks that emphasized the importance of a network of self defense, and using these groups to "search, control and destruction operations". Training manuals from 1969, 1979, 1982 and 1987 emphasized the importance of organizing the civilian population. The self-defense groups*

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[34] In the mid-twentieth century, it is estimated that 200 of such groups were operating in the country (Palacios 2006: 160).

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> *would support military combat operations against the 'subversion' through the compilation of intelligence information, conducting counterinsurgency military operations, and / or acting as guides for military attacks (NCOS, 1995, p.21-27). These training documents recommended that peasants perceived as suspicious should be threatened in order to leave or would be referred to as 'the enemy' (ibid, p.14-15). The regulation for anti-guerrilla combat EJC3-10, 1987 emphasized that the potential subversives include 'employees, students, peasants and political movements, etc.. ', consistent with the concept of National Security Doctrine of 'enemy within' (Centro de Investigación y Educación Popular, 2003, p.1)' (Avilés 2006: 107).*

In the late 1970s and early 1980s, different kinds of armed organizations appear as a reaction to the strengthening of the guerrilla groups in the country.

> *'Still during the 70's, death squads appeared in Cali, Medellin and Pereira, dedicated to the 'hygiene social'-in other words, extermination of so-called dispensable, including street children, beggars, prostitutes, petty criminals and homosexuals. The notion of 'desechables' [disposables] indicates a clear fascist mentality both in sectors of the middle class as well as the ruling class' (Palacios 2006: 241).*

When relatives of drug dealers were kidnapped by the guerrilla group M-19 in the late 1970s, their families decided to react, recruiting supporters and establishing the first modern paramilitary organization in Colombian history: the group Death to Kidnappers (Muerte a los Secuestradores-MAS), founded in 1981 (Avilés 2006: 108, Palacios 2006: 199).

The formation of death squads, according to Palacios, reached a significant institutionalization during the 1980s[35]. The young criminals considered most promising were sent to a school for assassins in Medellín, where they were prepared to join the elite shooters of the drug cartels (Palacios 2006: 241).

In the late 1980s, given the pressures on the government for measures to be taken to control the violence plaguing the country, President Virgilio Barco repealed Law 48 of 1968, which authorized the armed forces to form self-defense groups, and

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[35] It is necessary to differentiate a paramilitary group from a death squad. In the case of the former, despite its illegal nature or its irregular action, they are structured organizations, with central command and explicitly defined functions. The latter are informal groups, with flexible structure, no base or known composition. Its composition corresponds exactly to the need to preserve the identity of its members (Pizarro 2004: 116).

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established Decree 1194 of 1989, which foresaw imprisonment to those who financed or promoted paramilitary groups (Presidencia de la República 1989).

However, in the 1990s, in face of the growth of guerrilla groups, the agrarian elites and sectors of the army pressed for a policy that allowed for the construction of civilian militias to return. Decree 1194 stipulated that the army could not directly arm civilian groups of self-defense. Therefore, the new Decree 356 of 1994, signed by President Cesar Gaviria (1990-1994), allowed anyone with authorization from the Ministry of Defense to arrange for their own security. To regulate this process, the government created special services for surveillance and security, the legal basis for the Community Associations of Rural Surveillance-CONVIVIR. These organizations were supposed to be limited to a defensive role, supporting the military with intelligence work in local communities.

Between 1994 and 1997, more than 500 CONVIVIR were created, which meant more than 10,000 armed men. One of the most enthusiastic supporters of this project was the then governor of Antioquia, Alvaro Uribe. Regulation of these organizations was almost nonexistent, since, according to Avilés, the government devoted few resources to the work of supervision. A series of reports from different international organizations indicated human rights abuses by those organizations involved in the programs and evidence of links between CONVIVIR and paramilitary groups. After a point, international criticism was even heard coming from the United Nations, and in view of that the administration of Ernesto Samper suspended the creation of new associations (Pizarro 2004: 118-119).

Alongside this process, the paramilitaries in Colombia began to intensify and centralize their activities. At the end of 1994, through the leadership of Carlos Castaño and his United Self-Defense Groups of Urabá and Cordoba, the First National Conference of Self-Defense Groups took place. Three years later, at the First National Conference for Leaders and Commanders of the Countryside Self-Defense Forces, they formed the Autodefensas Unidas de Colombia (AUC), with a single direction and a national staff set (Pizarro 2004: 122). After the creation of the AUC, paramilitary activity in Colombia experienced a radical expansion. It grew uninterruptedly until 2003 when, during the presidency of Alvaro Uribe, a process of demobilization of these groups took place. The process conceded that the paramilitaries

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willing to negotiate their demobilization would be provided a demilitarized zone where they could conduct their negotiations without fear of being arrested and extradited to the United States on charges of drug trafficking (Avilés 2006: 137).

The Congress approved in June 2005 the Justice and Peace Law, which regulated the involvement of paramilitaries in civil society, signed by Uribe the following month. This law guaranteed for the AUC a political status that was denied the FARC under the label of 'terrorist group'. But the demobilization of the paramilitaries itself had begun in November 2003. In 2007, Uribe announced that more than 30,000 former combatants were demobilized: specifically, 30,944 in 37 acts of demobilization (Oficina Alto Comisionado para la Paz 2007: 92).

However, along the way between the first talks in Santa Fe de Ralito and the Justice and Peace Law, the relation between the government negotiators and the paramilitaries got strained. In April 2005, when the issue of extradition was forced into the Agenda by the public opinion, the political spokesman of the AUC Ivan Duque, alias 'Ernesto Baez' threatened to 'return to the mountains'. But with the setting of the terms of the JPL, Baez was brought back to the table. He claimed that handing out the weapons was a new phase for his organization, which had already penetrated the 'political process, building regional and local power structures', and would now form a democratic movement, one that would 'provide voters an alternative' (Hylton 2006: 116-117)

However, this process had been severely criticized, especially by human rights activists. The reports of Humans Rights Watch warned that the assessment and accountability components of the demobilization process were very careless, and that the influence and information networks that these groups built were not dismembered, and that there was no serious investigation to dismantle the sources of financing of these organizations, usually linked to drug trafficking[36]. According to Human Rights Watch, the result of implementing the Justice and Peace Law is that the paramilitaries did not confess their crimes, did not reveal in many cases relevant information about how these groups operate, nor obliged them to hand over their illegally acquired wealth (Human Rights Watch 2005: 2).

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[36] Researchers who further explore the role of drug trafficking in the conflict in Colombia are Camacho 2006, 2007; Holmes, Gutierrez and Curtin 2010; Labrousse 2010; López 2006; Pecault 2001; Reina 2001.

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What has been consistently reported since this demobilization process took place is that new paramilitary groups are emerging, and precisely in the areas where coca cultivation is increasing (Latin America Briefing 2006). There is growing concern inside and outside Colombia about the continuity and growth of paramilitary forces, particularly in northern, southeastern and eastern Colombia. These groups are involved in various criminal activities, notably drug trafficking, and the recruitment, by force, of increasing numbers of paramilitaries who leave the Disarmament, Demobilization and Reintegration program of the government. These new groups have also intimidated and murdered leaders, representatives of victims in criminal proceedings against paramilitaries, members of women's rights groups, trade unionists, human rights defenders and prosecutors, especially those who have been working on cases of reparations for victims of paramilitaries (Latin America Briefing 2009: 3).

To analyze this new configuration under this light suggests that the process of demobilization ended up offering a criminal enterprise some veneer of legality. In fact, the point is that in doing so, the control over the dissemination of these groups and the reach of their local and regional power networks is even smaller[37]. The journalist Maria Jimena Duzan, in an article for the newspaper El Tiempo, summarizes the dilemma:

> It's probably not politically correct in this 'Joseobdulesque'[38] Colombia, that swears 'feet together' that the only manifestations worth promoting are those that reinforce the governmental thesis that Colombia does not live an armed conflict, but a military threat, namely the FARC; and that a demonstration against the paramilitaries is stupid because, as we have been told repeatedly, the 'Paracos' no longer exist since the government successfully demobilized them and arrested their leaders.
>
> Nothing can be more false than this assumption. The paramilitarism in the

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[37] With the demobilization of the AUC and the amount of information released after some of their leader went public to defend their cause the study of paramilitarism in Colombia entered a new phase. A set of connections between the armed fronts, member of the political elite and the promotion of mega agricultural projects were disclosed in a phenomenon that was labeled by the Colombian public opinion as the scandal of 'parapolitica'(the merging of conventional politics and paramilitarism). Mauricio Romero Vidal conducted the leading academic work on this issue to this day, but there is an increasing amount of research on the topic. Works worth mentioning are Hylton 2006; Lopez 2007, 2010; Romero 2006, 2007a, 2007b; Valencia 2007, 2009.

[38] Jose Obdulio Gaviria is a Colombian lawyer and intellectual who was special advisor of the former president Alvaro Uribe and is considered the mastermind behind his political ideology. He was involved in several controversial public debates to defend the legitimacy of the Democratic Security Policy and the idea that there is no armed conflict in Colombia.

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> *country is not over. It is still alive and kicking, but transformed into a different monstrosity: a regional mafia practically legalized and socially accepted, which is not only nourished by drug trafficking, but also by the public money, in the style of the Neapolitan and Sicilian mafias. It is a mafia who learned to win the elections, which have senators who represent their interests and which is now the proud owner of great jobs and contracts, the same that is laundering its money in the financial pyramids that are now falling apart. A mafia that survived the demobilization and imprisonment of some of its military chiefs due to the fact that this process was conducted in an incomplete manner, so as to leave intact the power structures of these criminal organizations (Duzan 2008).*

5. Conclusion

The rise to power of President Alvaro Uribe and his proposal, based on the solid support of the military, has important implications for Colombia. The transformation underway in Colombian political space was made possible by the convergence of three events: the resumption of the military offensive that began in the Pastrana government, but was radicalized under Uribe's rule; the legitimacy that anti-terror strategies and discourses acquired after September 11; and the spectacular failure of the negotiations conducted with the FARC between 1998 and 2002, which consolidated the common sense understanding (not hegemonic in Colombian society at that point) that a process of negotiated peace with the guerrilla groups was impossible. This peace process has as its major detractors, while still in course, precisely Alvaro Uribe and the military elites.

This situation reconfigures the social space in a meaningful way: it generates a solid consensus among the economic and military elites that had not been observed in Colombia since the late 1970s. In the 1980s and 1990s, political and economic elites had always had a reluctant posture toward the role of the military in the conflict. Thus, the autonomy of the military sectors in the development of strategies for combating the insurgency, even if not questioned directly, were balanced by political groups that lobbied the government to provide political space for negotiation. Economic groups used to fear the uncertainty surrounding the consequences of escalating the violence for the viability of their business and the country's international image. However, with

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September 11 and the first results of the Democratic Security Policy, the anti-terrorism discourse strengthened the country's international image instead of undermining it.

As stated by Alejandro Santos (2010), besides his ideological and political position, Uribe didn't have in the beginning an integrated security policy. His initial strategic objectives were the same as those he had elaborated at the end of the 1990s as governor of the state of Antioquia: support the military, engage civilians in the war effort and the counterinsurgency campaign, and a strong action of propaganda against the guerrillas (Santos 2010: xiv).

Regarding the new position of the military, the Plan Colombia had already increased the resources to the official forces during the Pastrana administration to an unprecedented level. Despite this, Uribe made strengthening the armed forces and the national police one of the milestones of his DSP. This was achieved with a substantial increase in the fiscal effort of the State. Uribe dedicated a considerably larger part of the budget for security concerns. During the Uribe administration, the military forces increased by more than 40% and the National Police by more than 32% (Rangel 2010: 9-10)

In the area of propaganda, the main concern was holding the ground in the labeling of the FARC as a terrorist group and not a belligerent entity (which would imply having a political motivation), de-legitimizing any kind of position coming from the group, and denying the application of the rules of engagement foreseen in international humanitarian law. In the internal arena, he pressured the political parties to set an "Agreement Against Terrorism and for Life and Liberty", on 17 March. In the domain of international relations, Uribe engaged in a crusade to convince as many countries as possible to include the FARC in their list of terrorist organizations (U.S. and the European Union already included the FARC in their list since before Uribe)[39].

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[39] In the very beginning of 2003, two attacks attributed to FARC caused great repercussions in the Colombian public opinion. A car-bomb exploded in a high profile club in Bogota, killing 36 and wounding 168 people. And a 'house-bomb' exploded in the neighbourhood of Neiva, killing 16, with 30 wounded and 70 houses damaged by the explosion. This act led the government to use the momentum to lead a political offensive move against FARC in the international arena. Uribe ratified the Inter-American Convention Against Terrorism signed in Barbados. In the occasion, he urged Central American governments and the Permanent Council of the OAS to repudiate those acts- in which he succeeded- and to declare the FARC a terrorist organization. This last request was received with hesitation by Venezuela, Ecuador and Brazil. He also called the Resolution 1373 from the UN Security Council, written in the aftermath of the September 11 attacks. In fact, in the middle of this diplomatic offensive, President Uribe supported the declaration of Azores, which asserted the legitimacy of the war on Iraq(Medellín 2010: 138)

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On the issue of his willingness to engage civilians in the war, this disposition had been clear from the first days of government, even before the DSP was released. In his speech in October 2002 in the Department of Ceasar, a department where the FARC operated, he invited the Colombians to 'act like voluntary policemen and soldiers' of the country. The Government stated that those who agreed to provide information for the government would receive two different kinds of instruction: on the one hand, military and a police training; and, on the other a training provided by the High Commissioner for Peace, which would transform them into 'promoters of conviviality'[40]. The information provided by the citizens would be paid for by the government, and the initial plan was to create a network of 100,000 support soldiers (Ministerio de Defensa 2003: 60-61). The basic message of the DSP was that this was not the government's war, but everyone's war; this in fact meant that no one could be neutral in the government's war. According to Pedro Medellín(2010), there were three axis that projected how the mechanisms of incorporation and mobilization of civilians in the war worked in the DSP: 1- The creation of networks of informants, which engaged civilians in tactics of military intelligence, control and information on what, in those people's judgements, could seem suspicious or dangerous; 2- the implementation of a policy of rewards, with which one seeks to establish systems to stimulate the delivery of information that could lead the government to anticipate violent attacks from armed groups and allow for the capture of the insurgents by the public forces; 3- the creation of a civilian structure, such as the Peasant Soldiers or the People's Soldiers, inside the state military apparatus[41] (Medellín 2010: 123-124).

In its written statement, the Democratic Security Policy supported the need to rethink security in Colombia as a responsibility of the whole society, not as an exclusive task of the military forces. As he had promised since the time of the campaign, Uribe

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[40] Promoters of conviviality are common citizens trained by the police to manage small-scale conflicts at the local level, transforming these individuals in communitarian leaders that are 'certified' by the State. Besides the main objective of supporting the police work, this program has also a moral and strategic goal: they indoctrinate the Colombian youth with ideas of moral and civic duties, expecting that this people, associated to the state, will set a good example in contrast with the bad example of the young that collaborate with illegal armed groups.

[41] The proposal that involved more directly the participation of the civilian population was to organize semi-trained peasant militia whose members would operate in their own communities. They are listed in battalions or brigades to three months of basic training and then return to their communities, where the principle would serve as city police officers the day and at night return to their homes (Avilés 2006: 136). However, the fact they are serving in their own communities made them and their families were easily identifiable and become frequent targets of FARC and ELN (Latin America Report 2003: 3-4).

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intended to start a network of over one million civilians, between volunteers and paid informants, to gather information about the guerrillas.

> *'The government will promote the patriotic and voluntary cooperation of citizens in the fulfillment of their constitutional duties and in the application of the principle of solidarity; and that demand a social and lawful state so that each citizen can contribute to the prevention of terrorism and delinquency, providing information related to illegal armed organizations ...*
>
> *A network of citizens in urban and rural areas of the country will cooperate actively, voluntarily and selflessly with the authorities, participating in programs for citizens of the safety culture and providing information enabling the prevention or investigation of a crime...*
>
> *Additionally, we were put in place a program of rewards for those people who, as informers of the security of State, give information leading to the prevention of terrorist attacks or the capture of members of illegal armed organizations' (Ministerio de la Defensa Nacional 2003: 61).*

All these elements lead to a conclusion that the shift promoted by the DSP has at its core a new emphasis on the polarization of society, in opposition to the way former Colombian administrations since the early 1980s had dealt with the conflict. In order to illustrate the point, this last section stresses the continuity between the DSP and the NSD, the framework that guided the anti-communist discourse in Latin America during the Cold War. First, central to understanding the configuration of the Colombian conflict is the fact that, unlike the European scenario, the process of the professionalization of the army in Colombia did not happen in the context of struggles for national independence or the demarcation of country's territorial limits. Instead, its consolidation and professionalization were associated with the need for repressing social conflicts that emerged in the 1930s (Cruz 2009, Rouquier and Suffern 1994). That made the differentiation between internal and external security, which played a central role in the construction of the practices of these professionals in other scenarios, and not a determining factor in the socialization of Colombian military.

Subsequently, another factor for the formation of the practices of security professionals was the characteristics of the National Security Doctrine (Sánchez 2001,

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Avilés 2006, Hernandez 2009). The NSD conditions the practice of these professionals in three ways: 1) it deepens the emphasis on internal conflict and in fighting the insurgency; 2) it prescribes the active participation of the civilian population, which was to be trained to serve in combat and to exercise surveillance, gathering information for intelligence and, finally; 3) it consolidated the U.S. role in driving the strategy and material support for Colombian security policy (Hernandez 2009: 223-225).

In the context in which this doctrine had been implemented, the DSP consolidated the mutual reinforcement between the authority and autonomy that the military sectors acquired to determine the strategies for repressing the insurgency, as well as the government's position of providing resources and mechanisms for the implementation of these strategies. The convergence of these two elements remained effective until the 1980s, when a reformist policy platform reached the government's agenda.

This path led to two fundamental implications for the contemporary understanding of the conflict: a) in practice and in the discourse of the armed forces the tendency to criminalize the political and social movements was consolidated, stigmatizing them as the 'internal enemy', and as groups that acted against the fulfillment of the national interest and in favor of the agenda of 'subversive' groups; b) beginning in the 1980s, with the reforms initiated by the government of Belisario Betancur in 1982, mechanisms for restricting the prerogatives of the military began to take place in Colombian politics. Nonetheless, those traits that characterized the NSD remained partially present, though not hegemonic. From the launch of the DSP on, the political capital gained with the anti-terrorist discourse launched by the United States after September 11 was mobilized to lift those restrictions, and these traits are re-intensified. However, the implications of the DSP go beyond the military field, and the reconstruction of a consensus between the executive and the military sectors can be identified, with widespread social impact[42].

It is in the understanding of the role of the DSP in these other mediations within society that establishes the centrality of NSD for the purpose of this chapter: it

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[42] Despite the fact that the Uribe government represented a whole new level of priority for the security agenda and increased the Defense budget at a faster pace even than Pastrana with the resources of Plan Colombia, it seems there were also tensions between him and part of the military leadership. According to Pedro Medellín(2010), part of the military resented his interventions because his authoritarian and personalist attitude undermined the institutions of the Armed forces and the police(Medellín 2010: 116).

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consolidates the worldview of the military in the symbolic realm. In the 1930s and 1940s, the army was struggling for its autonomy. In the 1950s the NSD provided them with the tools to impose their vision over society. They brought the integrity of the social body in opposition to the fragmentation that resulted from the partisan confrontation the political elites were involved in.

Once this sense of integrity was consolidated, the practices aimed at reinforcing it did not have to be of a military 'nature'. In fact, several initiatives promoted during the 1950s and 1960s were set to undermine the support base of the guerrillas through assistance measures towards the poor population. It is the sense of integrity that established the relation between the security strategy and the aid policies that were part of it. In the same way, it is the return of this sense that is key to understanding the place of human security policies in the contemporary configuration of the conflict.

Although the numbers show that there was an increasing amount of money and bureaucratic work aimed at intensifying human security oriented policies, they do not reflect a transformation of the strategic considerations of the executive or the public forces. These policies were not providing social groups in Colombia with the political capital to question the military vision of state security as an appropriate means to address the protection of the individual, the very normative content for which these instruments were formulated. On the contrary, it seems they provide the government with instruments for a tactical adaptation through which they reinforce their position and their militarized vision of society.

To understand the conditions of possibility of the policies analyzed and of the strategies of the actors considered, the next chapter turns to an archaeological analysis of human security. A comprehension of how the discourse became a source of knowledge about the vulnerability of individuals will help to specify the trajectory pursued by the notions of internally displaced person and victim, which inform the policies under consideration.

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Chapter 4

Human Security

1. Introduction

The aim of this chapter is to make an archaeological examination of human security, one that makes sense of the different ways that the discourse articulates notions like development, security and humanitarian intervention. First, the central role the discourse of development is discussed, as well as how its progression contributed to its re-appropriation as a part of human security. Then the chapter presents other elements that were aggregated to the archive, and how they modify the forms and limits that shape it. The goal is to understand the formation of the field where different ways of characterizing the suffering of individuals were produced. The last section points to the accumulation of discourse and how it consolidates the characteristics of the archive.

The first crucial document that constitutes this archive is the 1994 Human Development Report, which attempted to forge the notion of human security. It may not be the first time the expression was used, but the report represents the deliberate intent of UNDP and an extensive network of organizations to not only propose a political agenda, but also a statistical instrument to give scientific credibility to that agenda (in this case, the Human Development Index), and therefore providing an important instrument to the management of populations. What was at the center of this agenda was not so much to securitize a certain definition of the "human" component of human security as to securitize the definition of development that they were working on in previous years[43]. A central transformation occurred some years later when the

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[43] Securitization is a concept developed by Ole Wæver (1995) as a point of departure of analyzing how threats are constructed Wæver, Barry Buzan and Jaap de Wilde(1998) further formalized and constructed an innovative theoretical framework based on the concept. There, the speech act of naming an existential threat and the necessity of the consent of an audience become necessary elements of a 'securitizing move' (1998: 25-32), which allows for the suspension of the normal rules of politics. It is worth noting that a second generation of scholars has since emerged who have further developed this framework now called 'securitization theory' (see for example Balzacq 2005, Stritzel 2007 and the edited volume Balzacq(ed.) 2010), as well as a large number of critiques that have questioned the focus of

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Canadian Ministry of Foreign Affairs appropriated itself from this platform to promote a related but different agenda, one that stressed the objectivity of violence, the responsibility of the state and the viability of intervention.

Presently human security is a discourse that influences a large scope of forums, actors and agendas. The discourse circulates in foreign policy statements, to international organizations, and to international networks of organizations. Its formulations, on the other hand, oscillate in regard to the accounts tied to the agenda of human development, to the responsibility to protect, and to statements more centered on the idea of human dignity[44].

The dissertation also contends that the emergence of human security reflects the use of specific formulations deployed to resist contingent versions of what constitutes the national security agenda. Therefore, as it is important to understand the policies generated by the human security agenda, it will avoid a debate about a priori definitions and center on depictions of human insecurity that are conveyed through notions associated with human security in a given policy-related discourse. It then traces back the assumptions embedded in this discourse in order to understand what is at stake in the re-appropriation it performs, and which will be unfolded in the following chapters.

2. Development as a new instrument of hierarchization in the international system

Development as an abstract notion relating to social/individual change has been part of Western vocabulary for many centuries. But the contemporary idea of development this chapter refers to is a very specific set of policies that begins in the 1940s and has as its context of creation the aftermath of World War II. The notion replaces the division between colonizers and colonized by establishing a new distinction, the 'developed' and the 'underdeveloped' countries. This vision was much more according to the modern ideas about the possibility of progress and the unity of

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the Copenhagen School on the single speech act, at the expense of process, the lack of attention to audience, etc (see for example Williams 2003, McDonald 2008 and Huysmans 2011).

[44] There is nowadays a very extensive literature on the issue of human security. The book that most extensively covers the different ways the concept is defined, what kind of content in incorporated in the definitions and the large array of critiques it received is Tadjbakhsh and Chenoy (2007) *Human Security: concepts and implications*, especially in chapter 2. An edited volume dealing with approaches to human security through the light of critical thinking(once Tadjbakhsh and Chenoy's book is concerned mostly with the policy debate) was released by Chandler and Hynek(2011).

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mankind, because the distance between a developed and an underdeveloped country could be translated in a temporal sequence. This change meant that the hierarchies in international relations were being re-organized through what James Ferguson (2006: 179) called the 'temporalization of difference'.

The main implication of this temporalization on the way social space is organized is that it conflates hierarchy with time, aligning the differences between political spaces. Ferguson calls our attention to the fact that, although notions such as development might sound intuitive to us, in the nineteenth century a progressive account of time of human and societal difference was not a consensus, or even a widely accepted thesis be it in the academic world or the public opinion. It was made possible by an epistemological transformation that took place in the nineteenth century and has to do with the emergence of the idea of social evolution.

The idea of social evolution meant a radical break with teleological conceptions of a 'great chain of being', which were hegemonic in the nineteenth century. This was presented in the seminal work of the intellectual historian Arthur Lovejoy, *The Great Chain of Being: the study of the history of an idea* (1936). According to him, the idea that various creatures of the world formed a great and continuous chain can be traced back to Greek philosophy and remained a predominant vision about the world to European philosophers until the eighteenth century. The principle Lovejoy termed 'plenitude', a perfectly created world would necessarily contain all possible types of being within it. There was therefore no space for change or evolution. These various were ranked according to their degree of 'perfection', which reflected directly their proximity to God. Man, having been created in God's image, was placed at a higher link of the chain than the other creatures, less perfect than himself.

The idea implied in the notion of plenitude was that God's creation was perfect and complete (and therefore timeless and immutable). This conception of plenitude was, by its very definition, incompatible with the idea of progress. The only possible transformation that could take place in time was degeneration[45]. This is the reason why

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[45] On the issue of the relation between races and the idea of degeneration, Ferguson notes: "A racial thinking emerged in its modern form in eighteenth and nineteenth century Europe, the supposed racial 'types' of homo sapiens were fitted into a similar scheme. The doctrine of polygenism held that different 'races' were created separately by God and that they held, by nature and divine plan, different ranks in the overall scheme of things. Opponent of such views often held that 'inferior' races were not an original creation but, rather, the result of a *fall from grace*- sometimes understood through the biblical story of Noah's curse on his dark son, Ham. In this alternative view, racial difference was a result of history, but

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Lovejoy claims that the transformation from the great chain of being to a progressive temporal sequence was a true intellectual break. Not only did such a shift make possible the Darwinian idea that a new species might emerge from older ones, but it also made it possible to conceive of a key idea for the social evolutionist, which is that 'primitive' people might represent earlier stages of a universal human history, a history conceived in progressive stages.

As well as nineteenth-century evolutionism, twentieth-century modernization theory reflects the epistemic break Lovejoy addressed. In the context of decolonization, the development story provided a narrative that could serve both as a charter legitimating and justifying the withdrawal of the colonial powers and a masterplan for the 'nation-building' and economic development programs. It inserted a familiar evolutionist temporalization of difference into a quite specific political and historical moment.

2.1 Development in contemporary international relations

According to Gilbert Rist the inaugural address of U.S. President Harry Truman on 20 January 1949 can be said to have inaugurated what he calls the 'era of development'(2008: 70). In his speech, among such other crucial concerns as the Marshall Plan, NATO and the UN, Truman presented a fourth point stating "We must embark on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas" (Truman 1949).

The author also argued that the choice for the word 'underdeveloped' was not casual or merely a semantic issue. In place of the hierarchical subordination from the colony to the metropolis, the dichotomy of developed∕ underdeveloped recognized the juridical equality of these political communities, and a new basis of legitimacy for relations between the different parts of the world and a new vision about how this world should be organized (2008: 74-76).

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it was a history understood as a fall from an original state of grace. Later variation of this theme notoriously introduced the idea of racial degeneration, a kind of biologicized version of the fall" (Ferguson 2006: 181)

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With that announcement, Truman suggested providing technical assistance, already granted to parts of Latin America, to the poorest countries. As Staples (2006) shows, there is a clear technical and internationalist ideology in the first institutions that were built based on this paradigm. The iconic organization that symbolized this project based on technical assistance was the World Bank. Projects that diverged from the technical parameters would not be accepted. The author illustrates this dimension with the divergence between the World Bank economist and the Argentinian government of Juan Carlos Perón. According to him, the bank economists claimed that the loans of the institution should be for infrastructural projects that would facilitate the extraction of raw materials and the transportation of exports and imports. They refused to loan to Argentina because it sought the nationalization of foreign owned corporations and a strategy of import substitution (Staples 2006: 41)[46].

This example elucidates two tendencies about this first moment of development policies: the first is that far from being a deviation of the cannon of classic liberalism, the development policies of the early 1950s followed it almost to the letter: the role of institutions like the World Bank was to coordinate the rules for international investment that would help expand the market for a large variety of products, allow access to raw materials and intensify trade relations between the countries. The division of labor that was implicit to this model was supposed to be mutually beneficial according to the law of comparative advantages. First World countries got better markets for their manufactured goods and stable environments where they could extract raw materials. Third World countries got a variety of goods previously unavailable, an export corridor to an enlarged global market and an infrastructure that increased productivity.

The second corollary to the first is that to use development policies within a strategy of political autonomy was not considered a proper use of these institutions' resources. The perception of the economists running these institutions at the time was that nationalistic and autarchic economic policies had contributed to the Great Depression and the Second World War (Staples 2006: 8). Part of the importance of the

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[46] Despite the fact that the hegemonic vision was that the politicization of economic policies compromised efficiency and rationality; there were of course circumstances where political considerations influenced decisions regarding development loans. The author comments that the most frequent clashes between internationalism and nationalism occurred between the World Bank and the United States (Staples 2006: 32)

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coordinating function of institutions such as the World Bank and the International Monetary Fund (IMF) was to avoid the repetition of these events.

2.2 Modernization Theory

The literature about modernization produced in the 1960s had an important challenge concerning the discourse that was gaining momentum about development. It was made clear that the only way towards a modern and wealthy society was through development, foreign investments and trade relations, although the economists were until then unable to explain exactly how the country might go through the period of transition, or how it might move from one extreme of the spectrum to the other.. The book that provided the most important and influential answer to this question was Walt W. Rostow's *The Stages of Economic Growth: a non-communist manifesto* (1960). This work a key reference to a literature that became known as 'Modernization Theory'.

The author made a historical comparison between the evolution of societies in different places in the world, such as North America, Europe, China, Japan and Asia in general. Based on that information, he then builds a model where he conceived five possible categories to classify the stages of economic development of a given political community: the traditional society, the preconditions to take-off, the take-off, the drive to maturity, and the age of high mass consumption. With his classification, Rostow assumes that the different societies can be conceived as like units and that there are universal laws that apply to all of them.

The Stages of Economic Growth was immensely influential because it addressed a very pressing political dilemma by incorporating and reasserting the teleological assumptions already present in the discourse about development: subordination is a result of asymmetric levels of development, which will inevitably be overcome by economic growth and political modernization. But the book is not the only central work addressing the question of how 'underdeveloped' countries move from tradition to modernity. There are at least two other arguments worthy of consideration within the framework of Modernization Theory.

There is extensive academic literature that claimed that Western countries were running ahead because they had a distinct culture, a set of shared values that stimulated

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entrepreneurship and interpersonal trust, and that other settings with other values generated different trajectories, meaning that they might take longer to achieve the same stages of modernization and did not bring the same benefits to society. The Western model could, and should, be emulated, but the question of whether non-Western societies could replicate the same results was not as straight-forward as in Rostow's theory. The books that best synthesize this view is Gary Almond and Sidney Verba's 1963 book *The Civic Culture* and Barrington Moore Jr.'s *The Social Origins of Dictatorship and Democracy* (1966).

A very important variation of this understanding was the work of Samuel Huntington. He advocated in his *Political Order in Changing Societies* (1968) that the economic growth of these non-Western societies would not lead spontaneously to stable political communities. The increasing in complexity in these societies would not be followed naturally by a reinforcement of political institutions. As a result, instead of modernization, one might have disorder and violence. What is implied in Huntington's work is a change in the focus of the question. The assumption now was that the transplantation of modernity from its 'natural' place to other contexts was unlikely to happen smoothly. In order to assure the transition, authoritarian measures could be on the agenda.

2.3 Dependency theory and the role of development in Third World politics

Modernization theory provided the underdeveloped countries with guidelines on the path towards modernity. It offered hypotheses regarding the options they have and the implications of these choices. But what constituted a limitation for them was that these choices were, at best, at a tactical level. It is an explanation on how to bring about a pre-determined plan. At the strategic level, there was no option: the only way towards development was following the Western model the way the West conceived it: massive transfers of capital, exports of raw materials, and the comparative advantage supposed to expand the global market and benefit all involved.

Yet in the 1950s a group of Latin American economists made a contribution that would challenge that assumption, at least to a certain extent: the Latin American depedentistas. Among those who are currently known as Dependency Theory authors

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were Celso Furtado, Raul Prebish, Enzo Faletto and Fernando Henrique Cardoso. Their work was concentrating on the Economic Commission for Latin America and the Caribean (ECLAC), created by the UN and founded in Santiago de Chile. ECLAC studies revealed discrepancies between the the basic liberal doctrine of development and concrete situations in history. The law of comparative advantages did not always benefit all involved, and besides never benefited all equally. An observation of the current dynamics of the world economy led these scholars to call attention to the fact that not only were the terms of trade unequal, but they were deteriorating over time. Therefore, the strategy of specializing in raw materials and integrating into the world economy via export was widening the gap between these poorer countries which they referred to as the periphery, and the First World countries, instead of closing it.

This academic work captured the attention of many Third World leaders because it pointed to a different strategy to achieve development: the periphery should not specialize in producing raw materials and develop forms of import-substitution industry; attempts should be made to understand development through a regional perspective, and, most importantly, that the state had a central role to play as an economic agent promoting development, preventing inequalities at the domestic level and ensuring a better distribution of investment (Rist 2008: 115).

Despite the fact that they are known to be somehow a 'school of thought', it is important to note that there are very different approaches among those who are considered by the literature to be 'dependentistas'. However, their conception of the deterioration of the terms of trade is a key common element of their intellectual reflection, and also the core of their critique of Modernization Theory and the development policies current at the time. These represented a direct challenge to the view of the modernization theorists because it changed the view of the world system, from a progressive-dynamic view to a structuralist-recursive one: integration to the system did not mean getting on to the 'track of modernity', but rather reproducing its condition as an underdeveloped country in a system that at its very basis reinforces these positions on a global scale.

In parallel with this intellectual discussion, the governments of Third World countries began to establish a series of diplomatic alliances. The Bandung Conference (1955) was the first forum to make collective demands in the name of African and

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Asian countries. But, as Rist stresses in his analysis, it did not incorporate the concerns of the dependentistas regarding the empirical contradictions on the fulfillment of the promises of development. The communiqué of the Conference presented it as fundamentally a matter of production and accumulation, based on private investment and external technical assistance (Rist 2008: 85). The Conference was part of a new political strategy, but was also without an alternative economic plan[47].

This political agenda gained momentum in UN multilateral forums like the General Assembly, where these countries were the majority; and mostly in an organization called UNCTAD (United Nations Conference on Trade and Development), created in 1964. UNCTAD was created to promote policy debates on developmental issues. Led at first by Raúl Prebish, one of the creators of ECLAC, it was the space inside the UN that brought the diplomatic front and academic reflection together.

The context where these two elements converges was the debate that took place at the General Assembly regarding the establishment of a New International Economic Order (NIEO). The Secretary General called for a special session of the General Assembly to study the problems related to 'raw materials and development'. The two resolutions that resulted from this meeting(UNGA 1974a, 1974b) voiced the concerns of the dependentistas that the underdevelopment of the periphery was not a product of a natural disposition, but a historical construction of colonialism, and that the present model was not providing them with development, but with 'dependent development'. To overcome that condition, they would need the autonomy to pursue cooperation on the basis of sovereign equality, the removal of disequilibrium' and the promotion of cooperation among developing countries.

The NIEO was the last significant achievement of diplomacy from within the Third World. These countries claimed that the equal rights and duties of states made it incumbent upon all states to aid the economic development of every other state *along the path chosen by its government*. Nevertheless, in the 1970s debate over the NIEO, all Third World States began to insist from former colonizers and neocolonialists that a

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[47] There are a couple of paragraphs in the Economic Cooperation section that, according to Rist address the importance of the relation between national autonomy and development and of South-south cooperation (Rist 2008: 86). They are clearly not relevant for the overall tone of the declaration, but Rist argues it worked as a precedent to the New International Economic Order(1974) document, where these themes would be brought to the center of the agenda.

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principle of restitution required them to repair the broken postwar international economic institutions in ways that would favor them.

2.4 The oil crisis, the Reagan administration and the Washington Consensus

The NIEO was the last significant achievement of diplomacy from within the Third World. There are important considerations to be made regarding the context and the reach of this initiative. In 1973, after the beginning of a confrontation between Egypt and Israel, the Organization of the Petroleum Exporting Countries (OPEC) quadrupled the price of the oil. The Organization, exclusively composed of Third World countries, exposed the fragility of Western countries in the supply of a strategic resource. These countries calculated that the First World countries were in a defensive position and they should seize the moment to enforce their demands. However, as the oil prices rose rapidly, the First World stopped their net transfers to Third World countries. The shortage of aid, combined with substantial debt crises, plunged these countries into a severe depression during the 1980s. This led some of their governments to budget cuts that compromised their actions and, sometimes put their legitimacy in check.

In the 1980s, the Reagan Administration sharply reduced US direct contributions to the main bodies of the UN system, and even sharply reduced the rate of new US support to the Bretton Woods institutions. Moreover, the Reagan Administration broke off discussions with the Third World about any paths to development other than laissez faire liberalism. He clearly signaled that neither the UN nor international NGOs would highjack his government into pursing a broader agenda that he did not understand to be to the convenience of American national interests (Murphy 2005: 98-99)

The UN agencies, in turn, increasingly adopted an analysis of Third World economic problems that focused on Third World domestic policies as impediments to prosperity, the so-called 'Washington Consensus'. In the view of many international agencies in the 1980s, Third World governments became part of the problem rather than the solution for world development (Murphy 2005: 99). Many Western donors supported this analysis as well as the assessment of American policy makers in general. They exerted pressure on the indebted countries for the adoption of laissez faire

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policies, for the abolition of welfare-oriented government spending and for the undertaking of the 'structural adjustment' reforms. Those consisted basically of fiscal reforms to attract foreign investment, limiting the role of the State as an economic agent through privatization and deregulation and promoting more transparency in the use of the public money

3. From national development to human development

President Reagan's conservative reaction did not move the development discourse to the tone it had before being influenced by the Third World agenda. Rather, he disengaged his administration towards a more bilateral agenda in general. Those concerned with a multilateral agenda for development had to come up with a new formula. An important idea in the process of reconstruction of this discourse of development came with the basic needs approach.

The basic needs approach was proposed for the first time in the annual speech of the president of the World Bank to its governors, given in 1972 by Robert MacNamara. On the occasion, MacNamara was trying to change the direction of the Bank's policy. After the projects funded by them in the 1950s and 1960s showed poor results and a lot of criticism, the diagnostic was that the Bank had adopted an inadequate model from the beginning (Staples 2006: 44). The ideas about development defended by their experts were based on an interpretation of the history of Western countries that claimed that influx of foreign capital into a country's infrastructure and industrial capacity would necessarily increase both national and personal wealth. But by neglecting the social context they overlooked the social disruption caused by industrialization.

In his speech, MacNamara called for the necessity of reconciling growth with social justice. This articulation is very important because up until that point development always carried a normative dimension associated with an international sense of solidarity. But in all the different narratives about development growth (development as technical assistance, modernization theory and dependency theory) had always been conceived as an end in itself. MacNamara's statement exposes the realization that even when growth was achieved, it did not translate into the improvement of the quality of life of the poorest people inside the poorest countries. To

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deal with this situation, it was necessary to increase development assistance, but also to ensure that it actually reached the poorest layers. MacNamara concluded that the bank should give greater priorities to establishing growth targets in terms of essential human needs: nutrition, housing, health, literacy and employment (Rist 2008: 162).

However, this change of direction on the Bank's policy had no immediate repercussion outside the institution. The focus of those concerned with the issue inside the UN system was with the Third World narrative and the NIEO. The governments of these countries themselves did not have reason to be excited about such ideas. The basic needs approach offered new arguments to justify interventions in these countries, eventually even bypassing the local authority on the matter at hand (Rist 2008: 163-164).

It was only in 1980 when the UN appointed an independent commission, chaired by Willy Brandt, to investigate this new way of tackling problems that had been suggested by the World Bank President. The report was entitled *North-South: A programme for survival (1980)*. The report, which basically confirmed and reasserted MacNamara's ideas, was considerably influential, and a whole new way of thinking about development started to take shape. When the notion of development did recover its strength in the 1990s, it was not to reclaim the national development strategy, but to oppose it. This shift made possible a transition from national to human development.

In the 1990s the UNDP released the Human Development Report (HDR). In this report the UNDP clearly positioned itself on the issue by opposing national development and human development. The document claims that the economic policies at the time relied on a misconceived understanding of development, by associating national development with growth in the GDP: 'The central message of this human development report is that while growth in national production (GDP) is absolutely necessary to meet all essential human objectives, what is important is to study how this growth translates- or fails to translate- into human development in various societies'. (UNDP 1990: iii) Although the document made the reservation that 'its purpose is neither to preach nor to recommend any particular model of development', the proposal does impose a normative standard, based on which it put itself in a position to measure the extent to which a given development policy was translated into the objective satisfaction of a people's needs.

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To legitimate that position, they constructed a narrative conveying the idea that the individual's needs are a self-evident reality. In Chapter 1 of the document they claim 'the idea that social arrangements must be judged by the extent to which they promote 'human good' goes back at least to Aristotle' (UNDP 1990: 9). The use of the notion of the human that is at stake here allows them to put themselves not necessarily against national development policies, but most of all above them, establishing the direction that they are supposed to follow: 'the hope is that the developing world can be taken to a basic level of human development in a fairly short period- *if national development efforts and international assistance are properly directed'* (UNDP 1990: 18).

In order to attribute scientific credibility to this position, they developed statistical indicators to measure human development, creating the Human Development Index. The main scholars behind this project were the former World Bank Director Mahbub ul Haq, and the Nobel Laureate Amartya Sen. In Haq's book *Reflections on Human Development* (1995) he reinforces the idea that the main concern of the project is to 'shift the focus of development from national income accounting to people centered policies'. But he knew he needed clear indicators and that was when he asked Amartya Sen to join the project. Amartya Sen's capabilities approach (based on a thesis developed in the 1981 book *Poverty and Famines: an Essay on Entitlement and Deprivation*) provided the conceptual framework for measuring development.

Sen's contribution is of crucial importance to the project. It needed to advance an understanding that could set a direction that would not depend on the interests of the countries considered. Neo-classical economics could not provide that, because its focus was on a theory of strategic interaction. They did not develop a theory of preference formation behind it. They treated it as a given in their analysis, because Neo-classical economic theory assumes it is a subjective issue. Their notion of freedom is a negative one. Against them, Sen was trying to provide a notion of positive freedom. Through the theorization of the individual's potential capabilities, an individual is supposed to have the tools to expand his choices beyond the limits of the strategic bargain, and then authorize a direction to the development policies that were to be beyond the strategic considerations of the state's development policy. Embedded in this view of positive freedom, the concept of development could again claim the authority that it had when it

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was anchored to theories of modernization, but that they had partially lost because of the discourse of autonomy of the Third World countries: the authority to determine what are the steps to be followed by the political communities in order to achieve development.

Following this move in the conceptual dimension, there was also a shifting of importance of two organizations inside the UN system: the increasing irrelevance of the UNCTAD and the emergence of the United Nations Development Program (UNDP). The UNDP was created in 1965, almost at the same time as the UNCTAD, but was not as relevant to policy making concerning development issues until the 1990s. Unlike the UNCTAD, which was a multilateral forum, the UNDP is structured in the form of a network that gathers public, private and academic representatives. It provides specialized reports, training and advice to several governmental and non-governmental organizations on the specific issue of development.

4. From human development to human security

Those who produced the HDR of 1994 worked deliberately on labeling a platform for what they called human security. The document (and its proponents) goes to some length to highlight that these are different concepts, although related and sharing a common vision, from those presented in the UNDP report. But in performative terms, what this endorsement of the concept of human security does (or tries to do) is to increase the priority of the human development agenda the UNDP was already trying to present.

> *"Human security can be understood as having two main aspects: it means, first, safety from such chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life- whether in homes, in jobs or in communities. Such threats can exist at all levels of national income and development"(UNDP 1994: 23).*

What is a potentially under threat in this definition of security is exactly the capacities that are the focus of the discourse on development. The report states:

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> *'…in defining human security, it is important that it is not equated with human development. Human development is a broader concept- defined in previous Human Development Repots in terms of widening the range of people's choices. Human Security means that people can exercise their choice safely and freely- and that they can be relatively confident that the opportunities that they have today are not totally lost tomorrow" (UNDP 1994: 23)*

The first aspect refers to a minimalist or negative version of these capacities while the second aspect addresses a more expanded version. According to the report, security must be understood beyond political violence. It must be seen from that moment on as a complementarity between 'freedom from fear' and 'freedom from want'. The report describes human security as an aggregate of seven dimensions, as discussed below.

The report is, as previously attempted with development, trying to encapsulate security in a system of positive freedoms. Building on Sen's notion (like the previous reports) of enhancing the individual's capacities, the improvement of one's security is a process associated with the performance of these capacities. It displaced the definition of security from the objectivity of the act of violence (be it about its presence, its imminence, or its effects) and moves it towards an intersubjective and processual terrain, that of whether individuals 'exercise their choice safely and freely'.

This loss of a concrete object of analysis caused the report and the concept to be the target of severe criticism[48]. The report tries to give parameters to the measurement of human security by identifying seven dimensions of analysis: economic, food, health, environmental, personal, community and political security (UNDP 1994, p.24-25).

What is important to bear in mind is that even if that overarching notion would drift toward other directions and get transformed in time and space, what is at stake in *this* formulation is a concrete process of authorization, one that must be tracked back not to the debate over the concept of security, but to the transformations of the 'nature' of development:

> *"Human security is therefore not a defensive concept- the way territorial or military security is. Instead, human security is an integrative concept. It*

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[48] This will be subsequently discussed, but among the most influential critiques of human security Buzan (2004) and Paris(2001) can be mentioned.

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acknowledges the universalism of life claims that was discussed in chapter 1. It is embedded in a notion of solidarity among people. It cannot be brought through force, with armies standing against armies. I can happen only if we agree that development must involve all people"(UNDP 1994: 24).

The UNDP proposal was received with skepticism by many Third World countries, gathered around the Group of 77 (G77). The group was afraid human security would become what international institutions and the donor countries would use to condition the provision of aid to the recipient countries and even to legitimate direct intervention against their will, trying to build their case in a universal platform. The UNDP definition was rejected by the G77 in the Copenhagen Summit of 1995.

4.1 The security debate and the nexus between development and security

The end of the Cold War triggered debates about the meaning of security after the unexpected collapse of bipolarity. An academic debate followed about how the actors adapt their strategies to the new scenario (Fierke 1998, 2007; Kubalkova 2001) and the emergence of new issues such as migration as a security threat (Wæver et al. 1993, Bigo 2001, 2002, Huysmans 2006) [49]. In an attempt to synthesize the dilemmas that were being presented by this debate, the 1994 report represents a description of human security as a natural evolution of the concept of security: from national security and nuclear security to human security. Although this is clearly not the trajectory through which the concept unfolded, it does make sense for the UNDP to claim having a stake in this debate. Departing from an essentialist vision of what the human is, and centered on the notion of capacity as a device through which it interprets a range of

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[49] This debate generated a whole agenda under the rubric of critical security studies. The first volume on the subject, which incorporated theoretical and empirical reflections, was edited by Keith Krause and Michael Williams (1997). Aberystwyth generated its own literature on the topic (Booth 1991, 2005; Wyn Jones 1999, 2005), which was based on a more restricted view of critical thinking associated with the Frankfurt School. This discussion had limited impact in the U.S. academy, but became an important field of study in Europe. Ole Wæver (2004), in a paper written for an ISA Conference in Montreal, tried to classify the different European approaches to critical security studies around three 'schools': a French, a Welsh and a Danish school. This division provoked a reaction from European scholars, who then began to move beyond the 'schools' approach. The article published by the C.A.S.E. Collective (2006), which included scholars associated with the three approaches, was an attempt to problematize the role of these divisions. Lately, an edited volume by Salter and Mutlu (2012) reasserts the plurality of critical security studies and focus on laying out a range of research methods for investigation.

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social demands at the level of the individual and measures them, the UNDP proposal is supposed to be able to answer the question of development and security at the same time.

The nexus between development and security, which the UNDP approach is trying to synthesize and transcend, is prior to the concept of human security. The report of the Brandt Commission in 1980 is a clear precedent of a study conducted by the UN which points to a correlation between poor development indicators and the observation of security problems. Besides that there is, as Duffield (2001) notes, the operation of some NGOs in African countries in the late 1980s that are already informed by what he characterizes as a re-conceptualizing of 'development as a security strategy'.

The association between underdevelopment and civil war provided a justification for continued engagement. And humanitarian concerns were increasingly used to provide a moral justification for international interference (Tadjbakhsh and Chenoy 2007: 145). However, as it is saw in Chapter 2, the relation between the military and humanitarian actors shifted over time, especially after September 11. Aid provision stated to be conditioned to security priorities, and development became increasingly part of the security strategies of the countries involved in the struggle against terrorism. The humanitarian and development agencies, that in the first moment welcomed how the use of military force allowed for the expansion of their activities, at that point claimed that the same military actors were jeopardizing their neutrality, characterizing it as the 'shrinking of the humanitarian space' (Collinson and Elhawary 2012: 9)

In what concerns the relation between development and security, the document *An Agenda for Peace*, released in 1992 by the then Secretary-General Boutros Boutros Ghali, indicates that concerns that would be reflected in the debate led by the UNDP in 1994 were already part of the debate about security at the UN and other international institutions. However, it must be noted that the context the Secretary General was addressing with his statement was a specific one. The issue for him was that, in the post-Cold War period, while the bipolar confrontation seemed to wane, the results of the UN operations on post conflict rehabilitation and long-term peace-building had yet to prove sustainable in the many interventions deployed in the aftermath of the Cold War. UN action in places like Bosnia, Somalia and East Timor did not live up to

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expectations, and were unable to address the domestic grievances that led to conflict, such as issues of inequality and social justice. His agenda implied that peace forces should understand the need for development of a strategy that would lead to a sustainable peace.

Boutros Ghali's agenda shares with the UNDP agenda an important emphasis on generating instruments for promoting the social transformation in areas of conflict. For example, the 1992 document advocated the importance of peace-building as a phase of the peace process, taking place after peace-making and peace-keeping and focusing on capacity building, reconciliation, and societal transformation. He clearly acknowledges the relevance of building a long-term intervention strategy as the key to achieving durable results.

Therefore, although a widely influential report, Broutos Ghali's statement has a different scope and ambition than the agenda the UNDP was trying to implement. He was relying on a series of studies to address an operational problem, despite the fact that his vision would promote an unprecedented expansion to UN Peace Operations. The UNDP agenda involved a conceptual discussion and had a more universal character.

5. From empowerment to the responsibility to protect

An important shift in the appropriation of human security began with the instrumentalisation of the concept within Canadian foreign policy during the second half of the 1990s, especially under the leadership of Foreign Minister Lloyd Axworth, who served as Canadian Minister of Foreign Affairs between 1996 and 2000.

The Canadians have tended to give priority in their foreign policy to issues like migration, the environment and international law. Lloyd Axworth tried to equate all these concerns in a very liberal internationalist agenda that focused on human rights and the rule of law. Human security ended up being the main concept through which he synthesized all these concerns within a universalist platform, although they did not exactly meet the concerns of the UNDP agenda[50].

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[50] Human security was not Lloyd Axworth's first choice to label his own approach. When he gave his first speech in the UN General Assembly in 1996, he tried to identify the new themes and major threats to international security; and called for a new international approach that emphasizes 'soft power', that he considered to be a superior form of power. But Joseph Nye, having coined the term, was advisor for the Clinton government at the time, and expressed reservations in his speech, saying that the notion of soft

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Canada's Foreign Ministry concentrated on the goal of 'freedom from fear', calling for 'safety for people from both violent and non-violent threats... a condition characterized by freedom from pervasive threats to people's rights, their safety, and even their lives' (Axworthy 1999). Axworthy wanted to concentrate the Canadian human security agenda on measures directly related to the dilemmas presented by the conflict scenarios after the Cold War: the situation of children caught in war zones, the increase in drug traffic, and the circulation of arms. He called for addressing these issues through rapid humanitarian-inspired interventions for which responsibility would be shared. Canada's stance was also taken in response to the pressures exercised by a broad coalition of NGOs that, in formal partnership with the government and through Axworthy's efforts, had already been lobbying for some time under such banners as the treaty banning landmines and the creation of a permanent criminal court to judge crimes against humanity.

Central to understanding the difference between his and the UNDP's formulation of human security is that he was not advocating a reinterpretation of what constitutes a security threat, but that this very straightforwardly was about the physical safety of individuals. This was not a discussion about the empowerment of the individual's capacities. Besides, his focus was on conflict situations and their aftermath. Axworthy claimed that he would address human security in order to correct its excess of scope and lack of focus. He stated that the focus of human security should be the human costs of violent conflict (MacFarlane and Khuong 2006: 152) and the safety of the individuals involved in these situations.

Concerning his influence in advancing a policy agenda at the international level, the first major achievement of Axworthy's human security policy was the country's leading role in the campaign for banning the deployment of landmines. Referred to as the Ottawa Treaty, in December 1997 this led to122 countries signing the Convention on the Prohibition of the–Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. The following initiative of Canadian foreign policy after the 1997 Ottawa Treaty was the support for the establishment of the International Criminal Court that was intended to prosecute individuals for genocide, war crimes and crimes against humanity. Although Canadian diplomats did not necessarily play a key

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power should be understood as a supplement rather than a replacement to hard power. It was from that moment on that he made human security the focal point of his foreign policy.

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role in its negotiations, they were one of its greatest supporters. The Statute of Rome of the International Criminal Court was completed and signed by 122 countries on 17 July 1998.

But the most assertive initiative of Canada's version of human security was the engagement in the project of the responsibility to protect. In September 2000, the Canadian government established the International Commission on Intervention and State Sovereignty. The interesting feature about this shift in formulation is that it is the first key document prescribing human security that turns to a conceptual analysis of state sovereignty. The first principle established by this report is that sovereignty implies responsibility. Considering this, the primary responsibility in what concerns the protection of individuals falls on the state. It is only when the state is proven unable or unwilling to fulfill that responsibility that the international community emerges to take its place.

The Responsibility to Protect, very much in the line pursued by Axworthy, tried not only to sharpen the focus of human security, but to give this normative commitment an imperative character. This resulted, in December 2001, in an impressively interventionist formulation:

> *"2.27 Based on our reading of state practice, Security Council precedent, established norms, emerging guiding principles, and evolving customary international law, the Commission believes that the Charter's strong bias against military intervention is not to be regarded as absolute when decisive action is required on human protection grounds. The degree of legitimacy accorded to intervention will usually turn on the answers to such questions as the purpose, the means, the exhaustion of other avenues of redress against grievances, the proportionality of the riposte to the initiating provocation, and the agency of authorization. These are all questions that will recur: for present purposes the point is simply that there is a large and accumulating body of law and practice which supports the notion that, whatever form the exercise of that responsibility may properly take, members of the broad community of states do have a responsibility to protect both their own citizens and those of other states as well". (International Commission on Intervention and State Sovereignty 2001: 16).*

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After Canada began its diplomacy to impose an intervention and conflict related bias into human security, Kofi Annan adopted the human security agenda in a quest for a new UN mandate in the 2000 Millenium Declaration. Defining peace as 'much more than the absence of war', he called for human security to encompass economic development, social justice, environmental protection, democratization, disarmament, and the respect for human rights and the rule of law (UNGA 2000). Tadjbakhsh and Chenoy (2007: 24-25) argue that the adoption of a human security agenda by the UN stemmed from a recognition of the failure of its peacekeeping efforts and its desire to compensate for these failures by involving the UN in a more global forum where NGOs could dialogue with, governments so they can work together to implement a more comprehensive development agenda.

6. Reassessing the limits and forms of the archive

This final section summarizes the main events which consolidate the human security discourse and how the secondary literature makes sense of it. The section indicates how processes of conservation, reactivation, appropriation, etc. are enabled through the deployment of the discourse, consolidating the characteristics of the archive. First, it emphasizes the different paths the concept has taken which shows a more chronological and context-bound analysis of its uses. Then, the section reviews how the secondary literature accounts for the different articulations of human security, how it categorizes the concept and what can be concluded from the criteria used for this exercise.

6.1 The human security concept after 1994

The UNDP and the Canadian approaches were the two explicit attempts at disputing the meaning of human security, trying to associate it with broader initiatives that were part of their agenda. But the concept was articulated by different actors and in different institutional settings, and this process of circulation diversified the uses of the concepts in the sphere of the international organization and institutions.

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Despite the fact the concept of human security is usually defined (or at least justified in terms of its political legitimacy) in opposition to national security or the agenda of states or governments, it came to be adopted as an important foreign policy tool by states such as Canada, Norway and Japan[51]. After the UNDP gave it a central place in its agenda, a coalition of thirteen countries - Austria, Canada, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, the Netherlands, Norway, Switzerland, Slovenia and Thailand- created the Human Security Network in 1999. It provided the institutional support for many of the initiatives promoted by the Canadian Foreign Ministry and described above. Although the human security concept proposed to debunk the state-centred security interests, it has been adopted as a foreign policy instrument by many states.

In 2000 UNESCO opened a global discussion revisiting security and peace by launching an international network for the promotion of peace and human security, named SecuriPax Forum. Furthermore, between 2001 and 2003, the concept was revived in the debate on the 'responsibility to protect', spearheaded by the Canadian International Commission on Intervention and State Sovereignty (ICISS), and in the discussions for the 'responsibility for development' initiated by the Commission on Human Security (CHS), sponsored by Japan. Finally, in the years 2004-2005, the actors supporting human security tried to reconcile their vision with the discussion of the fight against terrorism, as shown in the UN Panel on Threats, Challenges and Change. Another important document released discussing the ways for implementing human security in the post September 11 world was the Human Security Policy for Europe (2004) where the European Union claimed the centrality of the notion in the deployment of its security strategy.

Even the UNDP went through institutional modifications after it chose to associate its vision of development with the security agenda. The agency, while trying to label a platform that conceived security beyond the occurrence of conflict, initiated a process of re-examining the role of the institutions in conflict prevention with the creation of a Bureau for Conflict Prevention and Recovery in the early 2000s. The bureau led UNDP's work in new areas such as post-disaster recovery, risk reduction,

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[51] In a widely known and resounding critique, Roland Paris(2001: 88) describes human security as "the 'glue' holding together   a coalition of middle power states, development agencies and NGOs which together seek to adjust policy goals and resources".

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mine clearance, peace building, transitional justice and security sector reforms among other initiatives. The UNDP consequently developed an assessment toolkit for its country-level assistance, a conflict-related development analysis (CDA). In some countries, the UNDP regularly issued early warning reports based on a set of inter-related indicators to monitor the overall economic, social, political, religious and ethnic environment. The UNDP also developed a set of guiding principles for the institutions' operations in conflict prone regions, extending the development initiatives to all stages of pre, current, and post-conflict (Tadjbakhsh and Chenoy 2007: 160). Therefore, the objective occurrence of conflict was yet the point of departure, but the idea of development still gained shape through the central notion of capacity, and this formulation stretched the visualization of the conflict dynamics backwards and forward.

After Canada, Japan was the country that most extensively used human security as a foreign policy tool. Differently from Canada, Japan was not interested in reformulating the UNDP concept or its agenda. It was comfortable not only with its large array of themes, but also with its focus on development. In 2003, the country sponsored the Commission on Human Security[52]. The Commission synthesized its discussions in the report *Human Security Now*, also released in 2003.

The report describes human security as the necessity to protect vital freedoms by building in peoples' strengths and aspirations, and this reflects Sen's approach to capabilities and the notion of human development. It also includes protecting them from critical and pervasive threats and situations; this does not specify the notion of threat, but is closer to the sense of immediate protection portrayed in the 'responsibility to protect. The report offered two general strategies for achieving human security: protection and empowerment, which are mutually reinforcing and required in most situations. The Commission's report, though it received a lukewarm reception for its failure to add clarity to definition questions on human security, became the backbone of the largest trust fund in the history of the UN, established by the Japanese government to finance human security projects. For Japan, a contribution of approximately US$ 170 million to the Trust Fund for Human Security through the UN Secretariat cemented its status as a primary donor to Overseas Development Assistance (Tadjbakhsh and

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[52] The Commission on Human Security was co-chaired by Sadako Ogata, former head of the UNHCR, and the Noble Prize laureate Amartya Sen.

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Chenoy 2007: 29). It reinforced the country as an economic power at the time, not only regionally but internationally[53].

This agenda went through a difficult test after September 11. Those advocating human security were accused of being unable to provide a satisfactory answer to the problem of terrorism. Besides, many organizations working on development and humanitarian security issues experienced pressure to reconfigure their budgets. By 2004-2005, two documents tried to clarify further human security threats and what the international community should do about them. One was the report from the UN High-Level Panel on Threats, Challenges and Change entitled *A More Secure World:* our shared responsibility(2004), and the other was the reform agenda proposed by Kofi Annan *In a Larger Freedom*(2005). The High-Level Panel on Threats, Challenges and Change was established in late 2003 by the Secretary-General to look beyond traditional security threats of the era: first were the post-Iraq realities that required operative definitions for terrorism, the doctrines of pre-emptive intervention, and humanitarian intervention in the name of human security. Second, here was the need to find a position for the UN, whose responsibility was challenged both by globalization and the emergence of one superpower prepared to use force in its national interests.

Although the agenda that is reflected in these statements indicates that the UN structure was being put under political pressure to adapt its institutions to the particular concerns of the struggle against terrorism and U.S wars on Afghanistan and Iraq, these reports have two characteristics in their analysis which resist this reductionist view: one is an assessment that the different threats are eminently interdependent, which is one of the important claims of the Human Development Report of 1994; and the other is when the report states that they must be tackled by an approach that is at the same time collective (calling for international collaborative action) and multi-dimensional.

6. 2. Analysis of the categorizations of human security

There have been several attempts to systematize the debate about human security[54]. The different authors try to define positions where they can make sense of

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[53] On the other hand, through the Ottawa process, Canada focused on gaining recognition for its handling of post-conflict situations as peacekeepers - an area in which it had already established a reputation.

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the different uses of the concept. The debates along whose lines they describe these positions depend on the level of priority they give to the questions that concern the policy making community. One central question is about the operationally of the concept, whether or not if general guidelines for policy formulation can be derived from it, given the different agendas that intersect the discussion. Roland Paris (2001), for example, is very clear in his assessment that the multiplicity of agendas and definitions leads inevitably to the impossibility of a useful guide for policy formulation (2001, p.90). It is a common skeptical position, and it gained resonance after September 11.

An opposing view can be observed in writers such as Sabina Alkirer (2003), where the usefulness of the concept lies in the self-evident nature of the distinction between the security of the individual and of the state (2003: 10). The plurality of agendas is not a problem, and their usefulness and priority are to be equated at the local level once this clear polarization is provided.

What is also common in the different conceptualization attempts is a demarcation of the nature of the threat. The very UNDP demarcation between 'freedom from fear' and 'freedom from want' is appropriated as a starting point because it seems to be the baseline of many conceptualizations, even when they do not acknowledge it. They balance readings that restrict human security to 'freedom from fear'- exactly because the object of fear is considered self- evident - with other narratives that have a wider approach, usually called 'comprehensive' or sometimes 'holistic'. A security threat has to be grounded in an event where the immediate physical survival of the individual is at stake. The focus on the imminence of survival is often contrasted with the more diachronic characterization of the individual's process of deprivation[55].

In opposition to this reading which relies on the self-evident threat and is associated with an event of violence clearly identifiable in time and space; there is another where the threat is multi-dimensional. It asserts the impossibility of an ultimate differentiation between material deprivation and physical violence. They stretch the

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[54] This dissertation does not have the intention to extensively review what is at this point an already very extensive secondary literature. But just to mention some considered in the writing of this section : Alkire 2003; MacFarlane and Khuong 2006; Fierke 2007, Tadjbakhsh and Chenoy 2007; Kerr 2007; Hampson 2008; Edwards and Ferstman(ed.) 2010; Chandler and Hynek(ed.) 2011.

[55] This distinction, for most of them, takes place in conceptual terms, and for analytical purposes. As MacFarlane and Khuong (2006: 153-154) put clearly, in general all accounts recognize the importance of the empirical correlation between insecurity and underdevelopment.

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dynamic where this insecurity is constructed in time, conceive it as a process and sometimes extend it beyond the space of conflict.

There is a third element which is also considered in these conceptualisations of human security; it advocates the individual's right to social recognition and the reconciliation of society. Tadjbakhsh and Chenoy (2007: 48) define it as the protection of a 'life of dignity', and Fen Hampson (2008: 231) call this a human rights approach to human security, which he differentiates from a development approach and a humanitarian approach. But, interestingly, its place in relation to the other agenda is ambiguous. Those who focus their distinction on the presence of the scenario of armed conflict[56] tend to associate or even merge this agenda with the 'freedom from fear' agenda. They tend to emphasize the continuation between the physical protection and the protection of the individual subjected to a conflict situation in its physical and socio-psychological dimensions. Those who are more concerned with associating 'freedom from fear' with the eminence and contingency of the act of physical violence, go for a clearer differentiation between the protection from imminent death (which might inform, for example, an humanitarian oriented policy) and the stabilization strategies planned in peace-building operations to negotiate coalition transitional governments and pave the way towards the reconciliation of society.

6.3 Comparing An Agenda for Peace, HDR and the Responsibility to Protect.

The dissertation brought this discussion about categorization because it helps make sense of the not so straightforward way the meaning of human security circulates throughout the key events that compose its trajectory in the international sphere. Boutros Gahli's report *An Agenda for Peace* shares with the UNDP an important emphasis in generating instruments for promoting the social transformation of what they consider to be unprotected spaces.

On the other hand, what differentiates *An Agenda for Peace* and the key initiatives of the Canadian foreign policy is the unwillingness of Canada to remain for any length of time with its soldiers in a conflict scenario. As a regular participant in UN

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[56] Like MacFarlane and Khuong 2006 and Hampson 2008, although Hampson stresses a subdivision between a humanitarian and a human rights dimensions, he emphasizes that they are together as performing the role of protection, in opposition to the role of development (Hampson 2008: 231)

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Peace operations, a long stay of the troops in a difficult operation might challenge even the internal legitimacy of the government. The Ottawa Treaty of 1997 and the movement it generated of addressing issues related to arms control represented a shift by those advocating the discourse of human security towards a more humanitarian perspective. It centered human security on the figure of the victims of armed conflict and the mitigation of their suffering depicted as violence and not deprivation[57].

As the questions based on which the conceptual debate is organized are unable to provide a narrative about the different articulation the concept deploys, in Chapters 5 and 6, this dissertation avoids relying on these conceptualizations. It looks at the policies for the victims and the displaced in Colombia and stresses how the difference was the suffering of individuals as depicted in these formulations. With this analysis, it intends to provide narratives about how these depictions are informed by the construction of the human security discourse and describes the way in which these notions are appropriated and transformed in the context of conflict.

7. Conclusion

This archaeology of human security begins with development as the idea that enabled narratives of social evolution about the international system crucial to the construction of this discourse. By translating the difference between various political communities in a temporal sequence, development reasserts the possibility of progress. Since the 1940s different ways of transforming this teleological vision into efficient political action were imagined. Early development policies of the 1940s assumed that through international coordination the integration of the underdeveloped economies would at the same time produce global growth and an improvement in the standard of living of the poor. The 'dependentistas' questioned the empirical validity of this claim and established the ground for a development strategy at the national level, one that assumed that the tendency of the world system was to reproduce inequality, not the

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[57] Responsibility, in its formulation, goes well beyond a humanitarian reading of human security. In the report, the responsibility to protect also entailed a responsibility to prevent (through early warning, root cause prevention, etc.), a responsibility to react and also a responsibility to rebuild (by clarifying post-intervention obligations: peace building, justice and reconciliation, security, development, local ownership and limits to occupation, etc.). But in performative terms, its main value is not as a guide about how to rebuild war-torn societies, but an instrument that reinforces the legitimacy of intervention and may be used to authorize it.

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contrary. When the lobby of the Third World countries lost support, in the 1980s, narratives such as the basic needs approach pointed out that the economic growth of these nations were not being translated in less inequality among their population, and therefore there the GDP might not be the better way to assess the adequacy of a development policy.

The development trajectory paved the way for combining human development and human security. The Human Development Index provided a a comprehensive measure of the individual's condition and of how his 'capacities' might be empowered by a development approach that were not mediated by national level indicators. On the other hand, the 1990s provided momentum for the 'securitisation' of development, as the international system was changing and the debate about the nature of contemporary threats and the means to deal with them was open.

In the security debate, UNDP approach represented a fundamental merging between development and security. In contrast to alternative attempts to establish this nexus, in the agency's vision of human security this convergence did not take place at a methodological but at an ontological level.

An important new use of this discourse emerged with the implementation of Canada's agenda and the release of the report 'Responsibility to Protect'. This appropriation of the concept re-emphasized the space of violent conflict as the appropriate site for the deployment of human security, as well as its role in sharpening the operationalization of the notion, for example by setting as a priority the establishment of grounds for intervention.

As a final point of this archaeological exercise, the chapter provides an overview of the secondary literature in order to identify various categorizations of the uses of human security. The way a given actor chooses to understand the distinction between the different approaches conditions the use of human security and its positioning within a given context.

Informed by the different trajectories the human security discourse pursed in the international institutions, the next chapter engages in a genealogy of internal displacement in Colombia during the Uribe government. With the knowledge of the events that compose the normative framework of the discourse (which work, to use Foucault`s expression, as the 'historical a priori' of human security) it contextualizes the

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different struggles behind the formulation and the appropriation of the notion of Internally Displaced Persons and point to the political implications of the policy options identified.

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Chapter 5

Internal Displacement in Colombia

1. Introduction

This chapter develops a genealogy of the policies relating to internal displacement and their appropriation in the Colombian conflict. In Part I the investigation identifies the struggle between the different UN agencies as they have positioned themselves in relation to the issue, as well as the consequences of these disputes for the institutional arrangement that resulted at the UN level and the construction of a normative body for the protection of Internally Displaced Persons (IDPs). The focus then shifts to the disputes that have taken place inside the UNHCR and how these have conditioned the agency's action in relation to IDPs.

Part II investigates the context of the implementation of policies towards IDPs in Colombia, particularly during the Uribe government. It begins by contextualizing the main elements related to the phenomenon of displacement in the history of the conflict, like the problem of land distribution and the impact of vulnerable groups. Then the chapter presents the mechanisms of Law 387, which regulates state obligations towards displacement, as well as the institutions created by the Law 387 to manage the phenomenon. The following section then presents the conflict which took place between the Uribe administration and the Constitutional Court regarding the fulfillment of the state's obligation in relation to IDPs. Finally the chapter draws some conclusions about the genealogical investigation of IDP policies and the consequences for the executive, the judiciary and the individuals involved in the violence.

Part I

2. Building a normative body for the protection of IDPs

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The expression 'internally displaced' is recent. It derives from earlier references to 'displaced population' that appeared for the first time in a peace agreement signed to end the conflict in Sudan in the 1970s[58]. Importantly, at the time the reference to the 'displaced populations' was supposed to provide emergency relief assistance to these individuals and was not intended to open up a precedent for an assertive claim regarding the protection of these populations.

In the 1980s and 1990s the proportion of internally displaced populations grew exponentially. When a first measurement of the phenomenon was tried in 1982[59], it indicated 1.2 million internally displaced people in eleven countries. In 1997, the numbers pointed to more than twenty million spread through more than thirty-five countries. (MacFarlane and Khuong 2006: 220)

As a reflection of this phenomenon, in the end of the 1980s there were two large conferences about refugees that analyzed in detail the situation of the internally displaced, still broadly defined as individuals in refugee-like situations living inside the countries where they were being persecuted. One of those events was the Conference on the Plight of the Refugees, Returned and Displaced Populations in Southern Africa, which took place in Oslo in December 1988, and the other was the International Conference for the Refugees of Central America, also taking place in Oslo in May 1989. Along with the debates in these conferences, the General Assembly issued a resolution in which it requested Secretary-General Javier Pérez de Cuellar to study the necessity of an international mechanism to coordinate relief assistance projects to the internally displaced populations. He designated UNDP representatives to be the focal points of these policies. However, according to Weiss and Korn, these representatives were not able nor willing to carry out this role. Their work concentrated on issues relating to economic development, and in addition they did not have the know-how to coordinate policies of humanitarian assistance. This first attempt did not generate relevant practical results (Weiss and Korn 2006: 16).

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[58] The Peace Agreements of Addis Ababa, signed in 1972, and putting an end to a conflict in Sudan was the first to make explicit reference to a policy of international scope that could be applied to those internally displaced(Phuong 2004: 6)

[59] The first institution to publicly collect data regarding the phenomenon of internal displacement specifically was the United States Committee for Refugees(USCR), a non-profit organization based in Washington and that produced annual reports about refugees and refugee crisis all over the world, the so-called World Refugee Survey(Weiss and Korn 2006: 15)

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In the 1990s the problem of internal displacement began to gain more widespread visibility. Efforts were made to flesh out a theoretical framework that would make the treatment of internal displacement operational and efficient. The central idea behind the efforts to create a normative framework for the IDPs at the UN level is the notion of sovereignty as responsibility. This idea has two parts: national governments are in principle responsible for the human rights of its citizens as a fundamental requirement for the exercise of its sovereignty; and when these governments are proven unable or unwilling to promote the security or the well-being of their citizens, there is a residual international responsibility that is automatically activated to protect the vulnerable individuals (Weiss and Korn 2006: 3).

The concept was formulated the first time by the human rights activist Roberta Cohen, then a member of the Refugee Policy Group (RPG), in a paper that became the draft to a project organized by herself and Dennis Gallagher (creator of the RPG) on the protection of the human rights of the internally displaced. This conference was attended by the main personalities and institutions engaged in the defense of human rights and international humanitarian law. Afterwards, this notion became the basis for the construction of another important instrument related to human security, the 'responsibility to protect'.

In 1992, UN Secretary-General Boutros Boutros-Ghali issued a preliminary analytical report on the case of IDPs to the UN Commission on Human Rights. The Commission then approved Resolution 1992/73 (UNCHR 1992), which authorized the Secretary-General to name a representative in charge of collecting information from all the governments on the internally displaced and their conditions. His prerogatives included an examination of all the existing mechanisms in international law, particularly international humanitarian law and international human rights law, that could be applied to the case of IDPs. In 1993, Francis M. Deng, a former Sudanese diplomat, was appointed as the representative of the Secretary-General to Internally Displaced Persons.

The 1992 report, issued by the Secretary-General himself, pointed, among other things, to the lack of a systematic document or declaration that could elaborate on the

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human rights[60] of the internally displaced persons. The report by the representative of the Secretary-General Francis Deng which was presented to the Commission on Human Rights in 1993, pointed to the necessity that an effort be made for the compilation of the existing rules and norms for the development of guiding principles that could regulate the attendance of the internally displaced (UNCHR 1993). It suggested that a set of principles should be formulated. In its conclusion, Deng emphasized the necessity to provide those in charge of assisting the internally displaced with guiding principles for action that could be applied independently of the causes of displacement; it calls for a focus on standardizing procedures for the kinds of problems these populations usually face, imagining responses that do not depend on the circumstances of the crises that causes the displacement. UN agencies and other NGOs associated with the theme started to work on a research project that would collect data on the international legislation available in order to organize a manual over the legal instruments that could be used for the attendance of internal displacement. The think tank that served as a basis for this program was the Brookings Institution, to which Francis Deng and Roberta Cohen were associated at the time.

The Brookings research project argued in its conclusion that the right not to be arbitrarily displaced, despite not being explicitly formulated in any general human rights document, can be inferred from the number of provisions contained in the different bodies of law investigated. An express prohibition against arbitrary displacement can be found in international humanitarian law, in the rights relating to indigenous populations; and it is implicit in international human rights law in general. The writing of the *Guiding Principles on Internal Displacement* (OCHA 1998), reflects the effort to synthesize these different bodies of law.

Putting together a large set of documents to produce a fieldwork guide was also a possible solution in light of the inability of the UN to deal with the problem of resolving the coordination problem between the different agencies properly. However, Catherine Phuong (2004) argues that, more than simply compiling different documents, the *Guiding Principles* reinterpret and reconcile different instruments in an innovative way, and makes its way to deliver new provisions out from the existent ones. She

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[60] In the 4 March 1991, the Commission on Human Rights approved the resolution 1991/25, according to which the Internally displaced should not any more be considered as an humanitarian issue, but as a human rights issue. By positioning the theme as a human rights problem, the UN System opens a window to think about the protection of the rights of these individuals (UNCHR 1991)

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illustrates this dimension with the case of the right to the restitution of property for the internally displaced. The principle of compensation for the loss of property resulting from forced eviction has been worked out mainly by the European Court of Human Rights and the Inter American Court of Human Rights. The restitution of property is more difficult to be attained than a financial compensation, but it would facilitate the return of the refugee and the internally displaced to the place they were expelled from (Phuong 2004: 61) In this sense, the *Guiding Principles* make an assertive position in relation to this topic in Principle 29, where it is stated that the competent authorities have the obligation and the responsibility of assisting the internally displaced populations to return or to be resettled and recover, while possible, their properties and other possessions they might have left behind when they departed. When it is not possible to recover these goods, the authorities are also to provide the populations with proper compensation or resort to other forms of reparation. It also states that the authorities should take measures so that the population that was resettled in another part of the country enjoy full citizenship and are integrated, as much as possible, into public life.

Several pertinent concerns relating to this population's vulnerability are considered in the *Guiding Principles*. They take into consideration, for example, the different phases of displacement. They also reflect many diplomatic concerns regarding the possible implications of granting rights for these populations due to the legal problems that might arise, as the case of weakening of the institution providing and seeking asylum, which became the most contentious issue regarding the implementation of the category. Regarding this, the document already foresees, in §2, that 'the activation of these principles should not undermine the right to seek asylum in other countries'.

Although the document is ambiguous and wide in many aspects, it is particularly straightforward and emphatic is in what concerns the responsibility of states. It states that the primary responsibility and obligation of states is to 'to provide *protection and humanitarian assistance* to the internally displaced (§3(1)). Besides, it is particularly responsible to protect from displacement 'indigenous populations, minorities, peasants, shepherds and other groups that are especially dependent or that have a special connection with the land'.

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This group of institutions, led by Brookings, have a clear legal and human rights based approach. What they were trying to achieve was the construction of a legal framework that could be claimed for the protection of IDPs worldwide. They expected the *Guiding Principles* was just a small first step in their strategy towards the construction of a legal category as independent and autonomous as possible from other legal mechanisms. In terms of their position regarding the trajectory of the notion of IDP they attempt to forge a narrative that associates IDPs with protection and the notion of sovereignty as responsibility.

2.1 Complex emergencies and institutional design

A certain number of approaches were considered in order to find an institutional format that could provide international policies for the protection of the internally displaced, including the creation of a new agency to deal exclusively with the IDPs. In a first attempt to set an institutional design to deal with the phenomenon, Secretary-General Javier Perez de Cuellar assigned to the UNDP the task of coordinating assistance specifically aimed at the displaced, but this first initiative did not have very good results. The institutional option that proved itself to be the politically possible was the coordination of the main UN agencies that might be somehow related to the IDPs (the UNHCR, the Unicef, the UNDP and the WFP), along with others that were not part of the UN system (like the ICRC and IOM, and other NGOs) (Weiss and Korn 2006: 76-79).

This institutional dilemma reflected a debate inside the United Nations that affected all the humanitarian operations. The solution reflected a pattern that emerged in the UN system to deal with the increasing number of complex emergencies that appeared in the 1990s. Involved in situations that required the expertise developed by many different agencies had to be deployed in sync, they understood the need to develop ways to coordinate the activities between the different humanitarian bodies inside the UN system.

For that purpose the position of Emergency Relief Coordinator (ERC) was created in 1992. He presided over the Inter-Agency Standing Committee (IASC) and was in charge of the Department of Humanitarian Affairs (DHA), all of them created by

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General Assembly Resolution 46\182 (UNGA 1991). In 1998 the DHA became the Office for the Coordination of Humanitarian Affairs (OCHA).

The ERC had a status equivalent to that of an Under Secretary-General, in charge of improving the articulation between the different agencies and following the instructions of the Committee. In 1993, the IASC created a task force for the IDPs. The goal of this task force was to propose institutional reforms to improve the responses of the UN system to cases of internal displacement.

The task force ended up being de-activated in 1997. In 1998, by suggestion from Francis Deng and the then ERC Sergio Vieira de Mello, they came up with a new strategy: the IASC instructed its agencies to separate out some of their middle ranking officers to work in specific locations as 'focal points'. This was an attempt to facilitate collaboration according to necessities in the field. The resulting network of focal points between the agencies was coordinated by a senior OCHA officer (Weiss and Korn 2006: 80-81).

In April 2002 the ERC and the Special Representative signed a memorandum of understanding for the creation of a special unit for internal displacement inside the OCHA. The ERC was formally put in charge of the IDP Unit and the operations conducted in the field were assigned to residents or humanitarian coordinators. In July 2004 the ERC Jan Egeland increased the level of priority of the unit, transforming it into a division in its own right. However, the strategy of creating a formal Unit\Division also could not solve the enduring problem of accommodating flexibility to the local agenda and the conflict that was taking place among and within agencies in the humanitarian sector of the UN (Weiss and Korn 2006: 80-82).

The different UN bodies demonstrated varying degrees of enthusiasm in relation to Resolution 1992/73 and the very creation of the category of IDP. The agencies that expressed the most substantial reservations were the International Organization for Migration (IOM) and the International Committee of the Red Cross (ICRC). The ICRC claimed that that the Geneva Conventions of 1949 and the Additional Protocols of 1977 gave it authority over all those affected by armed conflict, and therefore they saw no reason for producing an artificial distinction between them (Wiess and Korn 2006: 86). The ICRC, grounding its actions in humanitarian law, understood as its mission to attend to everyone in the same circumstances of necessity. But in order to do that, it is

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inflexible in its claim of neutrality, and in not intervening directly in the dynamics of the struggle. Categorizing individuals as IDPs (and therefore as being persecuted by one of the parties involved in the conflict) could jeopardize their claims for neutrality, which would in turn weaken the credibility of the institution in its future operations (Phuong 2004: 26).

In 2000 they released a guideline document where they reported the activities designed to attend to the IDPs. They recognized the value of the Guiding Principles of Internal Displacement, as it restates rights that should be valid for any human being subjected to displacement. However, they did not understand it as a definition readily applicable for operational purposes. The document emphasized that its mandate was for the implementation of International Humanitarian Law, and therefore the IDPs are conceived, a priori, as civilians entitled to it, even if under certain circumstances their living conditions might be particularly precarious:

> *"The ICRC's criterion for involvement is that of being present and active primarily in specific situations. As a neutral intermediary in the event of armed conflict or unrest, the ICRC seeks to bring protection and assistance to the victims of international and non-international armed conflict and internal disturbances and tension. In these situations, it seeks to give priority to those in most urgent need, in accordance with the principle of impartiality. In this respect, the ICRC considers an internally displaced person to be first and foremost a civilian, who as such is protected by international humanitarian law"(ICRC 2000)*

Likewise, the IOM had a mandate that extended to all migratory processes. In its Reports, the International Organization for Migration (IOM) emphasized the fact that it was the only agency with a mandate that directly applied to the internally displaced population since its activities were supposed to extend to all kinds of migrants. IOM has a role in the provision of temporary shelter for IDPs, as well as in providing transport for those wishing to return once the requirements for a safe and willingly consented return are in accordance with International Humanitarian Law (Phuong 2004: 97).

The United Nations Development Program (UNDP) is, among the organizations that work with the displaced, the one that has the most extensive role once these individuals are returned or resettled. Their focus is on programs for the reintegration of

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these individuals.   In specifying their role toward the IDPs, the UNDP always emphasizes their identity as a development agency and is reluctant to get directly involved in any issue that may imply the provision of protection for these individuals, as their agents understand they do not have the proper expertise for this.

3. The UNHCR and IDPs

In the last three decades, the numbers of internally displaced around the world reached alarming figures. When they were first counted in 1982 by a survey from the Brookings Institute, there were 1.2 million IDPs in 11 countries (Cohen and Deng, 1998, p.3); while according to the last survey released by the Internal Displacement Monitoring Centre (IDMC) *Global Overview 2011*(2012), there is now 26.4 million IDPs spread across 59 countries (IDMC 2012: 13). They nowadays confirm a more pressing crisis than the refugees themselves; as not only they are usually more vulnerable- unable to leave the country were they are being persecuted- but also because, since 1990, their number surpassed that of refugees (IDMC 2012: 13); in the same year, according to the UNHCR, the refugees numbered 15.2 million (UNHCR 2012: 6).

As a consequence of this new configuration, a tense debate sparked inside the UNHCR in the 1990s about how the UNHCR should deal with this new reality and what would the role of the agency in it be. According to some people inside the agency, this context of the complexities of the humanitarian emergencies was the opportunity for a fundamental revision of its mandate. The IDPs case illustrates this new condition because the complexity and scope of the phenomenon compel the international organizations to look for new policy answers, once the legal and institutional arrangements proved themselves to be inadequate to manage the issue. They point out that the number of people needing the kind of assistance that was provided for the refugees was increasing dramatically, but larger and larger portions of them did not fit the category as it is defined in the Refugee Convention (1951). It was argued that, by continuing with that distinction, the refugee protection system was creating a category of 'privileged' individuals, where more than once, but on many occasions, those who

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most desperately needed assistance were precisely those who did not have the means to run far away enough from the epicentre of conflict in order to cross the border.

3.1 Human security and the rethinking of the role of UNHCR

From the start, one of the important dilemmas for the representative of the Secretary-General was the critique that there was no agency specifically responsible to protect the internally displaced once the countries involved were proven to be 'unable or unwilling' to do so (Weiss and Korn 2006: 75). The representative himself, along with other observers, believed that the UNHCR would be the proper agency to fill this institutional gap (Phuong 2004: 85). In January 2000 Ambassador Richard Holbrooke, the United States Permanent Representative to the United Nations, suggested that there are substantial differences between a refugee and an IDP, and that the responsibility of the international community with all those individuals were one and the same (UNSC 2000: 24). In March 2000, in a statement to the Cardozo Law School, he goes further and argues for a mandate for attending to the 'internal refugees' be given to a single agency, presumably the UNHCR (Holbrooke 2000). The proposal was based on the understanding that the coordination between the different UN agencies was not enough to provide efficient protection for these individuals and that there was no substantive difference between a refugee and an internally displaced person. However, this expectation about the agency generated an internal debate over the limits of its mandate and the costs of overstepping it.

In his work, Adelman (2001) reads the struggle within UNHCR during the 1990s by identifying two narratives that dispute what the essence of the agency's mandate would be, and points out the central role the creation of the category of IDPs has in it. The narrative he calls 'the continuity thesis' claims that the agency developed along the years a unique "know-how" to assist certain kinds of individuals in certain kinds of situations. Its priority should be maximizing the utility of this know-how. This reasoning implies that when the circumstances of the individual at stake are adequate for the kind of assistance the UNHCR is willing to provide, it should step in even if this individual does not fit the juridical category of refugee as it is described in international law.

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Therefore, as Arthur Helton, Gill Loescher and others emphasized, one could not make sense of the transformations inside the UNHCR as if they were happening in a political vacuum. It was important to consider the political context not only to reconstruct UNHCR's actions, but also to be able to appreciate in which measure the agency was becoming a relevant political actor in world politics. In their view, at that point the UNHCR and the whole humanitarian wing of the UN system were in a crisis that was more than a policy crisis: it was an epistemological crisis, where the categories being used to make sense of events were not working any longer. They could not any longer identify the individuals the agency should aim towards in order to fulfil its role in global governance. So there was, according to Helton and Jacobs (2006) the necessity for new criteria and new priorities for the provision of assistance and protection, but also a careful consideration of the multiple and complex causes of forced displacement in this new configuration (Helton and Jacobs 2006: 4)

The supporters of this reasoning contend that, in that specific moment in time, UNHCR had been subjected to a new set of challenges, and the categories that allowed the institution to operate on the ground were no longer adequate for the agency to assert its role in new scenarios. This narrative, although it never became hegemonic, penetrated the UNHCR in the 1990s and influenced the decision-making process in the following years.

In opposition to this view, there is a narrative Adelman calls 'the conservative thesis'. It claims that the agency's priority should be to protect the instruments in international law it helped develop, like the principle of non-refoulement and the institution of asylum. This thesis calls attention to the fact that the paradigm of repatriation, which gained momentum in the 1990s, and along with it the increasing importance of the internally displaced in the agenda of the institution, implied a major subversion of the essence of its mandate. The UNHCR's mandate is designed to preserve a specific system of legal protection, asylum being the milestone of that system (Adelman, 2001, p.9). Guy Goodwin-Gill stood as one of the main supporters of what Adelman calls 'the conservative thesis'. He opposed the involvement on the part of UNHCR with IDPs. Reacting to Mr. Holbrooke's proposal of engaging the UNHCR in the protection of IDPs, Goodwin-Gill declared that, if that were to happen "the distinctive quality enjoyed by the refugee as a subject entitled to international protection

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will be erased. Rights, duties and responsibilities will be eradicated, and the refugee will be left, once more, unprotected…"(Goodwin-Gill 2000: 26) According to him, by answering the call of the Secretary-General, the UNHCR threatened its own independence and compromised the juridical basis without which its ability to offer protection to refugees would be compromised[61].

The argument from those who defended what Adelman called 'the conservative thesis' was that the protection of the refugees could only be preserved if it was strictly grounded in international law, and therefore avoid the politicization of the category. The human rights advocacy network was understood as being an inherently politicized and normative framework (Zard 2006: 23). In the end, there was no way the agency could escape the political debate. It was created by the states to be a strict apolitical agency and, at the same time, to advocate in the name of the refugees an unavoidably political task (Loescher 2003: 4). The very existence of the refugees was very often an indication of the political turmoil taking place inside the countries' territories

Chaloka Beyani(2006) argued that the establishment of a system based on treaties was an important achievement in international law precisely because it allowed people to hold the state accountable regarding the treatment dispensed to the individuals inside its own territory. The adoption, in 1951, of the Refugee Convention, can be only understood as a concrete achievement along those lines. Through this document, the UNHCR exercises its mandate that foresees the supervision - which with time, evolved towards the responsibility for the diplomatic protection - of the refugees, in cooperation with the states.

However, without a body of treaties to evaluate the legality of the states' conduct that could hold them to the obligations they committed themselves to regarding the convention, the practice of the legal protection of the refugees always remained inadequate (Beyani 2006: 270). Chaloka Beyani stresses that the present arrangement is not the result of an expected development of the parameters of the convention. She

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[61] In a paper presented in 2006 Goodwin-Gill relativizes, to some extent, his position of 2000. It begins saying that that "for the last decade, if not more, I have argued that, as a matter of general policy, international responsibility for the internally displaced should not be handed to the UNHCR"(Goodwin-Gill 2006: 7). Then he goes on to acknowledge that, in the last years, the involvement of UNHCR with internal displacement has deepened, and it was handed in a way that was, in most cases, non-controversial, deployed in a general, 'development-oriented approach'(2006: 8). However, he warns that it is important to keep in perspective that the potential for a conflict of interest for the UNHCR remains (2006: 15)

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argues that in order to work properly, it should be followed by a body of international law regulating its implementation. Instead, the convention started to be put into effect through the parameters of its internalization into the national legislations. Therefore, in time the prerogatives of the convention were subjected to subjective national considerations, and the implementation of its standards was jeopardized by the fragmentation of refugee protection. In the end, refugee law concentrated too much on the right to asylum, and gave up trying to develop other mechanisms that would improve the concreteness of the protection enjoyed by the refugees (Beyani 2006: 271).

3.2. Transformation of UNHCR operations over time

The UNHCR is involved in the attendance to and protection of displaced populations for long periods. In the beginning there was a narrowly defined mandate, related to assisting the refugees spread throughout Europe after World War II, then expanded to the colonial conflicts in Algeria and, with the end of the Cold War, was establishing offices virtually around the world. The political problems for dealing with the other countries are also part of the dilemma of working with the displaced for the agency since practically the beginning of its existence. In the case of Algeria, for example, the French government denied the authority of the UNHCR to act for fear of the internationalization of the crisis. Intense diplomatic work was necessary so the operation could be deployed.

This was, by the way, the first occasion when the UNHCR widened the geographical and operational scope of its activities beyond European territory (Loescher 2003: 9) The 1951 Convention, which consecrated the statute of the refugee, had especially been designed to deal with the millions of people that had being displaced from Europe as a result of WWII. Therefore the document only accommodated the concept of refugees who were running from events that occurred in Europe before 1951. The 1967 Protocol extinguished the temporal and geographical limitations that framed the original text.

In their field operations over the years the agency developed a know-how related to certain conflict situations, such as how to access and attend to the needs of those running from the epicentre of the violence, and the resources and the expertise

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that would be needed to plan an operation that might be considered a 'success' in the eyes of the international community. As these conflicts started to present the operations with an increasing number of individuals with necessities similar to those being attended, but out of the formal reach of the institutional mandate of the agency, groups inside the UNHCR started the legal discussion regarding the internally displaced and insist that they were the proper agency to lead in giving assistance to these people[62]. In the beginning, these new demands faced resistance. Prince Sadruddin Aga Khan, who held the position of High Commissioner at the UNHCR between 1965 and 1977, refused a request for assisting the internally displaced in South Vietnam precisely because they did not qualify as refugees. By 1972, however, the General Assembly authorized the UNHCR to provide assistance to the refugees and other displaced populations in the conflict in Sudan. Between 1971 and 1991, the UNHCR not only provided assistance, but also engaged itself in activities aimed at the protection of internally displaced in more than twelve operations.

After 1991, the UNHCR started to become even more involved in the assistance and protection of the internally displaced population, and the number of operations increased. The event that influenced this intensification was the intervention of the north of Iraq, in 1991. Sadako Ogata, then the High Commissioner of UNHCR (from 1991 to 2001), was a stronger supporter of assisting these populations, and worked to make the UNHCR a leading agency in attending to IDPs. At this point, the Director of International Protection at UNHCR argued that Ogata should have reviewed her position when Turkey refused to open their borders to Iraq's Kurdish refugees. The UNHCR strategy was criticized because its involvement with the displaced before they crossed the border allowed the countries these people were running towards to refuse them, claiming that they were already being provided with assistance. Members of the

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[62] This is not a unanimous position regarding the changing of direction of the UNHCR in the 1990s. There are writers like David Keen (2008) argued that behind the discourse they were providing 'preventive protection', the calculation was that it was cheaper to return these people than to resettle them in another country. For him there was, therefore, no substantial contestation of the mandate of the institution, just an economy based on an operational decision that was afterwards 'sold' as a normative statement(Keen 2008: 119-120). However, the debate over the inclusion of the IDPs on the agenda of the UNHCR and the several attempts to include them in operations that were not economically efficient, but politically sensitive, seem not to fit in this argument. Keen might have overly downplayed the role of that variable in the considerations not necessarily of those operating of the ground, but mainly for the UNHCR bureaucrats in Geneva.

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institution worried that, in the long run, this precedent could weaken the institution of asylum (Phuong 2004: 79-81)

In 1993, the UNHCR produced its first internal guidelines to address the issue of the IDPs. This document described three criteria which were to be met in order to have a 'go' in an operation of this kind: the first is that there must be people returning or about to return to the areas where the internally displaced are present; the second is that the fluxes of refugees and internally displaced persons have the same primary causes; and finally, that the internal displacement runs the risk of becoming an actual refugee crisis, with a threat that may lead people to cross the border in search of protection.

The legal support for the activities of the UNHCR regarding the displaced is Article 9 of its Statute of 1950. Article 9 states that the UNHCR shall engage in additional activities, as the General Assembly may determine, within the limits of the resources at its disposal[63].

In 2000, the UNHCR tried to clarify the issue of internal relocation and the 'right to remain' and internal displacement. In the document *Internally Displaced Persons: the role of the UNHCR* (2000), the agency reasserts its claim that the attendance of the internally displaced is not conclusive evidence to refuse a request from someone seeking asylum. Critics insisted on the idea that the original mandate had been distorted. They maintained that the strategy of the institution started as being designed around the human security of the refugee as an individual (or a potential refugee, for that matter) rather than in the preservation of the institution of asylum. In the 2000 document the agency acknowledges that its main challenge for the twenty-first century is the fact that displaced populations are increasingly perceived as a potential threat to social, economic and environmental stability, as well as public security. This statement was perceived as an indication that the UNHCR was abandoning its focus on refugees for a new emphasis on the phenomenon of forced migration. The document claimed that the agency needed to adapt its mandate to the changing circumstances as a way of understanding the problem of the refugees in the contemporary world (Adelman 2001: 7).

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[63] Guy Goodwin-Gill and Rachel McAdams(2007) criticize the use of article 9 to justify the engagement with the displaced. According to them, article 9 refers to additional activities specifically regarding the refugees, as defined by the same document. It could not therefore be used to justify the extension of the refugees (Goodwin-Gill and McAdams 2007: 486).

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In 2001, The High Commissioner Ruud Lubbers summarized the agency's approach towards internal displacement in what he called 'the 3 green lights': an operation focused on internal displacement would require a request coming from the Secretary-General, the consent of the country in which they would be acting, and specific funding for it (Lubbers 2001). The genealogy shows that the context creates to the experts the opportunity of producing knowledge and exercising authority by the construction of a narrative based on human security. But this construction poses to the institution a normative problem it is not able to solve. It actually transfers to a third part (the Secretary-General) the ultimate authority on the matter. But, giving that many of the requests for UNHCR participation in activities involving IDPs are not contentious, it did enable the institution to deploy several missions focused on the IDPs in the last years. The analysis of the conflict that was created inside the UNHCR evidences the tension created at the institutional level when of the emergency of the conflict. Therefore, on the ground, the connection between the different UNHCR national offices and the issues regarding displacement is increasing

Part II

4. IDPs in Colombia.

4.1 Precedents

Internal displacement in Colombia is not a recent phenomenon. Immediately after the bogotazo, the confrontation that followed generated massive evictions, the government at the time having stimulated the confrontation (Palacios 2006: 164). During the period of 'La Violencia'(1948-1966) there are estimates that point to more than 2 million people expelled from their land, approximately 20% of the rural population at the time. La Violencia had a strong impact on the civilian population: Colombia experienced the highest levels of violence and banditry of its independent history until that point, and the ten Departments most directly affected by the riots reported a total of 174,046 deaths (Palacios 2006: 164) Not only the movement of the

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official forces, but the tactics of the different armed groups provoked this massive displacement, with frontal attacks against the civilian population.

In the last decade these attacks have had a central place in a war that was being waged over the control of the territory. The civilians living in the areas of conflict have been targeted and coerced by the different groups. The scenario is even more complex if it is taken under consideration that these groups had their own civilian support networks composed by informers, followers (declared and non-declared), businessmen and administrators. The armed groups in many cases simply declare all the inhabitants of a given zone as 'followers' and start to promote mass evictions of those they do not trust. People also abandon the places for other reasons related to the conflict, such as fear of being caught in the crossfire, escaping from blackmail, kidnapping and forced recruitment (including the forced recruitment of children), which are part of the tactics of the different groups in their pursuit of land and recruits (Springer 2006: 12-13)

5. Land disputes and their relation to political violence

Besides the issues more directly associated with the violations of human rights, the land disputes and the illegal encroachment of land are important underlying causes of forced displacement. In fact, they are both inextricably intertwined, since the use of paramilitary violence for the purpose of land appropriation is behind many events of massive eviction[64].

Colombia has a history of land concentration highlighted by the systematic protection from the part of government authorities of the interests of the more powerful landowners. During the nineteenth century, the process of colonization and delimitation of the agricultural frontier presented a challenge to the Colombian government. According to Ibañez, the incapacity of the state then to create an infrastructure of management to protect the property rights provoked an escalation of the violence between the two groups. There was no such a thing as a reliable property registration system, and the government considered the public terrains as a relevant source of income, once it sold treasure bonds to private investors, that could be compensated by

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[64] Among the works that explored the structural problems regarding land distribution and its relationship with political violence and paramilitarism, Avila 2011; Bonilla 2007; Franco and Restrepo 2011; PNUD 2011; Ramírez 2011; Reyes 1987, 1997, 2009; Romero 2011 and Ungar and Cardona 2010 are worth mentioning.

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property titles. Since the beginning there was a possibility this situation would generate a conflict between the established land owners and the new settlers. The latter colonized and cultivated the land, but had a limited right over the terrain and did not have any property rights. Usually those leading illegal occupations and the small farmers were pushed towards vacant lots beyond the colonization frontier, a land that had not been claimed by anyone, to attempt to start a new life (Springer 2006: 29-30).

During most of the nineteenth century, the land disputes were not a central issue in the dynamics of the conflict. With time it became increasingly scarce, and from 1889 and 1925 the first registered set of conflicts between small farmers and established land owners took place (Ibañez 2008: 21-22). During the first half of the twentieth century, the land policy in Colombia was still aimed at promoting the colonization of the uncultivated space beyond the agricultural frontier of the country. This kept the agro-exporter-oriented economy growing, accommodated the demands of the small farmers and protected the powerful landowners of Colombia by maintaining the land distribution of the best areas for cultivation inside the frontier. Once these areas were in condition to generate an economic surplus, the established big landowners claimed the property of the vacant land and tried to transform the new settlers in their tenants. During 1936, the Colombian government issued the first agrarian reform law, aimed at the larger, established landowners. The fundamental objective of the law was, based on the threat of expropriation, to lead them to modernize their agricultural procedures and therefore to increase productivity. The 1936 reform changed the relations between the larger land owners and the ones recently settled (working mostly within temporary tenancies), provoking a generalized eviction of the latter. The confiscation of these vacant lots intensified during 'La Violencia'. Once again, pushing the colonization forward was transformed in a way to accommodate the tension in the conflicts over land inside the agricultural frontier (Ibañez 2008: 22-24).

In the 1970s a large scale legalization of these vacant lots took place, along with a program for rural development led by the government. However, the land distribution remained a problem and the rural development programs fell short to include a large part of the rural countryside families. With the economic crises that affected Latin America in the 1980s, poverty levels and land concentration increased in rural Colombia (Avilés 2006: 90). Land concentration returned after having stopped in the

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early 1990s, but this time it was associated directly with the increase in violence and the displacement of the population. In Colombia mega agro-industrial projects gathered significant support within the political class, and the alignment of these interests were resulting in complicity with some of the land owners who were in fact responsible for the displacement in the areas they later acquired (Springer 2006: 31).

It is relevant to stress that, in some regions of the country, narcotics trafficking presents a strong link with displacement. The presence of illicit crops generates an additional pressure on the land (both in its price and its availability). This is due not only to the acquisition of land for the cultivation of coca and poppy, but also for the importance of strategic areas to the control of corridors to the transportation of the drugs. The land acquisition by narcotics traffickers, as a mechanism for generating illegal income, provokes a process of speculation over the price of the land, reduces the capacity of the state to acquire land for agrarian reform, and undermines the capacity of the latter to negotiate with peasants and other land owners (Ibañez 2008: 17-18). Besides, the official policy of the Uribe government on the elimination of the coca crops is in itself - according to the many organizations that work on the theme - a cause of forced displacement[65] (Springer 2006: 21).

According to Ibañez, with the escalation of the conflict in the late 1990s, the groups were adopting frontal attack tactics against the civilian population. Besides facilitating territorial control and undermining the social networks, it obliged the population to seek refuge in other municipalities. It allowed the armed groups to strengthen their control in the region, and develop illegal activities in the area without obstacles.

The tactics used to terrify and intimidate the population turned away from tactics of open attacks to civilian communities around the year 2000. Then, the paramilitary violence in Colombia was reaching its peak. The numbers of open massacres had been increasing constantly until the moment where almost two per week were registered in 2000. But the political cost in terms of public criticism was high, especially when the

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[65] The most important case in point here is the aerial fumigation of coca crops with planes spreading 'agent orange'- the same chemical substance used in the Vietnam War- in entire areas of the country. They not only end up contaminating legal crops from farmers not associated with the drug-trafficking, but also they were responsible for respiratory diseases contracted in the area where the agent was spread. They also accused the government's policy to lead the security forces in a series of arbitrary actions that undermine the rights of the civilian population. Aerial fumigation of coca crops had already been ordered by the administrations of Presidents Samper and Pastrana, But the practice intensified under Uribe.

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paramilitary groups (considered to be those who resort more often to these kinds of 'tactical option'), started to engage in negotiations with the government. Therefore, after a certain point they changed their methods to attack the communities with more selective killings. It remained an efficient way of 'cleaning up' the area, but it received much less negative attention from the media[66] (Springer 2006: 28).

6. Assistance to the IDPs in Colombia

The milestone of the legal framework built to deal with this situation is Law 387 from 1997. This law set the parameters for a whole range of policies, decrees, resolutions and presidential directives. It conceived the state's obligations regarding the displaced to assist these people, and stated that this assistance should be organized in three phases: prevention, emergency humanitarian assistance and socio-economic stabilization. The law seeks with its emphasis on prevention to eliminate the causes of displacement in order to reduce its incidence in the future. The aim of emergency humanitarian assistance is to address the most basic necessities of the population already displaced in the period of three months after the event of their displacement, such as food, shelter and health care. Once the phase of emergency humanitarian assistance is over, the phase of socio-economic stabilization is automatically initiated. The main objective of that phase is to help the internally displaced to 'recover its productive capacity' and like that be responsible for their own maintenance, without having to resort to the state's help[67] (Ibañez 2008: 183-184).

6.1 Vulnerable groups

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[66] Municipalities with a weak presence of state institutions, where it is difficult to enforce property rights and where there is economic interest for the presence of armed groups, are usually more frequently attacked, having as a result the massive eviction of the population. According to Ibañez, provoking massive displacement seems a predominant strategy when armed groups seek to appropriate themselves from public resources and expropriate land breaking informal property agreements. Small scale or individual displacement, on the other hand, is a more common strategy when the goal is the acquisition of private property (Ibañez 2008: 57-58).

[67] The results of Ibañez research indicate that a state intervention is crucial to prevent the stagnation of the living conditions of the displaced population. She claims that the loss in general well being provoked by the event of displacement is very difficult to overcome. She also argues that the displaced population lacks formal mechanisms for risk reduction so they can not accommodate the impact of the economic shocks, and they also do not have the appropriate social capital to transform the benefits of the income generation programs in gains for their well being for the medium and long terms (Ibañez 2008: 169).

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What is at the baseline of the strategy designed to attend to the displaced by the Ministry of Economic Planning is the fact that the socio economic situation of Colombian IDPs is, on average, much worse than that of the poorest strata of the non-displaced population. Besides, displacement affects, in a disproportionate manner, the indigenous and Afro-descendent communities. Around a million people of indigenous origin in Colombia were transformed as a primary target of armed groups because of the strategic relevance of the territories where their reserves were located. The rate of displacement for the indigenous population is, in average, four times higher than the general rate of displacement. These populations are particularly persecuted because they refuse to surrender to the threats of the armed groups, claiming neutrality in relation to the conflict. In recent years, the guerrillas and paramilitary groups have seemed engaged in an explicit campaign to exterminate the indigenous groups in Colombia, despite strong condemnation from national and international organizations. The case received significant attention in the Inter American Court and the Inter American Commission of Human Rights, and the latter issued orders of international protection for these communities[68].

The Afro-Colombians and women in general are also groups particularly affected by the dynamics of internal displacement. The Afro-Colombians usually live in the poorest and least developed areas of the city and have a displacement rate 20% higher than the overall one (Springer 2006: 25). As for the women, they are often the responsible adult for many of the displaced households; in many cases the assassination of their husbands was what led them to displacement in the first place. They have had to carry out their responsibilities, including providing for their children with an average income that equals 68% of the minimum wage in Colombia. Sometimes they are the sole source of income for a family that has, according to the statistics, about six members, four of them being minors.

6.2 Law 387 and its mechanisms

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[68] As mentioned in this section, women, afro-descendent and indigenous groups are particularly affected by the dynamics of political violence. A comprehensive account of the plight of women in Colombia can be found in Costa 2008 and Salazar 2008. A discussion of the predicaments faced by indigenous groups in the country is in Jacanamijoy 2004 and Villamizar 2007. And an assessment of the situation of afro-descendent communities is found in Almario 2004 and Urrea 2004.

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Law 387 from 1997 establishes the different functions of the state institutions, including the local and the national sphere, to each one of the phases established by law. The legislation developed in Colombia specifically for assistance to the internally displaced population is internationally recognized as one of the most complete throughout the world. However, despite the scope and comprehensiveness of the body of laws, the implementation has been considered very irregular by specialists in Colombia and elsewhere (Ibañez and Velázquez 2008: 4)

To coordinate the action of the different agencies, Law 387 established the National Council for Integrated Attention to the Population Displaced by Violence(CNAIPD) The role of this council is to formulate policies related to the IDPs, and provide assistance to local institutions. The local authorities have the responsibility to create territorial areas of control and report cases of displacement to the central authorities. However, it is the application of these policies at the local level where the main challenges are found (Ibañez and Velásquez 2008: 4). In many municipalities where there is a significant reception of the displaced, there is also high penetration of members of illegal armed groups between the local authorities and a lot of interference in the electoral process. Some mayors are afraid that the incentives generated by the implementation of the policies towards displacement attracts new waves of displacement to their municipalities. Besides, many of the municipalities that receive a large number of the displaced are still in proximity to the area of intense conflict, and the armed groups establish close relations with the legal political groups. It makes it difficult to implement these policies and contaminates the traditional electoral process. Often the displaced who arrive in a given community are running from the same armed groups that control the region they are running towards, and because of that the latter deliberately obstruct the implementation of the programs designed by the government (Ibañez and Velásquez 2008: 35-40).

Law 387 also created the National System for the Attendance of the Population Displaced by Violence (SNAIPD). This system is composed of institutions responsible for providing services for the IDPs. Coordinating this system is the governmental agency Acción Social.

In what concerns the phase of prevention, the national authorities are responsible for evaluating situations that could trigger the event of displacement and work to reduce

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its incidence with the help of working groups that operate at the local level. They are also responsible for providing orientation to the potential victims who might need military protection in areas of risk.

During the phase of emergency humanitarian assistance, there are national and local institutions in charge of providing the IDPs with food and shelter during the three months following the event of their displacement. The main design of the strategy, meaning the decisions about what kind of assistance should be provided, are taken at the national level. But the operations, the division of responsibility between NGO and governmental organizations, are planned at the local level.

In the phase of socio-economic stabilization, the state is responsible for guaranteeing that the IDPs become able to provide for their own maintenance. The main national institution in charge of this phase is the Colombian Institute for Rural Development (INCODER), the Ministry of Agriculture and Rural Development, the agency Acción Social and others. The UNHCR also seeks to provide assistance at this point. The agency opened an office in Colombia in 1998 and its main roles regarding the internally displaced are: to consult in legal issues relating to the displaced to the government institutions and the NGOs; provide technical assistance to these institutions in the different phases of the implementation of the law; develop activities to promote international cooperation; and coordinate programs and projects that may assist directly the displaced population (Ibañez and Velásquez 2008: 6).

The very text of the legislation is an important part of the context that serves as a stage to the conflict between the Colombian government and the judiciary. The way it characterizes the displacements and the terms it establishes for evaluating the posture of the state are part of the elements of the construction of this genealogy

6.3 Uribe's IDP policy and the Constitutional Court

The National Development Plan 2002-2006 affirms that internal displacement is a priority for the executive's planning. There it is characterized as 'the most serious humanitarian emergency in Colombia' (Departamento Nacional de Planeación 2002: 78). However, in 2003, hundreds of the displaced organized themselves to make a case before the Constitutional Court of Colombia against the government. They claimed that

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their rights were being violated by the inaction and inefficiency of the state. The Court decided to accept the case, and performed a thorough review of Uribe's program and its results. On 22 January 2004, the Court issued Sentence T-025 of 2004, in which it declared the current condition of the internally displaced an unconstitutional state of affairs, and reasserted that this population should be an 'object of special protection from the part of the state'. This decision forced the state to take several initiatives, among which was the preparation of a special National Plan of Integrated Attention for the Population Displaced by Violence.

The Constitutional Court, with Sentence T-025, defined the condition of displacement as being directly and indirectly associated with the damage produced by the violence of the conflict. It forced the government to issue a new set of laws to establish mechanisms to fulfill the requirements of Law 387, to re-establish the original living conditions of the IDPs and allocate the necessary resources to that end. But Sentence T-025 evaluates the government's policies 'against' the text of Law 387, which defines internal displacement in Colombia as a humanitarian emergency, not in terms of the violations of these people's rights. In fact, what the sentence T-025 inaugurates in terms of the interpretations of the Constitutional Court is not the recognition of the violation of the human rights of the displaced. What it asserts is that due to the condition of extreme vulnerability of the displaced, the attendance of their social and economic rights should be considered as if they were fundamental rights- and therefore the state could be hold accountable of the violation of those rights by the Courts[69]. In a sense, it reinforces the logic of Law 387 rather than undermines it.

The state, since the moment that decision was issued, had the following additional responsibilities: 1) ensure a minimum living standard, with minimum medical and sanitary conditions; 2) provide coverage for their urgent medical expenses, which

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[69] In an attempt to answer the question of which are the fundamental rights of the displaced population, there are two positions that divided the deliberations of the Constitutional Court of Colombia. One claims that only civilian and political rights are fundamental rights to be guaranteed to the displaced population, in the absence of which the Colombian state can be hold accountable through judicial channels. A second position states that, even if only civil and political rights are fundamental rights, under certain exceptional circumstances social rights could receive the same juridical treatment. There are two situations based on which this kind of treatment can be granted. The first is when the violation of social rights affects the enjoyment of civil and political rights. The second is when the subjects victims of the violation of fundamental rights are considered to be in a situation of manifest debility. The sentence T-025 is considered a path-breaking because it was the first sentence where the interpretation of the Constitutional Court leaned towards the second position. All the deliberations that came afterwards followed its example (Muñoz et al. 2009: 70-71)

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means cases where the life and the physical integrity of the individual is at risk; 3) provide protection against discrimination; 4) provide coverage for the basic education of those under 15; and 5) consider the specific characteristics of the displaced families when planning the policies for their socio-economic stabilization (Ibañez and Velásquez 2008: 8)

One of the difficulties of the Plan of Integrated Attention for the Population Displaced by Violence was the protection of their properties. Abandoned properties ended up being incorporated by bigger adjacent properties or distributed by those responsible for the eviction of the former owners to people inside the community that were part of their support base. That is why these attacks that provoked massive displacement were also characterized as a 'reverse' agrarian reform, concentrating land instead of distributing it (Springer 2006: 33). The situation became even more serious when Uribe decided, in 2003, to terminate the Colombian Institute for the Agrarian Reform (INCORA), founded in 1962, and replace it with the Colombian Institute of Rural Development (INCODER). INCODER had a considerably smaller budget and half the staff INCORA had, suggesting the land issue was not on his administration priority list, although the official discourse claimed that the decision was based on the necessity of making the public administration more efficient (Springer 2006: 37).

In the phase of prevention, the responsibility of the government was not only to focus on preventing displacement, but also guaranteeing the protection of the properties of those who might end up displaced[70]. The local authorities must register the abandoned properties and formulate laws and mechanisms to prevent external actors from taking advantage of the situation (Ibañez and Velásquez 2008: 10)

During the phase of Emergency Humanitarian Assistance, Acción Social implemented new strategies to improve the financial security of the programs acting in

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[70] The government did not have a centralized entity that could register the abandoned properties by the displaced until 2005, when the Unified Registration System was created. This was also a result of the government having to adapt to the requirements of Sentence T-025 and also promoting measures to enforce Decree 2007 from 2001. This decree introduced the public protection for the patrimony of the IDPs and a procedure for the consigning of land in the case of resettlement. The mechanism is based on a declaration of 'state of eminent risk of forced displacement' in a particular region or area which would allow the INCORA (afterward replaced by the INCODER) to take possession of these people's properties when they abandoned the area. According to the decree, the selling of these properties could only be allowed with the express authorization of the Local Junta for the Integral Assistance of the Internally Displaced by Violence and of INCODER\INCORA. The families of the displaced could petition for the interchange between their properties and their abandoned houses by a similar property in another region of the country, being that these people would have priority with INCODER\INCORA to settle the contract (Springer 2006: 32-35)

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coordination with the ICRC and an NGO called CHF International. In the last years of his mandate, the Uribe government started including displaced persons in more general programs that were not specifically designed for them, but aimed at the low income population. The most known programs with this format are the Famílias en Acción (Families in Action) and the Red por la Superación de la Pobreza Extrema (Network for the Overcoming of Extreme Poverty). This suggests a political move where his administration was trying to balance the requirements of Sentence T-025 with criticisms emerging from other political groups claiming that his discourse towards the displaced was opportunistic and 'populist'. They argued that policies aimed at the displaced were creating a category of 'privileged' among the poor in Colombia and that there was no reason why resources should be invested specifically for their recovery.

6.4 Return Policies

Despite having invested a significant amount of funding into humanitarian assistance in regard to displacement, the strategy of the Colombian government was that promoting the return of these people was the only long-term solution to the crisis of displacement. This point was imperative in the design of the strategy, and the displaced, the NGOs and some international organizations criticized the lack of flexibility of the government on that point. They pointed out, specifically, that some of the places the displaced were being encouraged to return to were not safe, and the interest of the government in stabilizing the situation was considered a priority over the security situation of the displaced.

According to the UNHCR, the return of the displaced as well as the refugees, for that matter, must fulfill the criteria of international humanitarian law (IHL): it must be voluntary, the place must be safe and the conditions must be appropriate for them to live with dignity. In many contexts, the return is considered the ideal solution to the consolidation of an area in a post conflict scenario. However, the return in itself does not guarantee the recovery of the living conditions of the displaced. If the standards of international humanitarian law are taken into account, the families will need continued support from the state, or the efforts will prove ineffective. The return process must be

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followed by programs of land restitution and projects aimed at recovering the productive capacity of the displaced families[71] (Ibañez 2008: 215-216).

As Springer argues, despite all the criticism the government was subjected to, there are some reasons why the government so categorically insisted on the strategy of return. First, it is usually less costly to return the displaced than to resettle them. Second, the mayors of the municipalities who received these populations were increasingly reluctant to accept them because inside the communities, the displaced are associated with the armed actors and with public insecurity. Due to fear of attracting massive flows of displaced, the regional and local governments tried to avoid the situation by shutting down or minimizing the services they were supposed to be providing for them according to the law. Finally, the return of these people has a symbolic value because they represent the presence of the state being imposed over the strategies of the private armed actors. But Springer also points out that none of these different rationales actually considers the perspective of the displaced. The answers registered in the data base of the Catholic organization RUT about the resettlement policy for the displaced indicate that 65% of IDPs would prefer to stay in the community of destination, arguing the precariousness of the security situation they ran from, the lack of guarantees of security during the process of return and the lack of access to land and work (Springer 2006: 39)

7. Conclusion

The internally displaced as a phenomenon is growing in Colombia. Between 1986 and 1995, the flow maintained an average rate of 72,800 people per year. However, in the following 10 years, it escalated dramatically. In 2002, the year the Uribe government was elected, figures reached the impressive historical mark of 412,533 persons in one year. This number dropped in the following years, but after that

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[71] The return of the displaced population must not be considered an alternative while the conditions of insecurity that motivated the displacement in the first place persist. Besides, UNHCR also stresses that the displaced population must make their decision with all the necessary information to minimize the uncertainty against the economic and security conditions they will face when returning. Returning to a condition of high uncertainty or because they seemed to have no other alternative in light of the precariousness of the reception cannot be considered a properly informed, voluntary and free decision.

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started rising again[72], and in 2008 it reached a second historical mark of 380,683 per year[73] .

Faced with this reality and considering the increasing visibility of the theme of the internally displaced on the international agenda, the Uribe government invested a significant amount of energy and money in setting normative directives and institutional regulations to deal with the problem. The state has concentrated on improving the provision of emergency humanitarian assistance through expanding the health care coverage, facilitating access to education[74], and in providing incentives and logistical support for their return. The Colombian government is recognized as having a pioneering role in developing programs for the IDPs as well as for the wide and extensive body of laws and regulations issued regarding the problem.

The policies for the assistance of the internally displaced, despite the complexity of the problem and the overwhelming difficulties of implementation, have two very important characteristics: the first is that the policies position the displaced in such a way that reduces their circumstances to a set of socio-economic indicators. This automatically characterizes the answer to be offered by the government as a policy of assistance, not of protection. This becomes clear when the text shows the discontinuity in the genealogy between the formulation of the notion of displacement at the international level and the parameters of its appropriation on Colombia. The political process that is unveiled by this discontinuity demonstrates that the role of the violence and the expropriation at the root of the phenomenon of displacement begins to become elusive. This discontinuity is a key element in unveiling the political dimension of the choices made regarding this matter. As the displacement is figured as a process of economic deprivation, the violence that generated it loses its concreteness, and responsibility for the past is ignored so the government can concentrate on the construction of the future.

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[72] The numbers for 2002 can be considered atypical once there is the occasional convergence of a series of factors: the failure of a highly conflictual peace process, a wearing situation either for the parts involved and for the Colombian society as a whole; the political polarization that was a product of this failure, and the catalytic role played by the presidential election in this turbulent context. In 2003, these number dropped considerably, to a level consistent with the regular pattern of the conflict- to 207,607 persons, although the retraction of the FARC and the negotiation with the paramilitaries (which included a cease fire that was only partially respected) should also be factored in.
[73] The numbers of displaced per year between 1985 and 2008 used here are from Codhes 2009: 2..
[74] In an attempt to reinsert these people in the labour market, the government developed programs for income generation and also to offer micro credit. However, what the research of Ibañez indicates is that these programs are generating no effect in the modification of the social indications of the displaced.

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As Springer (2006: 34) argues, internal displacement is portrayed by the government authorities as a 'mysterious and inexplicable problem'. She shows that before the event of displacement, most of these rural families belonged to a social class of small farmers who owned properties of up to 20 hectares. Their eviction was, in most cases, a very violent and traumatic event, besides being an initiative taken on behalf of very specific political and economic interests. The internally displaced have been treated as a 'surplus' of population that was in the way of implementing ambitious development projects.

In 2008, this tendency to transform the problem of the displaced into an economic problem entered a new phase. The Uribe government started to incorporate IDPs in programs that were designed not specifically for the displaced population, but for the low income population in general. Some political groups in Colombia claimed that the policies aimed specifically at the displaced were creating a category of privileged, offering certain low income individuals opportunities that were denied to others. By incorporating this complaint in its larger strategy regarding the displaced, the Uribe government accelerated the dilution of the categorization of the displacement as a phenomenon of violence, allowing even more flexibility in the management of the crisis of displacement by transforming them into economic indicators. This narrow characterization empties the concept of its protective content, and makes it possible to avoid its use as an instrument that defines the intractable and unreconciled dimension of the violence persisting in the countryside. The violence becomes instead a part of the political fragmentation of the country, tied to narratives of trauma and loss that are voiced by the displaced. These narratives deny the possibility that their lives can be rebuilt through a government-led development strategy.

The experience of displacement creates a traumatic memory which is aggravated by the occasional indifference and frequent hostility and suspicion they encounter when they arrive in other locations. In a country that invented a discourse to deny and neutralize the proximity of war, the displaced become the most evident expression of the violence that still dominates part of the countryside. Most of the displaced are now on the outskirts of the largest cities, living in intractable conditions. There, their plight is collectively ignored, as part of a socio-psychological process of denial. They are

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treated as 'people that live in another world', a pathological attitude that lead many displaced to hide their history, afraid of being stigmatized and victims of discrimination.

The second characteristic of the way the norms regarding displacement are appropriated in Colombia is the centrality of the state in the network of agencies that are involved in attending to the needs of these individuals. This is not an intuitive configuration. As Duffield (2001: 45) argues, a key feature of the institutionalization of the governance networks of human security were the privatization and the subcontracting of the different agents to perform tasks that used to be attributed to the state. In fact, several local and international NGOs - not to mention the UNHCR itself - actively participated in this process. But this network functions with the state at the centre of its articulation. There were twenty-three state institutions, from the Ministry of Defense to the National Television Commission (now defunct), that regulate all dimensions of the policies aimed at the displaced[75]. The government has, with this, institutionalized an answer for each circumstance the escalation of the conflict imposes on a new situation of displacement.

Throughout this genealogical exercise, the dissertation reconstructed the struggles involved in the construction of the notion of IDPs and of its implementation in the Colombian context and during the Uribe government. These struggles had, as has been shown, consequences for the way the predicament of the individuals affected by the conflict was conceived; and for framing the role of the different actors involved. But a set of events initiated by the demobilization of AUC in 2003 opened the way for the mobilization of a different vocabulary. This new vocabulary is synthesized in the notion of victim, understood as a bearer of a specific set of rights prescribed in the literature about transitional justice. In the next chapter, the dissertation pursues a new genealogical analysis to trace how the transitional justice framework made sense of this notion and the consequences of its appropriation within the context of the Colombian conflict.

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[75] To a full list, see the annexes in Ibañez and Velásquez 2008: 49-54

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Chapter 6

Transitional Justice and the Victims

1. Introduction

The aim of this chapter is to perform a genealogical analysis, centered on the notion of victim, showing how it informs the production of the Justice and Peace Law and its role in characterizing the predicaments of those affected by the conflict. This notion is introduced in the context of the Colombian conflict through the appropriation of the transitional justice framework. To this end, the dissertation engages in a genealogy that traces back the events appropriated in the construction of the transitional justice framework, and reconstructs the struggles involved in the forging of its discourse. Afterwards, it moves to the Colombian context, and uses the analysis of these struggles to make sense of the narrative pursued in Colombia.

1.1 Transitional justice and human security

Transitional justice is considered in the design of this research a discourse in its own right. It establishes a normative framework that regulates the process of transition in a given society from a conflict to a post-conflict scenario. As it is shown throughout this chapter, the construction of this discourse implies the consolidation of bodies of norms and institutions. Those inform the relations among actors in conflict situations; but their use may not be limited to reproducing the framework of transitional justice. They establish connections between the responsibilities of individuals and groups and the reconciliation of society that may be used by actors to pursue agendas not specifically associated with this discourse.

Human security shares an important relationship with transitional justice because the norms and institutions built by the latter are appropriated by certain actors to reinforce specific visions of the former (vis-à-vis alternative visions of the same

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concept). The narratives of human security that emphasize the role of international law and the humanitarian consequences of war often rely in institutions and norms created to empower transitional justice mechanisms as the proper way to promote their agenda. This can be observed, for instance, in some initiatives associated with the Canadian approach to human security, and also in the reports and newsletters of important research groups focused on the theme, such as the Civil Society Network for Human Security and the Human Security Report Project.

Besides, more specifically in the context of the Colombian conflict, a genealogy of the formulation of the Justice and Peace Law requires the reconstruction of the trajectory of the international instruments that emphasize the division between victim and perpetrator, which is at the heart of the normative framework of transitional justice. In fact, Angelika Rettberg even defines transitional justice as a process composed of judicial and non-judicial arrangements that "*searches to clarify the identities and destinies of victims and perpetrators*" (Rettberg 2005: 1). Therefore the genealogy developed in this chapter begins with an examination of the transitional justice framework.

1.2 Implications in constructing the notion of transitional justice

The idea of authorizing juridical procedures that help stabilize social spaces and allow for the implementation of a regime that is expected to accommodate political violence can be found in different contexts and does not define the set of practices this dissertation is addressing. Jon Elster (2004), to mention an example, traces these procedures even as far back as to Athens in 411B.C. But the concept of transitional justice itself, as a stable signifier that refers to a specific set of mechanisms, documents and norms is very recent. The studies that focus on these practices are usually narrated as having as origins in the Nuremberg trials and following the path of the ad-hoc international courts up to the International Criminal Court(ICC).

Ruti Teitel (2003) defines transitional justice as a concept "associated with periods of political change, characterized by legal responses to confront the wrongdoings of repressive predecessor regimes"(Teitel 2003: 69). In defining the concept, she places the notion between the resilience - and the possibility of objectivity

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- of its cosmopolitan normative formation, and the political dilemmas and exceptional scenarios of the contexts in which it operates. Therefore, in order to be understood as a juridical practice, it has to be differentiated from the justice of the times of social and political normality, on the one hand, and the justice of exception or political justice (where politics overrules law), on the other. Along with these lines, Jon Elster (1998) conceptualizes the practices of transitional justice through a continuum that goes from 'political justice' on the one side to 'legal justice' on the other.

The two basic social tasks that are supposed to be performed by this transitional justice framework in a post-conflict scenario are reparation and reconciliation. Reparation consists of the fundamental obligation to return the individual to the status quo ante, but also to offer a reliable indication that the following regime is committed to respect the equality of rights between all citizens. And this implies addressing the past as much as the future (de Grieff 2006: 214).

According to Pablo de Grieff (2006), the contemporary juridical efforts led to a known classification of the different forms of reparation in international law: restitution, compensation, rehabilitation and satisfaction. Restitution is directed to, as much as possible, reestablish the previous condition of the victim. Measures towards it can include the reestablishment of citizenship and the return of land property. Compensation is the alternative that is usually favored in cases of reparations, and it implies assigning an amount of money that will be directed according to the situation, the nature and the scope of the kinds of damage (destruction of property or moral damage, for example). Rehabilitation provides those endowed with reparations to measures such as medical and psychological attention, and provision of services of social and juridical support. Satisfaction and guarantees of non-repetition can refer to a wide range of initiatives, such as cessation of hostilities, proper investigation and verification of facts, official apologies and juridical sentences to reestablish the dignity and reputation of the victims and the veracity of the facts (de Grieff 2006: 217-218).

Reconciliation, differently from reparation, has to do with overcoming the violent social divisions, implementing the rule of law and reestablishing social trust, or a solidarity that promotes a 'democratic political culture', and allow people to overcome their terrible experiences of loss and violence and fell capable of living together again (Pensky 2006: 114).

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Elster's framework gives the impression that these two limits (political normality and political exceptional justice) are equally static. But in the conventional narrative of the unfolding of the transitional justice framework, they play different roles. The differentiation between political normality and transitional justice is a defining differentiation, one that provides transitional justice with a scope for action. The differentiation between transitional justice and political justice is a normative or deontological one. Transitional justice would be progressively differentiating itself from what Elster understands as political justice (or justice of exception) and by doing so is gathering institutional consistency and political authority[76].

This transformation in the reach and depth of international public law also empowered the judges' and the courts' (international and domestic) ruling decisions. It strengthened the authority of the judges vis-à-vis the politicians in their attempt to regulate societies in transition. Before the transitional justice framework achieved its momentum, governments made decisions which were not submitted to judicial control, and the role of the judges were limited, at least in principle, to apply the norms of exception relative to the proceedings. Societies in transition could move to a de facto state of exception (Orozco 2009: 62). But today, as the judicial controls over the states in transition become stronger, judicial decisions are no more a privileged place for the government to legitimate their political decisions: they are rather an arena of struggle between judges and politicians. In some cases, the main aim of transitional justice consists of transforming a culture of impunity to a culture of accountability. Transitional justice processes are led by juridical demands imposed at the international level, which concentrate on the imperative of individualizing and punishing those responsible for war crimes and crimes against humanity committed in the moment previous to transition (Uprimny and Saffon 2005: 215).

The practices produced by the international courts deauthorized the mechanisms put in place by political negotiations, and justified under the name of 'justice of exception', with a universalist assessment that diluted the distinction between ordinary and extraordinary circumstances. The ambiguity of identity in a context of transition was replaced by the unequivocal distinction between victim and perpetrator that could

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[76] Filipini and Magarrell illustrate this in a very straightforward way when they claim that the aim of transitional justice is to advance justice *despite* the challenges of the political context and for the reason of the opportunities of transformations that the context entails(Filippini and Magarrell 2005: 144).

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be provided despite the lack of a social consensus that would not be uncommon in a political transition context. So being able to identify the figure of the victim became an indispensable condition for the implementation of the norm. It opened up a space for the humanitarian discourse to be articulated in combination with the human rights discourse: the victim became the figure through which an assessment of the rights the individuals should be provided with was authorized. This in turn transformed transitional justice, as Orozco puts it, into a "conceptual space, somehow diffuse and anti-hegemonic, in which the tensions and compromises between universalism and contextualism are deployed". (Orozco 2009: 1-2). Orozco's critique allows the fleshing out of one of the central elements in contemporary practices of transitional justice: the building of legislation to attend to the victims of the conflict. All these normative elements are important exactly because they allow to understand the stakes of the disputes in which the notion of victim has involved.

This construction of the figure of the victim also provides the possibility that the punitive bias of transitional justice and the presentation of the right of the victims to the truth only through a juridical perspective can be questioned. Uprimy and Saffon argue that the emphasis on judicial truth can limit the right of the victims to the knowledge of the circumstances concerning a concrete offense, without relating it to other crimes and more structural causes of violence. On the other hand, the judicial truth seems to limit the participation of the victim in its reconstruction; once they could only take part in the moment they were directly related to in the judicial process. It is not aimed at reconstructing the event, but at establishing a sanction. Besides, the fact that the task of the reconstruction of truth is entrusted to the judicial process may demonstrate a certain degree of insensibility towards the particular needs of the victims. The attainment of truth through a judicial process can affect the victims at a psychological level. (Uprimny and Saffon 2006: 359-360).

The thesis that is defended by those who stand for the punitive bias in the transitional justice framework is that only by stressing in a resilient way the individual and collective memory of the crimes, attributing responsibility and punishing, may one be able to avoid the repetition of the atrocities committed in the past. But the narrative that punishment has a preventive and even pedagogical character might prove

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problematic, because it can also further polarize society and lead to instability and violence (Orozco 2005: 184).

2. Transitional justice in historical perspective

2.1 Towards universal jurisdiction

Most authors emphasize that what constitutes the legitimacy of the transitional justice framework is that it is grounded in international law. The concrete content of the transitional processes worldwide would be a reflection not only of this firm basis, but also of a wide consensus among societal groups that reconciliation and the strengthening of the rule of law are essentially complementary. According to Botero and Restrepo (2005: 23), there are four clear indications of the advance and consolidation of international law: 1) increase in the number of state's obligations in the matter of defending and guaranteeing human rights; 2) establishing individual criminal responsibility for severe human rights violations and violations of international humanitarian law; 3) widening and strengthening international mechanisms for guaranteeing the fulfillment of states' international obligations in matters of human rights and international humanitarian law; 4) the extension of international human rights protection from times of peace to times of war and to times of transition.

The evolution of international criminal responsibility by the Commission of War Crimes and Severe Violations of Human Rights is one of the most important milestones of international jurisdiction, produced at the end of World War I. Afterwards, the Commission on the Responsibility of the Authors of War and on Enforcement of Penalties was created to study the war crimes. Since the end of World War II, public international law was showing a constant tendency towards universalizing the sanction in cases of atrocious crimes (Uprimny and Saffon 2005: 216).

However, in the beginning of the 1980s, there seemed to emerge a new approximation towards transitional justice inside the international community, one that focused mainly on the stabilization of the fragile regimes, an aim that fit perfectly with the policies of the Cold War and with the generally concrete difficulties of the policies

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of tribunals and punishment. Therefore, the politics of forgiveness and forgetting gathered support (de Grieff 2006: 206).

In the 1990s, with the discourse of the New World Order, not only did the international forums aim towards more assertive positions, they promoted it through a more universalizing platform: the principle of universal jurisdiction. With the practice of International Tribunals in Ruanda and Former Yugoslavia, the idea of universal jurisdiction started to gain space in the agenda and had a relevant role in the consolidation of transitional justice as a legitimate juridical practice. According to this notion, any country can investigate, judge and condemn someone who committed human rights violations even if the crimes were not committed in the territory of the state that is judging and investigating. This may happen when the possibility of exercising such a jurisdiction is foreseen in an international treaty, or within a norm of domestic law (Botero and Restrepo 2005: 53).

2.2 The creation of the International Criminal Court

The actual institutionalization of transnational judicial mechanisms to regulate processes of international transition did not exist until the end of the WWII. The Nuremberg Tribunal was the first attempt to set up such a mechanism[77], in order to judge the German officers accused of atrocious crimes during the war. In the immediate post-war period, some development in the terrain of creating institutions and norms at the international level can be observed. That intensified the construction of judicial instruments and international standards to regulate conflict and post-conflict societies. An important example is the Convention for the Prevention and Punishment of the Crime of Genocide, from 1948. Article I of the Convention stated that genocide was an international crime that all signatory states should be committed to prevent and judge. Moreover, in Resolution 260 A (iii) from 9 December 1948, in which the General Assembly of the UN approved the adoption of the document, there is a recommendation for a Commission of International Law to study the possibility of creating an

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[77] In 11 August 1944, The President of the United States and the Prime Minister of the United Kingdom made a public declaration asserting that the fate of the main Nazi politicians and commanders was a political issue, not a juridical one. However, after meetings with representatives of other victorious nation they decided for the constitution of an international court (Botero 2006: 285-286).

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International Criminal Court in charge of judging people accused of the crime of genocide (Botero 2006: 292).

However, during the Cold War the consensus necessary for the establishment of this mechanism weakened. When the dictatorships that seized power during the period started to dismantle in the 1970s and 1980s, the processes of transition tended to emphasize agreements settled in the negotiations between the parties, and deliberately avoided judicial mechanisms and resorted to the use of amnesties and indults, practices that the international lawyers tended to condemn. Alternative transitional mechanisms were designed, usually extra-judicial in nature and focused on the reconstruction of the truth in commissions specifically created for that effect[78]. This does not mean, however, that in the Southern Cone countries there had not been important attempts to achieve the clarification of the truth through a juridical investigation, as could be seen in Argentina and Chile later on (Uprimny and Saffon 2006: 355-356).

Other actors, and among them some first-world-based NGOs, played an important role in not renouncing the hope of harnessing the transitional process with some kind of criminal justice procedure.   In 1973, the International Convention for Suppression and Punishment of the Crime of Apartheid (UNGA 1973) was signed. It stated that people accused of the acts described in the document could be judged by a competent tribunal in any signatory state who has jurisdiction over these persons, or by any international criminal tribunal recognized as competent by the signatory parts (Article V). However, during this period the most identifiable approximation to the problem of transitional justice is that it predominantly centered on the creation of truth commissions. First in Chile, Argentina and El Salvador, this trend led to the spread of truth commissions in over twenty countries by the late 1980s and the 1990s (de Grieff 2006: 207). The truth commissions as a format that could be used in the contexts of transition became more than a 'consolation' and soon acquired legitimacy. The paradigmatic case is that of South Africa, where the extra-judicial mechanisms were considered the most appropriate tools to achieve a successful transition.

Once again, with the waning of the Cold War, the promises of justice expressed in the distinct international juridical instruments following World War II provided the elements for a return of the judicial institutions to the agenda. It reflects a critical

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[78] Uprimy and Safforn characterize this moment as 'the consolation of extra judicial-truth'(2006: 355)

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assessment of the role of the truth commissions to the processes of transitional justice. It was argued that for the installation of a national order that could provide lasting reconciliation, impunity for atrocious crimes could not be tolerated, and it would undermine the reconciliation efforts in the long run, as it did not establish conditions for guaranteeing the non-repetition of the previous situation (Uprimny and Saffon 2006: 357).

On 10 December 1984, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was adopted by the General Assembly in Resolution 39/46(UNGA, 1984). This document reformulated the case for international justice through the principle of universal jurisdiction, and enforced the obligation from states that would not prosecute people accused of those crimes to extract them to the states that do so at their request. (Articles 4 - 9). After the 1984 document, the idea of a permanent court to judge crimes at the international level entered the agenda, but it was only in 1989 that the General Assembly asked the Commission on Human Rights to report on the possibility of creating an International Criminal Court that could judge international crimes (Botero 2006: 293).

In the following years, a number of precedents helped pave the way for the International Criminal Court[79]. It was on 25 May 1993 that the Security Council, through Resolution 827, supported by Chapter VII (UNSC 1993) of the UN Charter, established the International Criminal Court for the Former Yugoslavia. And on 8 November 1994, the same Security Council, through Resolution 955, created the International Criminal Tribunal for Rwanda (UNSC 1994).

On 17 July 1998, at the Diplomatic Conference of Plenipotentiaries of the United Nations, the Statute of Rome was approved, foreseeing the creation of the ICC. The Treaty (and thus the Court) entered into force 1 July 2002. It created a permanent tribunal linked to the UN system, competent for the most severe crimes that transcended domestic criminal jurisdictions. It was responsible for guaranteeing international justice when the states concerned were 'proved' unwilling or unable to judge those responsible for genocide, crimes against humanity, crimes of war or aggression. It also had jurisdiction for when a juridical process is enacted with the concrete purpose of

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[79] The experts in the doctrine state that the dispositions of this statute assemble and systematize the norms of International Humanitarian Law, and codify the international doctrine in the matter. At the same time, the precedents established by the Court at taken into consideration in the International Criminal Court, specially the cases Tadic and Furundžija (Botero 2006: 296).

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providing impunity for the crimes perpetrated, as in the case of general or partial amnesties (Botero 2006: 300).

There is nothing in the text of the Statute of Rome suggesting that the competence of the Court is suspended in cases of transition to peace or to democracy. However, there are, according to Camilla Botero Marino (2006) a number of conditions based on which the Court could decide not to know (or not to recognize) a case. The first is if the national decision of not applying criminal punishment for those responsible is proven necessary to achieve peace or democracy, and is not interpreted as granting amnesty. The second is when the state designed a set of measures that could satisfy the minimum and non-renounceable content of the rights of the victims to truth, justice and reparations. The third is that the state provides adequate measures for the non-repetition of the crimes (2006: 305-306).

3. Individuals' status before international courts and the role of restorative justice

The common sense narrative that celebrates the progressive enforcement of international courts and international law illustrates how the current transitional justice framework was the result of the multiplication of legal instruments - even if eventually interrupted during the Cold War. There are a number of possible starting points for this narrative. Pizarro (2009), for example, points to the Conference of Geneva of 1864. It was a conference aimed at addressing the issue of the suffering of those who fell wounded in battle, initiated by the harsh realities of the Crimean War. This is considered the first of a series of conventions that, in the nineteenth and twentieth centuries, created norms to deal with the attendance of non-combatants and militaries who become captured or wounded. Four years later another international conference took place in St Petersburg, focusing on the use of certain types of weapons and munitions in war. This convention also started a precedent in the creation of a whole different set of norms, which attempted to regulate the conduct of war and the legal means to carrying it on.

These norms became a reference for the regulation of humanitarian practices, but they had an important limit on its formulation: they were supposed to apply only in the case of international confrontations, where two or more sovereign countries were

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involved. The first document to reconsider this limitation was the Geneva Convention of 1949. It included the humanitarian dilemmas emerging from internal armed conflict as part of the normative concerns to be dealt with by international treaties.

In 1983 the Argentine President Raul Afonsín created the National Commission on People's Disappearances under the direction of writer Ernesto Sábato, who wrote the 'Nunca Más'[Never Again] Report (1984), a document that generated worldwide repercussions. In the following years more and more truth commissions were created in Chile, South Africa, El Salvador, Guatemala and, more recently, Peru. This history reached a climax with the Treaty of Rome and the creation of the International Criminal Court in The Hague (2002) (Pizarro 2009: 47-50). The long process of conceiving of the idea of victim as a bearer of a specific set of rights is therefore eminently connected to the evolution of international humanitarian law and international human rights law.

There are different reasons for presenting Pizarro's narrative regarding transitional justice and the present moment of international law. For one, as head of the National Commission for Reparation and Reconciliation (CNRR) during the Uribe years, his account is representative of the government's position and reflects the official discourse- which will be explored in further detail later in this chapter. Besides, his perspective presents a clear example of the articulation whose performance this dissertation intends to dissect with the genealogical investigation in this section. It conflates norms of human rights and international humanitarian law through the appropriation of the notion of victim. That erases the tensions between the different normative frameworks that inform specific formulations of this notion, an effect which allows for the construction of a universalizing platform.

3.1 Attributing responsibility to individuals.

It is important to expose the tension behind the assumption of universality that can be observed in the conventional narrative about transitional justice. The dissertation will proceed to this exercise by identifying two different narratives inside the transitional justice framework. They present a conflicting understanding of the relationship between victim and perpetrator, as well as between individual responsibility and social reconciliation.

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A direct implication of the principle of universal jurisdiction, the possibility of judging individuals for crimes independently of the jurisdiction of their country of origin, was perhaps the most important struggle for those advocating the primacy of international law. And this practice undoubtedly strengthened over the last twenty years. However, when deployed in transitional societies, there are a series of implications that must be considered. For example, whatever line used to separate those granted amnesty from those that must face a judicial trial, there will be complaints that someone on one side of the line should be on the other. The Nuremberg Tribunal and the International Criminal Court for the Former Yugoslavia used the official rank of senior officers as a central criteria to indicate their degree of responsibility for the crimes. However, rank can result in being a confusing indication of culpability. These choices are made under the assumption of the responsibility of the chain of command, where the responsibilities of the acts of the subordinates are considered to be the burden of their superiors, because their superiors could have avoided these acts (Osiel 2005: 70).

The assumption of the responsibility of the chain of command is yet the main assumption based on which such judgments are made. But, despite this doctrine having a large history and being well accepted in military circles, it fell into disuse in the ICTY. This happened because the tribunal interpreted that for the superior to be the bearer of the responsibility, the control the accused had over his subordinates' actions must be proven. Moreover, the meaning of the term 'control over the subordinates' may be very elusive. As an alternative way of providing such judgment, the judges established as a criteria the notion of 'participation in a criminal enterprise', a concept through which one can condemn people who are not at the top of the chain of command. According to the ICC, the accused is responsible for participation in a criminal enterprise when they contribute to the conclusion of a crime while being part of a group of people who act with a common purpose.

In synthesis, the responsibility of the chain of command makes more sense where power flows through the official channels. It attributes responsibility by putting emphasis on the formal hierarchical structure. In contrast to that, participation in a criminal enterprise makes more sense when the articulations between the different actors are more horizontal and flow through informal networks. A variable that makes

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participation in a criminal enterprise attractive to international inspectors is that a case for such participation does not require proof of a real formal working relationship between the members. One can make a case based on loose connections and tacit agreements. It also blurs the distinctions between the leaders and the subordinates. Even the idea of a common goal can be relativized to a certain extent. What critics of the use that is being made of this concept might point out is that the informal nature of the associations investigated runs the risk of this 'criminal enterprise' becoming a legal fiction that serves the necessity of the judges by clearly identifying the individuals responsible but not always being fair in doing justice to the participation of the individuals considered (Osiel 2006: 60-64).

Individual responsibility imposes on the practice of transitional justice yet another dilemma, this one of a rather pragmatic nature: the law and the evidence allow for attributing responsibility to a number of individuals that goes way beyond the feasible number that can in practice be submitted to a court of justice. Notwithstanding this, even these few usually can be condemned only by theories of indirect responsibility which blame them for damage that lay outside their complete control or contemplation (Osiel 2006: 56).

3.2 Restorative justice and the concept of victim at the UN

Restorative justice has been designed and used as an alternative paradigm to fight ordinary crime inside a community. While transitional justice appeared with the essential purpose of balancing the demands of justice and peace in exceptional contexts of transitions from war to peace or from dictatorship to democracy in the face of massive and systematic violations of human rights, italso appeared as an alternative paradigm, critical in relation to the functioning of the criminal system operating in conditions of normality, concretely aiming at the way the latter punishes ordinary forms of crime in society[80]. Restorative justice is located inside a wider critique of the

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[80] Conceptually, most see restorative justice as an alternative inside transitional justice, as a variation and an attempt of disputing its meaning. Other however, like Orozco, have an alternative position, as they conceive transitional justice and restorative justice as opposing each other: "While the concept of restorative justice- born in the scope of the small cases courts to provide reconciliation between the victims and the perpetrators, as well as between the latter and the communities- emphasizes the reparation of the victims, the concept of transitional justice emphasizes the punishment of the perpetrator" (Orozco 2009: 5).

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repressive and retributive character of criminal law, and which emerged fundamentally through practices like mediation[81]. Instead of grounding itself in the traditional idea of retribution and punishment, it departs from the value that reconciliation between victim and perpetrator has to the cohesion of society. The authors and groups that defend it claim that criminal law must not be focused on the criminal act and its author, and shift the attention towards the victim and the damage it suffered. According to this perspective, the necessities of the victims and the reestablishment of social peace are the basic goals that must lead the fight against crime. Because of that, to acknowledge the suffering caused to the victim, repair the damage and restore dignity, are more pressing issues than punishing those responsible (Uprimny and Saffon 2005: 217-218).

Although the creation of truth commissions nowadays is associated with the promotion of restorative justice, the commissions that settled in South America in the 1980s were not designed to accommodate this notion. They did not have punitive or retributive powers, but were spaces that allowed for the clarification and the documentation of atrocious crimes that otherwise would have remained in oblivion (Botero and Restrepo 2005: 43). The merging between the institutional design of the truth commission and the normative content of restorative justice consolidated in the case of the transition from the apartheid regime in South Africa. From that moment on, and despite the mixed results it produced and the strong criticism it received, several specialists claimed that it would be politically convenient and ethically superior to employ restorative justice as a basic paradigm of transitional justice. They argued that this could allow transitional societies to heal their wounds and, like this, guarantee the stability and durability of the new pacified social order. They understand that restorative justice provides transitional justice with an important degree of legitimacy which may be crucial for the successful implementation of new policies (Uprimny and Saffon 2005: 219).

The association between truth commissions and restorative justice is therefore deployed specifically to oppose the judicial bias of transitional justice. The aim of these

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[81] Mediation is a key issue through which restorative justice may help a community achieve justice. It consists in someone who facilitates the communication between victim and offender, and find ground for an agreement about the best ways to repair the damage and, eventually, reconcile them based on the solicitude of forgiveness from the part of the offender and the acceptance from the part of the victim. Besides that, restorative justice foresees some other additional instruments, such as the participation in communitarian works and psychological therapies(Uprimny and Saffon 2005: 218).

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commissions is to create a space absent from the formalities and the consequences of the judicial processes, in which the perpetrators as well as the victims may meet each other in order to expose their version about what happened, including the motivations of their acts, with the belief that this is what will lead to reconciliation (Botero and Restrepo 2005: 43). However, the 'truth' produced through such commissions can be called into question once it does not follow the requirements of investigation of a due process. Besides, by emphasizing a non-confrontational logic, it is possible that the truth commission prevents some controversy between the different points of view (Uprimny and Saffon, 2006, p.361). Truth commissions can also lead to irresponsible accusations, and public hearings can stigmatize the accused (Osiel 2005: 68).

The South African experience became a paradigmatic case because it acquired great legitimacy at the local level. It resonated in other processes of transition in such a way that refusing to absorb it risked widening the visible gap between the local participants and the international experts[82]. A narrative began to take form that asserted "the effectiveness of the right to the truth may be achieved through different strategies" (Botero and Restrepo 2005: 43). By this narrative, the 'judicial strategy' and the 'truth commission strategy' not only could be reconciled, but did in fact complement each other.

Despite the efforts of the politicians to accommodate concerns of restorative justice into the design of truth commissions, the international lawyers in general still held the position that judicial mechanisms provided the more adequate answers to transitional societies. Their concern was that restorative justice may complement transitional justice, but never replace it. The fact that a unique formula did not exist to confront transition does not mean that there are no basic parameters for transitional justice that cannot be observed from other countries' experiences (Botero and Restrepo 2005: 20).

However, although it may be the case to establish truth commissions in parallel with ICC jurisdiction, this does not mean the establishment of a truth commission can replace or avoid the ICC procedure. The question about the degree to which the

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[82] Mark Osiel's observes in his article that, from his personal experience, there is always a considerable disconnection between the vision of the academic 'experts' about the transitional justice in the so-called 'post-conflict societies' and the aims and expectations of the local participants. The population has a series of immediate concerns regarding the reconstruction of their daily lives that usually escape the globetrotter consultants (Osiel 2006: 55).

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processes in the truth commissions can obstruct decisions on the responsibility of a perpetrator according to the ICC is essentially a matter of the interpretation of the statutes and the institutional design. Therefore, there are no guarantees that the issuing of reports from these commissions will permanently release a perpetrator from his responsibility before the ICC. This could eliminate the possibility that the South African model be actually adopted after the installation of the ICC and avoid the admissibility of criminal procedures before the Court (Stahn 2005: 131-132).

3.3 The policies of reparation and the role of the victims

Until World War II, reparation was a matter to be settled between states and concerned the payment a defeated country owned the victorious one. In 1953 a debate about the restitution owed to the victims of the Nazi regime took place. A law was issued to grant rights to the victims of religious persecution. Besides the individual reparation programs, Germany created a collective reparations program, which consisted of providing funding for the consolidation of the State of Israel. In the 1980s, the Inter-American System of Human Rights (the Commission and the Court) started to encourage states to design domestic policies for granting administrative reparations to the victims of political violence (Pizarro 2009: 94-96).

At that point reparations began to be granted to individuals whose countries were considered torn by internal conflict by the decisions of international courts. But this was made as an administrative process. It did not imply the judgment on trial of the responsible, and the notion of reparation was conveyed in a more restricted sense: it meant the juridical recognition of the status of the individual as a victim, and foresaw an economic compensation for his damage.

As for the notion of victim, the UN already was, since the late 1980s, building a normative framework centered on it – therefore, it was long before an agenda specifically focused on the processes of transition appeared. It was not aimed at societies that were involved in conflict, but rather a critique of domestic traditional judicial systems. This assessment claimed that the judicial process was more focused on the interests of the states than those of the victims. As it is stated in the Handbook on Justice for Victims: "specific forms of behavior are defined by the state as crimes,

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which have come to be seen more as crimes against the state than violations of the victims' rights" (ODCCP 1999: 1). The main document that synthesizes this position, besides the *Handbook* itself, is the Declarations of the Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in 29 November 1985[83].

3.4 Transitional justice, victim and reparation.

After the process of transition in South Africa, when the notion of restorative justice was appropriated in the implementation of the truth commission, the concept of reparation seemed a way to encode this alternative understanding of truth in a language that could be operated by the international lawyers trying to regulate the processes of transition. This meant a reconstruction of the main goals of the reparation programs. It can be argued that the differences were accommodated by the subjectivization of the notion of justice. One can concede that there may be different ways of seeking the same ultimate ground, which is justice, as different societies may have a different understanding of what justice implies. The assessment of the local level might indicate that one of the things the transitional system owed the victims was to provide recognition to them- not only as victims, but as citizens. Therefore reparations themselves were a form of recognition of the conditions of the individuals as citizens, as people entitled to rights (de Grieff 2006: 213-214).

As it was presented in the above as part of the genealogical investigation, the notion of responsibilization produced its own set of disputes regarding its meaning and application, and the range of possibilities that conditions the current disputes is a result of the path pursued until that point. In the same way, a history of disputes conditioned the struggles involving the meaning of reparation, and consolidated the range of its possibilities in a given moment in time. However, the way this two notions relate with each other also oscillate depending on their present configuration and on the context in which they are put together. After the South African process stressed the idea of restorative justice in opposition with the idea of individual responsibilization and conducted a transitional process that was considered successful, those concerned with

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[83] The Hanbook was actually designed with the purpose of being a guideline for the interpretation and implementation of the Declaration of 1985.

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institutional design at the UN level attempted to come with a new understanding that would provide a synthesis of these 'models'. The reconstruction of the concept of reparation was the instrument used to rethinking of the issues regarding the rule of law in a transitional setting. In the Report of the Secretary-General to the Security Council called '*The rule of law and transitional justice in conflict and post-conflict societies*'(2004), this synthesis is proposed. This document has two main characteristics: 1) it points to the necessity for transitional justice to be more flexible in order to incorporate considerations from the local level, as the position of key groups in the society in question; 2) it also asserts the complementary nature of the different mechanisms used in the processes of transition, such as the international tribunals and the truth commissions.

The right to reparation in this report has an individual and a collective dimension. The individual reparation is divided into four sets of rights: 1) restitution; 2) indemnity; 3) rehabilitation; 4) satisfaction; 5) guarantees of non-repetition. In what concerns the collective reparations, it highlights measures of a symbolic nature, as the public and solemn recognition by the state of its responsibilities, the official declarations of the re-establishment of the dignity of the victims, commemoration acts, inauguration of public venues and the construction of public monuments that facilitate the 'duty to remember' (Botero and Restrepo 2005: 44-46)

Along the lines of this new understanding, international human rights courts stated that the right to the truth is not exclusively related to the right to an effective juridical process. International jurisprudence tends to characterize the right to truth as a form of reparation in itself (Botero and Restrepo 2005: 42). Although there is a clear tension in this attempt to accommodate this different perspective about the truth, there are today people trying to provide an interpretation of how these instruments could actually be used to address new dimensions of the suffering of the victims. Maria Tereza Uribe claims (drawing on Ricoeur's distinction between the truth of the historian and the truth of the judge (in Ricoeur 2008: 330-347) that the processes of historical clarification, despite all the ambiguities and the criticism that can be made, is of paramount importance for at least three reasons: 1) breaks the stigma of silence and provides recognition, dignity and some kind of comfort to the victims; 2) contributes to the definition of the historical and political responsibilities of collective nature, which,

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if it does not replace the judgment of atrocious crimes, at least complements it; 3) allows for the emergence of a third voice, which will not be either that of the historian or the judge, but will be the narrative of the common citizen, who will be able to convert memory into an instrument of political action (Uribe 2006: 341).

Uribe also claims that the search for truth about the deeds and the events of violence and death, the breaking of the silence about such events, the public recognition of the horrors of the past, are not exhausted by the punishment or the amnesty for the perpetrators, because the word said in public by the victims and listened to with respect and compassion by the audience, would have in itself healing and reparation properties. Besides, it contributes to reconstructing something the justice of the tribunals can not and do not want to sanction[84](Uribe 2006: 326). She represents an understanding among several scholars that these relationships between punitive justice and reconciliation encoded in the policies based on the figure of the victim produces instruments for these people so they can, at a personal and even psychological level, accommodate their suffering and work through their trauma.

However, the analysis of this dissertation of the present scenario is that it provides more than the balance between retribution and restoration that would allow for the 'thickening' of the reparation programs and access to these deeper layers of the suffering of the victims. The genealogical investigation pursued suggests that the re-appropriation of the concepts of reparation and victim in the transitional justice framework incorporated an attempt to accommodate the tensions between visions of justice that conflict in some of their central tenets. The notion of restorative justice questions the primacy of the international over the local level as the fundamental source of norms and political judgment. Besides, it contests the centrality of the attribution of responsibility and punishment as *sine qua non* conditions of the provision of justice. By incorporating the notion of restorative justice within the juridical language of the

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[84] Uribe may be the most known between the Colombian scholars who holds this position, but there are many others. Jaime Malamud-Goti, writing about South Africa, defends the same position when discussing the truth commission in this country: "Knowledge derived from truth commissions should require more than simply the acts of agents and specific groups and expose before the national and international public the suffering and the burden of the abuses they experienced. This focus in the political deeds of the past is, in the best of cases, a poor historical report and, in the worst of cases, a biased retelling of the past. By only looking at a group of offenders that confessed their own assassinations or are serving a sentence in the South African prisions we will not learn enough about the nature of the cause of the abuses as to avoid the recurrence of similar political injustices" (Malamud-Goti 2006: 174).

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transitional justice framework, what is being produced by this new articulation of the notions of victim and reparation is the incorporation by international law of elements that were not naturally reconcilable within its framework. In addition, this expansion also was allowed by an attempt to regulate at the international level the dimensions of the lives of individuals involved in conflict who were until then relegated to the private sphere or dealt with at the local level.

4. Transitional Justice and the Victims in Colombia

4.1 The tradition of informal arrangements in Colombia.

During the nineteenth and twentieth centuries in Colombia, multiple negotiation processes took place between armed adversaries or between the state and rebel groups. In these processes, the government and the parties involved convened and deliberated about the content of the peace agreements without the interference of other state institutions such as the judiciary. According to Gutiérrez (2006), in Colombia, the repeated celebration of agreements between the state, the armed groups and the different sectors of society resulted in an indiscriminate use of amnesties and pardons in a way that were no longer transitional or exceptional. It became the manifestation of a social habit that accepts and reproduces this behavior[85].

However, in the 1990s the Colombian state, following a strong international tendency, initiated a process of self-restriction in what concerns the negotiation of agreements. As a result of these processes, the Colombian state today has submitted to a series of internal- legal and constitutional – and international obligations that must guide any peace process. The Colombian state also ratified a series of international instruments through which the state commits itself to investigate, judge and sanction those who commit certain kinds of offenses that imply particularly severe violations of

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[85] Although Gutiérrez's article is the one that makes that specific argument about what he calls a cultural tradition of bilateral party arrangements, there are a number of important authors who study this period and also point to the centrality of that moment to explain this dynamic of informal arrangements and impunity in the country. Relevant works include Braum 2003; Bushnell 2007; Deas 2007; Meertens and Sanchez 1983; Palacios 2006; Pécault 1987, 1997, 2007; Restrepo 2009b; Safford and Palacios 2002; Sanchez 1991.

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human rights. Among these documents, there is the Statute of Rome that created the ICC[86].

In Colombia, therefore, the containment of the state of exception through the formula established by the Constitution of 1991 led to the progressive disuse of the discretionary powers of the executive to manage situations of waging war and negotiating peace inside the territory, as well as to suppress rights by claiming an emergency situation. The government and its supporters had to look for alternatives that could provide them with room to maneuver in the negotiations. It can be observed, for example, that the Congress, during the previous twenty years, 'normalized' all the exceptional legislation elaborated and accumulated over decades through the permanent use of the image of the state of siege, the concept under which the state of exception was conjured in the Constitution of 1886[87].

President Alvaro Uribe declared that contemporary Colombia was not at civil war nor subjected to any kind of insurgent activity. Instead, his country was a democracy under attack by narco-terrorist groups. By denying the state of civil war, he exempted himself from abiding by international humanitarian law, including recognizing the distinction between combatants and non-combatants. He also 'makes' invisible the alliances between sections of the army and paramilitary groups and, the extermination of the social and political bases of the guerrillas and those considered to be sympathizers of the guerrillas in the hands of the paramilitaries (Orozco 2005: 172-173).

The government, in the person of the High Commissioner for Peace Luis Carlos Restrepo, conducted an obscure negotiation in Santa Fe de Ralito with the United Self-Defense Groups of Colombia (AUC) in which, according to filtered recordings, it committed itself with guaranteeing them a good measure of impunity in exchange for the deposition of their weapons and the reintegration of those from their ranks to the civilian life. However the Congress and the Constitutional Court, mainly the latter,

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[86] In what concerns the relation between Colombia and the ICC, one must note that in 2009, the seven years moratoria the country granted itself against war crimes, in conformity with the article 112 of the Statute of Rome of the ICC has expired(Orozco 2009: 150-151).

[87] The recent attempt of the Uribe government to use of the notion of 'State of Internal Commotion' to disperse a prolonged strike of the judicial branch, a situation that has little or nothing to do with the war itself or the political violence- the classical referents of the state of exception- indicates that these practices, more than being simply reactivated, are being transformed and adapted to the political necessities of the government in the present configuration (Orozco 2009: 3).

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decided to intervene in the matter and undermine the efforts of the Executive by limiting its autonomy to conduct the negotiation and deliver on their promises. It is how transitional justice inaugurates a new chapter in the struggles regarding the issues of war and peace between the executive and the legislative in Colombia. And it is also when the mobilization around the notion of victim acquires a new centrality for the debates concerning the conflict in the country.

4.2 No peace without justice

At the early stages of the negotiations with the paramilitaries, addressing the perspective of the victim was not a crucial concern. The deal agreed to with them foresaw their demobilization and an alternative penal procedure with the aim of stabilizing the country and lessening the criminality rates, which would in turn legitimate the security policy of the government and generate leverage for a more assertive action against the guerrillas.

This strategy only held until the first audience with the former member of the Self-Defense Groups in July 2004. It was when, claiming that the way the negotiation were being conducted could lead to impunity and negligence against severe violations of human rights, national and international organizations started to lobby against the agreement, arguing that impunity was denying the victims their rights to truth and reparation. What followed was a struggle that took place both in the media and in the Constitutional Court about what would be the basis for an appropriate agreement to regulate the demobilization and reincorporation of these former combatants. This resistance put the government in a defensive position, because some of the main paramilitary leaders threatened to withdraw from the negotiation, fearing extradition[88].

The introduction of this new agenda sparked a conflict between the paramilitaries and the government negotiators. Many of the paramilitary who were in jail expecting to be included in the alternative penalty system were extradited to the United States, where they would be judged for international drug trafficking, with penalties that could amount to thirty years. The Government presented this decision as

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[88] There is a treaty regulating the extradition of individuals arrested for the crime of international drug trafficking from Colombia to the United States that dates back to the early 1990s. The possibility of extradition was exactly what the paramilitaries wanted to avoid in the first place, being the whole agreement with the government centered around the promise that they wouldn't face extradition.

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part of its commitment to bring justice to victims, but what they did not expect is that they would face resistance from different sectors of society, including the victims' organizations. They claimed that the extradition process was denying them access to what really happened. The government accused the organizations of jeopardizing their efforts for justice and of being interested only in criticizing and destabilizing the state.

The decision of President Uribe to start negotiating from the right, contrary to an extensive tradition of negotiations starting from the left, placed the different groups in Colombia associated with the left at a crossroads. The Colombian movements for human rights, which emerged as an answer to the devastating brutality of the paramilitary right, could not exempt itself from a confrontation against the agreement. But the expectation from several groups in society for a peace process that could actually work could be widely felt. Despite the difference in emphasis between the groups, the negotiation of the governments with the 'paras' was not able to produce a fissure between the different positions of the human rights activists. The peace activists joined the positions of the human rights defenders. Both held the line around the motto 'there is no peace without justice', which summarizes to a good extent their stand (Orozco 2005: 206).

Law 975 appropriated itself from the language of international law over the rights of the victims to truth, justice and reparation. It asserted principles in these matters and established new institutions and proceedings supposedly to enforce such rights (Días 2006: 518). Pizarro, the head of CNRR during the Uribe government, stood for the Justice and Peace Law, claiming that it created the necessary legal standards for the demobilization of the AUC. More than a milestone in the Colombian peace process, the JPL is, according to him, an achievement for the Transitional Justice framework itself, for it is the first time an armed group that was not militarily defeated in the battlefield resorted to a demobilization process where it answered before the justice system for their crimes.   Besides, the JPL made visible, for the first time, the victims and their rights to truth, justice and reparation. The author claimed it advanced the process of reconstruction of truth in different areas. In the area of historical memory, the CNRR already published their first study of emblematic cases. Also, thanks to the judicial processes that were advanced against the illegal armed groups, important steps

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were taken in the path of judicial truth, i.e., in determining the individual responsibilities for the crimes (Pizarro 2009: 5-6).

The Colombian Constitutional Law offers three ways through which the victims can protect themselves and ask for reparations for severe violations of human rights and international humanitarian law: 1- The first is a public action of unconstitutionality, that enables any citizen to place a complain about the unconstitutionality of an action or law before the Constitutional Court. If the court agrees, it adopts a decision of generalized effect through which the procedure in question is considered unconstitutional; 2- Victims that consider that their rights to truth, justice and reparation have been violated or threatened by the action or omission of any public authority may, in certain cases, impose a tutelage action before any judge to try to put a stop to the violation; 3- any public authority, in the ordinary exercise of its functions, may apply the so-called exception of unconstitutionality, according to which 'in case of incompatibility between the constitution and a law or other juridical norm, the constitutional dispositions apply" (Botero and Restrepo 2005: 48)

It was up to the CNRR to build a conceptual mark on the policies for the integral reparation of the victims in the context of Colombia framed as a society in transition[89]. It allowed the institution to define what they understood by victim. There were a couple of issues relating to this definition which had to be made clear, especially considering the particularities of the Colombian transitional framework. CNRR must specify what counts as a war crime and a crime against humanity, and how the policies for reparation must deal with it. The Commission also had to point out which were the roles of historical truth and judicial truth in the process, as well as what should be the relation between the two[90] (Pizarro 2009: 53). One of the most important symbolic measures

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[89] There is a precedent in Colombian domestic law to the normative statements based on which the issue of the victims was dealt with in the Justice and Peace Law. It is the Constitutional Court sentence C-228 of 2002. The Court stated that the vision that the civil participant could only be interested in economic reparation should be abandoned. The victim of an offense or other people affected was granted the right to participate in the criminal process not only to obtain economic repayment but also to make effective their rights to justice and truth. They could even intervene with the only goal of seeking justice and truth. This holds for any offense, not only for human rights offenses(Botero and Restrepo 2005: 35).

[90] To determine the universe of the victims and the types of victimization, the institutions in charge designed multiple databases. The first was built by the governmental agency Acción Social and is aimed at the displaced population. It is the Registro Unico para la Población Desplazeda (Unified Record for the Displaced population- RUPD). Later they created the Registro Nacional de Associaciones de Víctimas (National Record of the Victims' Associations) with the support of the OCHA. The Attorney General and the Committee for Administrative Reparations built two databases as well (Pizarro 2009: 54-

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regarding representing 'the new era of reconciliation' in Colombian society was the use of the arms seized during the demobilization process by recommendation of the UN and the OAS. Once there were sophisticated programs available that could record not only the serial numbers but also a 'digital signature' of the weapons (in case of an investigation into the crimes of the past) there was no need to keep the weapons any longer. That is why the United Nations Conference on the Illegal Traffic of Small and Light Weapons and the OAS Mission for Colombia recommended these weapons be destroyed and the steel used for works of art paying tribute to the victims of the conflict. These works of art were also to be, preferably, inaugurated with a public act including the participation of the victims, as a symbolic measure of reparation (Pizarro 2009: 146).

5. From Santa Fé de Ralito to the Justice and Peace Law and beyond.

In Colombia in 1991, the new Constitutional Court was created based on the recently-promulgated constitution. The Constitutional Court introduced changes to make the legislation meet international human rights standards. The repeated celebration of the agreements between the state, the armed groups and the different sectors of society resulted in an indiscriminate use of amnesties and indults. In the nineteenth century, for example, there were seventeen amnesties and forty-nine indults; in the twentieth century, nine amnesties and fourteen indults (Gutiérrez 2006: 397). With the promulgation of the new constitution, the centuries-old tradition of privileged treatment to political criminals was supposedly defeated. It was consolidated through jurisprudence (at the international and domestic level) that the state can only offer amnesties or pardons for political offenses or common offenses that were related to the political ones (Botero and Restrepo 2005: 27). Even the illegal armed groups' members demobilized in the peace negotiation of 1990 had to face trial for crimes such as kidnapping.

When Uribe took office, he implemented a stance contrary to what had been tried during the previous twenty years: pacify the north of the country through negotiation with the paramilitaries and defeat the guerrillas in the south with an

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56). During the Uribe government there was an idea of bringing all these databases together in a National Record of Victims, but such record was not created.

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overwhelming military offensive. At the same time, the government sought a new language in an attempt to produce an understanding about the violence in Colombia that worked to its advantage. It was then that they developed the notion that what Colombia was living was not an armed conflict, but a terrorist threat. The paramilitaries tried to legitimate themselves in regard to public opinion by advertising the idea that their mission had always been to fight and defeat the terrorists (Valencia 2009: 189-192) The anti-guerrilla discourse favored a superficial understanding of the action of the paramilitaries, deeply involved in alliances with the regional elites. This 'idyllic' vision was not only encouraged but openly defended by the High Commissioner for Peace, Luis Carlos Restrepo. When the negotiations for the Santa Fé de Ralito Agreement took place in 2003, the strategy of the government was to grant the paramilitaries the status of political criminals (which was denied to the guerrillas under the rhetoric of 'anti-terrorism') in order to justify the concessions they intended to make. The High Commissioner issued a document about the normative foundations for the application of the offense of 'sedition' to the case of the Self-Defenses. According to him, their actions were to be characterized as political offenses once they could be described as individuals belonging to an armed group organized within the margins of the law; a group that, with its behavior, affects the regular functioning of the legal constitutional regime, be it with the purpose of defeating it or interfering temporarily in order to replace it (Restrepo 2005: 85-87).

However, this proposal was received with great skepticism by several groups in Colombian society. The Constitutional Court started to create barriers to the negotiation and a series of debates took place about the legality of the agreement. Since then, the paramilitary leaders who participated in the negotiations in Santa Fe de Ralito claimed to have been betrayed by the government (Orozco 2009: 170). Many of them rebelled and started not only accusing the government of having betrayed them, but also revealed the link between their operations and politicians from the coalition base that supports the executive in the legislative chambers. At that point, the government started to extradite some of the high ranking paramilitaries to the U.S. for the crime of drug-trafficking while trying to protect some of the politicians involved in their activities. This was the start of a fierce battle between the Executive and the Constitutional and Supreme Courts of Justice in Colombia (Valencia 2009: 205).

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The extradition of fourteen paramilitary leaders obliged the government to expose publicly the disagreements between their position and those of the AUC in the negotiation process, in a clear sign that it was not going as smoothly as claimed by the government propaganda.   It is, however, important to note that a significant part not only of the main leaders but also of the middle ranking officers was not subjected to the juridical procedures of the JPL. Particularly in the case of the middle ranking officers, most of them withdrew once the possibility of extradition was announced (Valencia 2009: 203).

After the contestation of the Santa Fe de Ralito agreement and the juridical and political disputes that followed, the Congress finally came to the formulation of the Justice and Peace Law, which frames Colombia as a transitional society and allows for the application of a transitional framework to regulate it. People condemned through the alternative system of the JPL for atrocious crimes or crimes against humanity are subject to two simultaneous sentences: a regular sentence from 40 to 60 years, and an alternative sentence from five to eight years, subject to the requirements of the JPL. In theory, to obtain the benefit of the alternative penalty, the defendant must meet five mandatory requirements: contribute to the demobilization of his armed group; confess the truth; return what was acquired illegally; ask for forgiveness; and not relapse into the offense charged against him (Pizarro 2009: 85).

The law foresees that, in order for a demobilized combatant to have access to the alternative penalty system, he must first provide a free version of his crimes before the authorities As it is a spontaneous declaration, he cannot be accounted for omission or inaccurate information, because no individual can be compelled to provide evidence against oneself[91]. In the following days, the Attorney General's Office investigates his participation in all the atrocious crimes he could have participated, and formulates charges against him, which can be accepted or rejected by the demobilized individual requesting access to the alternative system. In the case that he accepts them, he can

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[91] This is what is foreseen in Article 17 of JPL: the process starts with a free version before a public prosecutor designated in the process of demobilization. In the next 36 hours, the demobilized must be at the disposal of a magistrate that will have 36 hours to place a complaint hearing; during this time the prosecutor, if he has enough evidence will deliver a 'factual complaint of the offenses investigated'. After the hearing the prosecutor will have 60 days to investigate the deeds signaled by the demobilized. What some critics point out is that if we take into consideration the complexity of the processes for crimes against humanity, and the difficulty of the investigation and the gathering of evidence, the investigation could take years(Peña 2006: 476).

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enjoy the benefits of the law. The deeds that the accused does not admit can be investigated and in principle the full force of regular law can be applied. Article 25 of the law foresees that in the case deeds are discovered after the sentence, those will then be judged according to the current laws in force in the country, and not according to an alternative system. However, the possibility of claiming a new alternative penalty for those crimes is not lost. Such a person could only lose the possibility of having the benefits of the law if it can be proved that his omission was deliberate, which is in practice very difficult to prove. The law does not require the full confession of the crimes for the individual to be granted access to the system. What the government argues is that the requirement of a full confession violates the right of the citizen to not saying anything that could incriminate himself (Restrepo 2005: 77-79). However, according to many Colombian lawyers, this is a biased interpretation, once the right to not self-incriminate includes that the State concedes benefits to those willing to confess a crime when such confession is free and spontaneous. For example, the law does not provide consistent incentives, so the paramilitaries who are demobilized provide the government with new information that could be useful to the clarification of the crimes (Uprimny and Saffon 2006: 365).

In the legal framework of the Justice and Peace Law, its regulatory decrees apply only to the victims of illegal armed groups that have decided to demobilize. In 2009, certain groups associated with the protection of human rights started to defend the formulation of a law of victims, through which they intended to give the policy the status of State policy (not only government policy) to the Justice and Peace Law. Besides universalizing the system, so it could be applied to cases not covered by the process of demobilization, it was an attempt to conform with the principle of equality, and guarantee the rights of the victims of the crimes perpetrated by the state. The Uribe government never accepted the idea that it owed reparation to the victims because it was responsible, but claimed that it was providing reparations due to 'solidarity', solidarity being a principle 'ethically superior' to that of responsibility (Pizarro 2008).

What the Justice and Peace Law contemplated was the reparation of the victims of illegal armed actors by the judicial route. However, given the slow pace of the judicial processes before the amount of violations of human rights, the Uribe government devised an alternative strategy, of reparation through an administrative

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route, in 2008.   Therefore the Ministry of Interior was charged with the task of designing Decree 1290 of 2008 (Minsterio de Interior y de Justicia 2008).

6. The problem of truth in the Colombian conflict

If one considers the enunciate separate from the context of its application, the JPL is perhaps the most generous normative framework ever written to address the rights of the victims of armed violence. Paradoxical to the generosity of its enunciate, there were no mechanisms foreseen to enforce the rights granted in the text. If the formulation of the text seems to give the victims everything, the clauses regulating the applicability of these statements progressively undermine their rights (Quinche 2006: 490).

Reparations, which are the most practical considerations regarding the rights of victims, are treated in Chapter IX of Law 975 and become explained in Articles 42 to 55. These articles make reference to the right to reparation in different ways, while Articles 50 to 55 create new institutions that are supposed to materialize the rights to reparation, establishing their mandates and their limits. Article 42, which asserts 'the general duty to provide reparation' establishes two levels, according to the class of victim. There are, according to Quinche (2006), two distinct, even if interconnected, scenarios, based on which the victims can claim reparations. On the one hand, the law binds the right of the victim to claim reparations individually, pursuing it against the perpetrator in a criminal process.   On the other hand, it orders the institutional establishment of a governmental program to allow for collective reparations.   The individual reparations pursued in the criminal courts can take two forms: 1) individual reparation as the result of a sentence being issued; 2) individual reparation without a sentence being issued (Quinche 2006: 492).

According to the norm, reparation implies the right to restitution, indenisation (compensation), rehabilitation and satisfaction. This is followed by the indication of five classes of reparation of illegal acts from the part of the perpetrator, including the restitution of goods, public declaration of the damage caused, public declaration of apologies, followed by solicitude of forgiveness, acts of collaboration and the search for the disappeared. Following suit, the text unfolds the rights of restitution (Article 46),

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rehabilitation (Article 47) and satisfaction and the guaranteeing of non-repetition (Article 48).

Notwithstanding this, Law 975 omits intentionally the development of the duty to indenisation. In the end, no one pays for the indenisations to which the victims are entitled. The perpetrators do not pay because Law 975 only regulates, normatively, as measures of reparation, restitution, rehabilitation and the guaranteeing of non-repetition. There are no measures foreseen to guarantee the provision of indenisations. Law 975 does not oblige the perpetrator, even when sentenced as guilty, to pay indenisations to its victims. It establishes (in Article 44) the duty to indenisation, but there are no mechanisms to enforce it; all that is left to the good will of the perpetrator. This exempts the offender from any enforceable civil obligations regarding using his illegally acquired property to pay indenisations to his victims. The law also does not oblige the state to pay for the indenisations. The law places the state as a mere administrator of cases involving the victims and the demobilized. The resources of the National Fund are simply non-existentent, and the budget of the government does not foresee a share of the money to be deposited there a priori. It is all dependent on the political convenience of the government and not dependent on any juridical decision (Quinche 2006: 496-498) .

Article 50 establishes the creation of the National Council for Reparation and Reconciliation (CNRR), according to the text to be integrated by the Vice-President, the Public Prosecutor, the Minister of Interior, the Minister of Finance, the Attorney General, two representatives of social organizations for victims[92] and the Director of Acción Social (then referred to as Red de Solidaridad Social)[93]. As for its function described in Article 51, they included guaranteeing the participation of the victims, producing a report on the creation of armed groups, and coordinating the activities of the regional commissions regarding the restitution of goods, the regional commissions having been created by Article 52. Article 54 creates a reparation fund for the victims, a special account where the director of Acción Social\RSS would manage the expenses

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[92] In what concerns the guaranteeing of the victim to individual reparation, the organizations in defence of the victims repel the text saying that they refuse to even indicate representatives to commission because there are no real guarantees of participation for the victims (Quinche 2006: 495).

[93] In the composition of CNRR, besides the listed above there are also five 'personalities' chosen by the president himself. The result of this is that the commission is not that plural and in practice aligned with the interests of the administration.

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The CNRR is presumed to have as its purpose a guarantee of the participation of the victim. Article 11 of the Justice and Peace Law indicates that the only individuals who can claim the benefits foreseen in law are those whose names and identities are presented by the national government before the National Attorney General. This means that there is a discretionary power from the part of the national government for someone to be included as a subject who has the benefits of the law (Peña 2006: 484). There are a set of symbolic measures aimed at freeing the victims from their past of violence, and representing the supposed fact that society has come to terms with its past and has reconciled its members and now is ready to move forward on a path without violence; however, this does not mean that the process of construction of the narrative of this society is considering the perspective of the victims. On the contrary, as Maria Uribe argues, nowhere in the Justice and Peace Law is it foreseen that the victims speak, tell their stories, or present publicly to an audience their suffering (Uribe 2006: 343). The perspective of the victim is suppressed by the emphasis on the judicial truth and the absence of a proper truth commission[94].

Therefore, the program intended for collective reparations does not provide economic compensation to the victims and neither does it allow for the clarification of the deeds. Moreover, if one considers that there will only 2% of the perpetrators will be subjected to a judicial process, more than 90% of the victims are relegated to the process of collective reparations which, in practice, do not work (Quinche 2006: 503). Therefore, most Colombians affected by the conflict who fit the definition of victim in the Justice and Peace Law do not benefit in any way from the legislation.

7. Conclusion

The conclusions to a proper genealogical analysis of the transitional justice framework must begin by questioning a tendency to conflate two different things: 1) the polarization between law and politics and; 2) the polarization between law and exception. In international space, the conflation of these two makes more sense, because

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[94] It has been argued, for the particular configuration of the Colombian process, that the establishment of extra-judicial mechanisms of the reconstruction of the truth- in particular of truth commissions- in the middle of the conflict and when the process of demobilization is addressed to only one of the armed groups involved can be dangerous, given that the knowledge about previous events could cause retaliation from other armed groups(Uprimny and Saffon 2006: 358).

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these elements reflect a tension between the arguments of Kelsen and Schmitt. In this debate, the two cannot be separated. In the domestic arena, the way that these relate to each other is more complex.

In regard to law and politics, an empowerment of international public law at the international level was reflected in the empowerment of the Courts and the judicial class vis-a-vis the Executive in Colombia. This empowerment in the international sphere reinforces the idea of the imposition of the universality of rule of law over the contingency of power politics. But in order to understand the escalation of the conflict between the government and the judges in Colombia - and the implications of such conflict for the matter at hand- the imminent political stakes for both actors require emphasis.

Orozco(2009), for example, and others, argue that the Colombian justice system is becoming more autonomous in relation to domestic political institutions. But it is also proving to be more heteronymous in relation to the organs of international justice. One can mention the notorious influence that the Inter American System of Human Rights is having on national jurisprudence on the matter of transitional justice. As a result, arrangements that used to be ruled by political decision - for instance, the recognition of the 'paras' as political criminals - are being decided in a dispute over the interpretation of judicial statements. If the executive still manages to impose itself on many occasions at a more structural level within this dispute, the law as an arena of struggle occupies spaces where, until recently, the only capital available has been the capital of the politicians; the judicial claims bear higher stakes than before, and a larger set of actors are involved in them.

In regard to law and exception, the increasing legalization of the Colombian conflict has given rise to new patterns of inclusion and exclusion. These patterns establish whose crimes can be addressed by the new law, who counts as a victim, the way they relate to the state agents, and more. Most suggestive is the institutionalization of an a priori transitory transitional justice framework in a context that does not fit the requirements of a context of transition. If the situation is analyzed through the perspective of the struggle between the government and the courts over how one legitimates processes of punishment and reconciliation in the conflict, one could be led to the conclusion that the government is simply losing ground. But if the scenario is

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addressed through the perspective of the deeper social cleavages in Colombian society, this reconfiguration reinforces the position of the government rather than undermining it.

The discourse on victims allows the government to reclaim the moral ground and consolidate the stability of its military victory with a political one: the regularization of the spaces where paramilitary self-defenses exterminated not only the guerrilla fighters, but their basis of support. The institutionalization of the legislation on the victims also makes it more difficult to reverse the gains obtained in the war against terrorism through judicial claims regarding the violation of human rights made in international forums. Although this could not be done without empowering the judicial class, it does not mean that the Executive, relatively insulated from external criticism regarding its military decisions, did not reinforce its position vis-a-vis the many groups that were willing to destabilize it.

In regards to the effect of this framework on those affected by the conflict, the characterization as victims produces something significantly different from that found in the narrative of IDPs. Instead of denying the role of the conflict in the constitution of their subjectivity, the framework of transitional justice articulates ofthe experience of violence as an event in the past with echoes in the present.

It signals that the government had the skill to use the flexibility of the human security discourse. The executive appropriated a narrative that was contrary its approach to the conflict and transformed it into a new instrument of government, some form of pastoral power. The next chapter brings these two narratives together and analyzes the aggregate effect of these policies for the configuration of the social space of the Colombian conflict.

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Chapter 7

Conclusion

1. Introduction

This chapter summarizes the argument constructed in the previous chapters while also analysing the impact of the human security policies that were applied to the Colombian conflict during the Uribe government. In looking back to relations between the National Security Doctrine and the Democratic Security Policy, it is revealed how, in the period 2003 – 2010, the government made a deliberate attempt to polarize society. In addition, its appropriation of the human security discourse served to stabilize that narrative, reasserting the government as the provider of security and mitigating the effects of the violence to some of the population affected by it. In this conclusion, it is also described how the different narratives regarding the displaced and victims shift in meaning and produce new arrangements.

The last section analysed the unfolding of the Colombian context in the aftermath of the Uribe government and the Democratic Security Policy (DSP). The chapter highlighted government efforts to downplay the polarization of society while at the same time mobilizing this polarization in a different direction. While the issue of the displacement was reduced to a debate about land distribution, the Justice and Peace Law no longer tried to suspend current legal procedures, but gave way to a legal framework for peace that internalized transitional justice principles into the country's legislation.

2. From National Security Doctrine to Democratic Security Policy

Regarding the transformation of security policy in Colombia, this dissertation demonstrates how, in the redefining of their role during the Cold War, security agents in Colombia and the executive establishment constructed and deployed images, schemes

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of perception, and diagnostics regarding the situation in Colombia and how it should be addressed.

In Colombia and other Latin American countries, the establishment of several military dictatorships across the region during the Cold War and, most of all, after the Cuban Revolution, had a huge impact on the formation of security agents and the definition of their role in society. From the 1960s to the 1980s, the armies and other forces experienced a re-definition of their prerogatives: in operational terms, they internalized the guidelines of the National Security Doctrine (NSD) and began to fight a war against the internal enemy. At the strategic level, the militaries consolidated themselves even more solidly as a political force.

In countries like Colombia, even after independence, earlier attempts to transform the Colombian Army into a professional institution with a differentiated ethos, a meritocratic system of career ascension and a clear vision of its own role in society simply failed. As shown by Cruz (2009: 192-193), in the beginning of the twentieth century, it is important to keep in mind that the army was an institution that was used to provide members of the Conservative Party with positions of distinction in society. The Colombian Army was pushed towards professionalization by the intensification of social conflict in the 1930s and 1940s. When the police were created in the 1950s, they were once again used by the then President Laureano Gomez (member of the Conservative Party) as an instrument of political persecution. It was the intervention of the military that guaranteed the political autonomy of the police apparatus.

However, in both cases the institutions were fundamentally formed and socialized in the context of the internal conflict. Its practices were designed in response to it. The army emerged as the institution it is today by promoting the defense of the agricultural frontier and by protecting the cattle ranchers and land owners from the rebellions against the impoverished peasants who carried the burden of the previous years of depression and its impact on the Colombian economy. The police, already in the context of the Cold War, monitored and controlled the urban areas and the rapid expansion of the unions. Most importantly, both institutions consolidated their role in society by criminalizing social unrest and legitimizing its repression.

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What changed from the moment these apparatuses were consolidated to the moment the Cold War logic and the National Security Doctrine were fully implemented in Latin America (in the 1960s, after the Cuban Revolution), was the magnitude of the polarization of society, as well as its transnational dynamic. As Hernandez (2009) makes clear, it was not simply about the fight against communism, but also about the active engagement of civilians in the war struggle, the redefinition of national security around the fight against the internal enemy, and a decisive alignment with US security discourse.

As argued earlier, the purpose of stressing this continuity is not to present the DSP as a new edition of the NSD. What is important is that the NSD points to the convergence of some characteristics that have to do with the singularities of the process of formation of the Latin American countries, as well as their respective processes of socialization of their security forces. Therefore, it influences the very design of the military and police institutions present in Colombia today, and conditions the knowledge they produce about the security situation. The performance of the DSP in mobilizing society in a costly war effort (costly both from a financial and a humanitarian perspective) demonstrates a vision that has deeply penetrated Colombian security institutions: the definition of the struggle against the internal enemy as the highest national security priority.

Within this strategy, the safety of the country is associated with the destruction of this enemy (in the case of the Cold War, the Communist Party, its members and sympathizers; in the case of Uribe, the FARC), thereby eliminating any space for opponents to legitimize their political position. In both cases this strategy implied counter-insurgency measures with armed operations, a war of propaganda, measures of exception and the active engagement of civilians. This led to the polarization of society, the mobilization of society for what Clausewitz called a 'Total War', where there is no ground for neutrality

Human security adds a component to this configuration that is not compatible with the NSD, one which is very typical of the post-Cold War world, as it calls for a re-conciliation between the particular necessities of security and the universal prerogatives of human condition.

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Nonetheless, the NSD had policies to ameliorate the consequences for those affected by the violence. The Alliance for Progress, a transnational initiative led by US President John Kennedy in the 1960s, is a notorious example. It involved technical cooperation and the funding of socio-economic projects. But, in contrast to the directives of the World Bank and other international financial institutions, the criteria and the strategies behind it were eminently political. Their objective was to stabilize the Latin American countries and contribute to their struggle against Communism. By the same token, the Pan-American operation, idealized by Brazilian President Juscelino Kubitschek in 1958 stressed that defeating poverty on the American continent was the only way to defeat Soviet ideology.

Communism was perceived as a common and generalized threat, though it was more a historical process, not a universal claim. Human security required an assessment of the vulnerability of the human condition in order to claim the state should account for it. Human security is, of course, a historically constructed discourse, and its claim of universality is part of its effectiveness. This is why the analysis of a given policy should account for the contingency of its formulation and the performance of the language in a specific context.

The analysis began not by listing possible definitions, but by conceiving of human security as a way to mediate relations of power and authority, a formulation that plays a relevant role in the configuration of world politics after the end of the Cold War. Some authors, such as Mitchell Dean, Laura Zanotti and Nicholas Rose, attempt to apply Foucault's reflection about government to make sense of new forms of exercising power in international relations that are related to the same period. They point to a historical process of global scope that enable practices and translates social processes from traditional political communities, mitigating the suffering of people living in them, and prescribing transnational mechanisms for their stabilization and integration.

Again, the focus of this thesis is not an analysis of the range of techniques deployed through human security, but the aggregate effect of these techniques for the configuration of a specific space. This requires a focus on the action of appropriation of the discourse in this scenario. As the dissertation describes the positions of the different actors in the social space of the conflict in chapter 3, it points to the stakes presented by the human rights violations and the humanitarian consequences of the conflict to the

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current dynamic of militarization of society. It is in light of these dilemmas that the actors consider the possible uses of the knowledge being produced by international institutions about human security. The discourse offers the different actors an archive: a range of documents, events, narratives, reports, etc. with a set of assumptions that articulate the predicament of individuals and the security of the state in a limited number of ways. As an actor in the Colombian conflicts translates this range of possibilities in one narrative (a policy regarding the internally displaced, or the rights of the victims) this specific articulation reflects its position in the context of the conflict, and the potential effect of the introduction of this narrative for the relation with the other actors. This is how the dissertation analyses the way the archive of human security is appropriated in the social space of the conflict.

The design builds on two Foucaudian concepts: archaeology and genealogy. The concept of archaeology is a tool for narrating how human security practices are constituted as a locus of authority. The system of statements forming human security identifies the limits that demarcate a field of relationships that guide the strategic choices of the actors involved. After discussing how human security can work as an archive, the dissertation employs the genealogy concept in making sense of the evolution of the notions of internally displaced persons and victim. This kind of investigation examines the formulation of the discourse in time and stresses its contingency, as well as the contingency of the connections that are forged between its different uses.

By opting for this design, the dissertation addresses the performativity of the universalist claims of human security (through archaeology) and articulates it with the narratives deployed in the struggles empirically observed 'on the ground' (through genealogy). This is an important part of the contribution of this work because it accesses the dilemmas and shortcomings of the current literature on human security, as well as the methodological choices with which this investigation intended to overcome them in the analysis. Besides, it conceives international relations and the Colombian conflict as social spaces on their own right. It allows the research to focus on the process of appropriation of specific discourses and on how they affect the actors' strategies.

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3. Human security

Human security generates knowledge about the individual that mobilizes the agendas of different actors and conditions the stake of political choices in specific situations. For example, a case that is previous to the one studied here but also had an important impact in Latin America was the political construction of the image of the 'desaparecidos'(disappeared) in Argentina after the military dictatorship ended in 1983. The political creation of the image of the disappeared enabled the regeneration of social solidarity: the symbol of a new national consensus in which victims and perpetrators could be separated clearly, and in which the Generals could be seen mainly as violators of human rights and not as protectors of the nation (Pensky 2006: 116-117). The difference between the Argentinian case and the case of policies being associated with the archive of human security practices is that this discourse is based on the idea of the individual not aspiring to the same kind of universal claim. In fact, it was rather more circumscribed to the issues related to the context of Argentinian dictatorship.

When the dissertation reconstructs the archive of the instruments of authority gathered within the framework of human security, it notes that the different instruments conceived within this framework are aimed to resist some of the prerogatives of sovereign power. From the Human Development Report's definition to the *Responsibility to Protect*, they are normative statements opposing the idea that the state is an end in itself. Within this range of possibilities, the formulations can be radically different regarding their description of the external circumstances and the internal dimensions of the conception of the security of the individual. But they are supposed to be mobilized to impose normative conditionalities on the design of the state strategy, using the human as a regulative ideal for it. Through the narratives that appropriate and actualize this archive in the different spaces, the characteristics and the limits of the discourse of human security are consolidated.

With the human development discourse, many dimensions of human subjectivity could be penetrated. Dimensions that could not be reached up to that point were no longer outside the prescriptions of the policy discourse. Until the emergence of the discourses on human development and human security, claims of national security and those concerning the promotion of human dignity or the defense of human rights were

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incompatible. When, in the national security doctrine, states understood it was important to access the concrete problems experienced by the individuals in order to win 'hearts and minds', this was done through stressing their condition as citizens, not through their condition as humans.

The human rights discourse is not a regulative ideal; it is a deterrent of state action. In the same way, in the times of the NSD, the policy of hearts and minds also pointed to the incorporation of explicit normative principles for state action. However, they were intended to be instrumentalized to the achievement of a pre-conceived state plan. The notion of human security as a normative ground against which state action was not simply supposed to be allowed or forbidden, but measured and guided in its appropriateness, is new to the end of the Cold War.

The performance this discourse achieved is also due to new statistical formulations aimed at measuring new dimensions of human subjectivity. One of the possible instruments is a variation of the new utilitarianism that was designed to try to reconcile the dilemmas of economic liberalism with a more philosophical discussion about political freedom. It was the necessity to transcend this dichotomy that inspired the work of Amartya Sen, which in its turn inspired the UNDP work on human security.

Sen's approach clearly reflects a variation of the idea of governmentality as developed by Foucault to study the functioning of the welfare state in *The Birth of Biopolitics*. It is about appropriating the different dimensions of life and intrumentalizing them to promote some kind of version of the 'common good'. But although it has a similar effect, the apparatus that is built around it has different purposes; it is an instrument that is appropriated in order to be used against the 'reason of state', instead of reinforcing it. It tries to regulate the autonomy of the state as it legitimates technical (there is, for example, the Human Development Index) and political instruments to judge the appropriateness of national policies towards development and security.

As discussed in Chapter 4, human development, which would lead to the central formulation of human security in the Human Development Report of 1994, was conceived to resist the instrumentlization of discourse of national development from the third world countries, especially the recently decolonized countries, that used their

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numbers to try to promote an economic and redistributive agenda at the UN level during the Cold War.

After World War II, the European economies were in disarray and could not sustain their colonial enterprise anymore, and then mechanisms of economic transference such as the World Bank were a key part of the maintenance of political stability. Political elites in Third World countries were claiming a national development imperative to explore their bargaining power. In the 1980s, with a series of crises that forced the United States to review its position in favor of an agenda of bilateral agreements, the international funding for development projects decreased, the indebtedness of Third World countries soared, and international institutions started to pressure them for 'structural adjustment' reforms.

However, aid transfer was yet an important necessity to many societies that could not be fully integrated into the market economy at that point. As Duffield (2007) shows, already by the 1980s, many NGOs were willing to advance into the terrain of war torn countries to provide indispensable services to the population. In parallel with that, development discourse was reframed. Another side of the critique made against the national development policies of the 1960s and 1970s supported by specialists, such as those who worked in ECLAC, was that the GDP growth of some Third World countries did not translate into less inequality or by any standard the improvement of the condition of the poorest strata of their societies. As expressed by the President of the World Bank, Robert McNamara, in 1972, development policies had to find a way to be reconciled with social justice.

That was how human development was created as a correction for the 'distortions' of the national development discourse. Human security meant the expansion of this 'capabilites approach' proposed by Amartya Sen to a new agenda of security policies. This agenda was supported, among other things, by the studies that pointed to a strong correlation between development and security.

The introduction of the issue of the conflict opened the floor to explore the normative dilemmas emerging from the vulnerability of the human condition in different directions from the part of agencies such as the UN Secretariat. When the Secretary-General wrote *An Agenda for Peace* (1992), it immediately became a major reference as a position about the predicament of those affected by wars and civil strife

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around the world. He intended to prepare an address about what should be the role of the UN in this new scenario: international institutions should play a more assertive role both in conflict prevention and in post-conflict reconstruction, according to him, especially the United Nations. However, his statement had a more straightforward aim related to the authority of the United Nation to develop and conduct programs for post conflict rehabilitation in peace-building operations. Development was still understood to be a key idea for long-term sustainable peace, but it was understood more as an intervening variable than a defining feature.

With the Canadian appropriation of the concept of human security as promoted by Lloyd Axworth, this instrument unfolds in yet another direction.   The characterization of the human condition is emphasized to consolidate the legitimization of intervention in an argument that was less concerned with the long-term procedures to be implemented afterward. This formulation changed the focus from the sustainability of intervention to the responsibility of intervention.

4. Displaced persons

The very idea of bringing the issue of responsibility as a way of constraining the sovereign prerogatives of certain states, of imposing on them accountability to the international community because sovereignty implied responsibility, reached the agenda of contemporary multilateral institutions through the think tank specialists working on internal displacement, as mentioned earlier.

Through a genealogical investigation, the study identifies that the changing configuration of the shifts in human mobility exposes a contradiction on the narratives about the plight of refugees, as well as institutions informed by them, such as the UNHCR. The debates brought about the construction of internal displacement as a relevant category pointing to the inadequacy of the normative framework created around the notion of refugee in order to control the destabilizing effects resulting from the increasing flux of individuals in conflict areas around the world.

Controlling the movement of individuals at the border was not effective in mitigating the humanitarian side effects of violence. With the escalation of the conflicts

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in the 1990s, those who were reaching the border were more and more a relatively small fraction of the overall displacement.

So again, at the UN level, those experts dealing with the issues of refugees found themselves in a dilemma that presented discontinuities in the narratives that sustained an institution like the UNHCR. If they assessed the situation from the perspective of the experience of the individual (i.e., if they saw the situation from a human security perspective), they tended to project their knowledge in order to address the movements that were occurring inside the state's territory. The recurrence of the individual's experience is more important than an artificial juridical demarcation, and the normative framework should readapt to that new reality. If they addressed the situation from the perspective of the preservation of the legal status of the refugee, it is exactly this legal demarcation that guarantees the protection of those who leave the country in fear of persecution. From a juridical perspective, the preservation of the statute of the refugee depended on avoiding offering relief assistance for these individuals before they crossed the border.

Another dilemma existed at the institutional level: to coordinate the different agencies in charge of humanitarian or development work inside the United Nations. After a failed attempt to put a single agency in charge of the coordination efforts (UNDP) by the Secretary-General Javier Perez de Cuellar, his successor Boutros Boutros-Ghali created the position of the Representative of the Secretary-General for the Internally Displaced Persons. As for the cooperation between the agencies, a bureaucracy was created to coordinate humanitarian action and deal with the problem of complex emergencies, where internal displacement was usually an important factor. The Emergency Relief Coordinator was put in charge of the Office for the Coordination for Humanitarian Affairs.

The first task assigned to the IDP representative Francis Deng was to assess which juridical instruments were available that could be used for the protection of the IDPs, and how they might be implemented. Instead of anchoring the normative framework for the displaced in one specific body of law (be it International Humanitarian Law, Human Rights Law or Refugee Law), the team of experts assembled by Deng explored these three bodies of norms to extract general principles from them and produce guidelines to improve the action of the different agencies in the field.

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But in the case of Colombia, the humanitarian plight of those running from the war got the attention of the politicians as the conflict intensified in the 1990s. The escalation of the conflict into the countryside transformed the situation of those running away from the violence into a dilemma the state could not ignore. Law 387 of 1997 demarcated the responsibilities of the Colombian State regarding the IDPs, and it did so by characterizing forced displacement as a socio-economic phenomenon. As shown, state action should be implemented throughout three phases: prevention, emergency humanitarian assistance and socio-economic stabilization.

The Uribe government did not change the form of the legislation or the policies regarding displacement, but used them as an instrument to legitimate the state's position regarding the conflict. This appropriation of the notion of IDP that re-characterizes their suffering as a socio-economic phenomenon and empties it from the dimension of responsibility, was very convenient to Uribe's political agenda. He embraced the policies on displacement as a priority, and the humanitarian tone he gave to the issue helped to reinforce the line between the legitimate action of the state and the illegitimate activities of the terrorists. It also increased considerably the amount of money invested in these policies because it seemed contradictory to a discourse that asserted the non-existence of a conflict inside the country that the numbers of some organizations pointed to more than 4 million displaced by violence in a nation of about 43 million people. At the same time that he was investing in assisting these people, his administration tried to centralize the deployment of assistance and the gathering of information regarding the phenomenon, in an attempt to control its visibility. Following a strategy that was also being implemented by the UNHCR in other contexts, Uribe's office was stimulating people to return to their place of origin, even when the evidence about the improvement of the security conditions was not reliable.

The way the legal text was structured gave him an important instrument to try to avoid the politicization of the issue, but those willing to expose it tried to question the shortcomings of the government's policies via the judicial channels. The stakes of this struggle are synthesized in the Constitutional Court Declaration T-025 from 2004. It acknowledged the inadequacy of the support that was being provided by the government. It was a path-breaking formulation because it was the first to consider the situation of the internally displaced as unconstitutional, and served as a precedent for

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the posterior positioning of the Constitutional Court on the matter. However, due to the format of the legislation, the text ended up reinforcing the idea that these inadequacies were the reflection of the non-fulfillment of the socio economic indicators and expressed its requirements regarding the government around the three phases of implementation foreseen in the text.

In the following years, and especially with the development of a whole body of legislation regarding the victims, the IDP lost momentum as a category that could be used to politicize the humanitarian dilemma of the conflict. This is important because it clearly connects the two genealogies. The attempts to expose the political dimension of Uribe's humanitarian discourse by disputing the narratives of the IDPs did not succeed. As a result of this depoliticization, at a certain point, criticisms emerged inside Colombian society that the policies aimed at the displaced were an inefficient and unfair way of promoting redistribution of income in Colombia. Reproducing and naturalizing the idea that the 'displaced' were a socio-economic phenomenon, the critics claimed that these policies created a category of 'privileged' among the large (and increasing) strata of the poor. Important social programs implemented in the second mandate of Uribe, such as the Familias en Acción (Families in Action) benefited families of displaced, but were not specifically aimed at the displaced any more.

5. The Victims

The idea of the rights of the victims enters the Colombian scene as an unexpected appropriation of the transitional justice framework. The use of the concept of victim inside this framework served to establish the individual subjected to the experience of conflict as the normative ground against which the demands for peace and justice could be arbitrated. Transitional justice is, by definition, a negotiated set of rules. It is in an ambiguous position between a fully institutionalized legal system and the absolute contingency and one-sidedness of political justice, which leads to a state of exception.

The idea of the victim is a necessary basis for the provision of justice because it distinguishes the victim from the perpetrator, those who should be held responsible and account for what happened and those who were affected by their actions. Post-conflict

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contexts are usually characterized by the lack of social consensus about the organization of society. Therefore, this distinction has to be assumed in order for the policies of reparation and reconciliation to be designed, according to the context and the dispositions of the actors involved.

Once this distinction is established, there are conflicting narratives about the connotation of the victim and its implications. On the one hand, those who claim the primacy of retribution argue that the individual responsibility of the perpetrators is the way to avoid a repetition of the wrongdoing and, therefore, the continuing victimization of innocent individuals. On the other hand, those who emphasize the necessity of reconciliation question this pedagogical character of repression. They understand that the cohesion of society will be guaranteed not by a focus on the criminal act, but by the therapeutic orientated attention to the suffering of the victim, by repairing the damage done to him/her and restoring his/her dignity.

By being brought to a crucial point of a specific negotiation, the transitional justice framework enables the notion of victim to intervene in a historic series of struggles regarding the regulation of war and peace and the dispute between the executive and the judiciary in Colombia. The country had a strong tradition of settling violent disputes through truces and amnesties in the past. This excessively political mechanism was questioned with the Constitution of 1991, which reflected a liberal inclination for restricting the autonomy of the State in the negotiation of such agreements, and introduced norms aimed at constraining the prerogatives of the politicians in this process with judicial mechanisms. The government did what it could to strengthen its discretion regarding the judiciary. When the demobilization of the paramilitaries entered the agenda of the Colombian government, it again tried to establish an agreement between the representatives of the groups and the executive. The High Commissioner for Peace, Luis Carlos Restrepo, was personally in charge of such negotiations, although this time the initiative was met with strong criticism. The Santa Fe de Ralito Agreement was signed in the spirit of what Gutierrez (2006) understood to be Colombian tradition: impunity in exchange for stability. However, this time several civil society groups positioned themselves against it. The Constitutional Court decided that an agreement involving the demobilization of this

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group would have to be followed by dispositions addressing the rights of the victims to truth, justice and reparation.

In the first instance, the government was put in a defensive position and some important paramilitary leaders stepped back from the negotiation. The narrative of the victims was denying them moral ground in their attempt to reinsert themselves into Colombian society. Under these circumstances, Law 975, or the Justice and Peace Law, could be considered a concession, a step into regulating the negotiations related to issues of war and peace with judicial mechanisms. It reflected the norms of the transitional justice framework in what concerned the new role performed by the narrative of the victim. But the use of transitional justice was very singular. It regulated a society in the middle of a conflict as if it were a post conflict society in transition. By doing this, the government reinforced its narrative that Colombia was not experiencing an armed conflict at the moment. It is through a genealogical investigation which centers the analysis in the trajectory of the struggle that it can be identified by, if in the first moment, the appropriation of the transitional justice framework jeopardizes the flexibility of the government and brings the judiciary into the dispute, the executive is able to accommodate its agenda and use the same framework to construct alternative procedures to increase its control over how the judicial mechanisms are used to mediate issues relating to the conflict.

It circumvents constitutional law, but on behalf of the construction of an alternative penalty system, which is supposed to provide the judiciary with some measure of control over the process. It also provides the possibility of verification of some facts and symbolic measures of reparation to the victim. However, the victim's version is not heard in the investigation of the case. There is no mechanism to take the place of a truth commission, only a National Council that prepares publications relating an official version of the history of the conflict.

As Maria Teresa Uribe (2006) points out, the narrative of the victim does not interfere with the judicial proceedings, but the image of the victim is the fundamental instrument for bringing the judiciary to the agenda, setting the middle ground around the transitional justice framework and accommodating the demands of civil society groups that were using the discourse on the victims to politicize the dilemmas of those affected by the violence. As stated previously, by appropriating itself from the

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discourse regarding the victims, the government consolidated a military victory with a political one. In the domestic arena, it places the conflict in the past and refutes the attacks of those who point to its role in the reproduction of violence; in the international arena, it negotiates a transitional judicial system completely controlled by domestic actors and avoids the space for criticism from international courts and other organizations.

The deployment of the transitional justice framework in Colombian politics and its consequences for the increase of the discretionary powers of the executive leads to a reflection on the relationship between the government and the judges. It cannot be understood in terms of a dichotomy between the imposition of judicial mechanisms and the prevalence of political negotiations by the subordination of the rule of law. The significance of its deployment lays exactly in the fact that it provides different ways of exercising government other than those at the disposal of the actors until that point. The use made of those instruments and how it affects the status quo depends on the circumstances and on a complex combination of variables.

The analysis of both genalogies suggests that the performance of the deployment of the different concepts (displacement- victim) points to the flexibility of the state to change its tactics and adapt to the emergence of these new forms of government without being undermined in its position as a legitimate provider of security during the Uribe government. It can also be recognized that there is a combined effect of the appropriation of these two concepts in the overall configuration of the social space of the Colombian conflict. As presented, the deployment of these narratives enables different ways to characterize the vulnerability of individuals, sometimes extending their security predicament beyond the immediate occurrence of conflict.

It also suggests that these processes of subjectivization are not necessarily opposed, and in this case might be considered complementary: in the empowerment narrative that informed the policies for the internally displaced, the vulnerability of the individual is overcome by the capacity of the state to identify the nature of its predicaments (housing, medical care, children's education) and design the proper policies to transform their future. Through the narrative about the victim that informs the transitional justice framework as implemented in Colombia, the violence of the conflict is framed not as a predicament of the present, but as a ghost of the past, to be

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exorcized through rituals of reconciliation where people can work through their traumas and be reintegrated in society.

6. The aftermath of the DSP: a new security strategy and the internalization of transitional justice

In this last section, how these processes were rooted in the social space of the Colombian conflict as the scenario transformed itself after Uribe left office are discussed. The intention is to stress the lines of the new defense strategy as well as the policies that dealt with the issues related to those affected by the conflict and point out how these processes unfold from the shape they took during the Uribe years.

6.1 President Juan Manuel Santos and the legal framework for peace

There are significant indications that, in opposition to Uribe's view, President Santos never had in his strategic horizon that investing in ending the conflict by an overwhelming military victory would be a feasible way out. In his first speech as President, in a moment where people still expected from him a direct continuation of Uribe's policy (since he had been supported by Uribe during the campaign and had been Uribe's Minister of Defence during his second term), Santos opted to declare that the door for the negotiation was not completely locked (Presidencia de la República 2012). On the contrary, the two domestic political agendas towards which he dedicated the highest level of priority during his first two years in office (it can be pointed out that, in the realm of foreign affairs, the issue of the free trade agreement with the United States also had a high level of priority) was the construction of a Legal Framework for Peace and the Law of Victims and Land Restitution.

The Legal Framework for Peace consists of a constitutional amendment that has an objective of creating judicial mechanisms that facilitate future negotioation and programs of demobilization with the remaining armed groups. The Colombian Constitution, promulgated in 1991, has as one of its goals to constrain the autonomy of the executive to settle deals with armed groups that result in the great number of amnesties and were witnessed throughout Colombian history, attributed without any

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kind of control from the judiciary. The Legal Framework for Peace is based in the Justice and Peace Law from 2005, which appropriates itself from the normative foundations of the processes of transitional justice on the rights to truth, justice and reparation. The difference is that the Justice and Peace Law had its legitimacy anchored in the fact that it is a transitory mechanism, associated with a specific process of demobilization.

The project of the legal framework originated Law 1448 of 2011, or the Law of Victims and Land Restitution (El Congresso de Colombia 2011). This law and the system it builds to provide assistance and protection to the victim internalizes the directives from the transitional justice framework within the Colombian legal system. This would generate legislation to regulate the demobilization of any armed group and guarantee the rights of any victim harmed by the conflict in the past. It creates the System for the Unified Registration of Victims (Registro Único de Víctimas- Title V, Chapter II, articles 154 to 158) and the National System for the Integrated Attention and Reparation to the Victim (Sistema Nacional de Atención y Reparación Integral a las Víctimas- Title V, Chapter III, articles 159 to 174).

The document also accommodates all the norms and regulations regarding the displaced inside the broader framework, in an attempt to standardize and unify the system. All the government obligations regarding the IDPs are handled by the Unit for Integrated Attention and Reparation to the Victims, created by Article 173 of Law 1448, replacing the National Commission for Reparation and Reconciliation, which was created by the Justice and Peace Law and associated with its transitional framework.

The necessity of moving these processes forward in Congress led Santos to break up with one of the central postulates of Alvaro Uribe and his special advisor, Jose Obdúlio Gavíria: the idea that Colombia does not live an armed conflict, but is targeted by a terrorist organization. This understanding proved to be an obstacle not only to the construction of a law that could guarantee rights to the victims of the conflict but also for the construction of a legal framework that could guarantee the transition towards a post-conflict scenario.

6.2 Transformation in security strategy

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Even the security policy of Santos signalled a change of priority in relation to Uribe's, despite the fact the he was Defence Minister in Uribe's second term. When he was put in charge of this position, he implemented some tactical changes that distinguished his approach from the 'first version' of Democratic Security Policy. The 2002 strategy invested in large military operations, such as the operations Orion, and Freedom I and II. They were structured through the assembling of several brigades and organized in joint military commands (with members of the three forces and the National Police), and aimed at attacking and dismantling entire military structures, such as entire FARC fronts, and sometimes more than one at a time. The operations from Santos' new security plan were executed mostly by small special groups, joint task-forces led by the Army in a coordinated effort with the other forces and the national police. These operations usually had a focused objective, a circumscribed location for their deployment and a limited time span to achieve a specific result.

Santos was in charge of some very important operations during his time in office as Ministry of Defence, such as those that led to the death of Raul Reyes and Mono Jojoy, and the successful rescue of Ingrid Betancourt. This change reflected an adaptation in relation to the repositioning of the FARC in the field during the last years: in the moment the DSP was conceived, the FARC was attempting to make a movement towards a more regular form of warfare. After four years of DSP, this strategy was no longer feasible. In 2008 the then Secretary-General of the FARC, Alfonso Cano, implemented the Plan Rebirth (*Plan Renacer*), which foresaw a return to a proper guerrilla form of warfare. The special forces were designed to act in a more mobile and flexible way, to fight an armed group that was once again performing like an insurgent group.

Besides, Santos' program had an important change in the design of its strategy: the FARC were no longer considered the greatest threat to the country's national security. The priority for Santos security plan was the struggle against the new illegal armed groups, known as 'bandas criminales'. He dropped the idea of a democratic security policy and launched his plan as the 'Integral Policy of Security and Defence for Prosperity'(Ministerio de Defensa Nacional 2011). With the dissemination of these new illegal armed groups, acknowledging the existence of the conflict became indispensable to differentiating the armed actors that have the right to be included in the

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demobilization and reintegration programs, and the common criminals, to be subjected to the existing constitutional framework.

6.3 Re-opening the dialogue with the FARC

On 27 August 2012, President Santos made a public announcement confirming the rumors that for previous months he had been in secret conversations with the FARC for the establishment of peace negotiations. The former President Alvaro Uribe, in his Twitter account, had already exposed to the public that Santos and his security team were in Cuba making deals with 'narco-terrorist' organizations (El Espectador 2012).

Different from the scenario of the last peace process, the FARC had been systematically undermined during recent years. The guerrilla, although still having significant military capacity, were beginning to show signs of fragmentation. Now that the FARC began to behave more like a proper guerrilla in tactical terms, the costs of maintaining an attitude of non-negotiation in relation to the group were increasingly higher for the population. This new picture of growing urban violence was also becoming relevant for reasons that were not humanitarian but economic in nature. The Colombian economy, which as an agro-exporter with extractive profile, had been growing at fast pace during the last years, and there was an increasing fear in the business community that, in these times of uncertainty of the international economic crisis, the fragmentation of the violence and the increasing of the attacks could frighten investors.

The possible fragmentation of the armed group projects a scenario that is not convenient for the government. The demobilization of the United Self Defence Groups of Colombia originated a set of new illegal armed groups which transformed the problem of political violence in Colombia in an even more complex issue, because those groups do not have a centralized leadership or a clear political agenda with which the government can negotiate directly[95]

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[95] Information reported in interviews with military Colombian officers reproduced by International Crisis Group details attacks perpetrated by the FARC that counted with the support of civilizn militias performing combat roles. There is evidence that they have been throwing bombs and acting as snipers. This deepens the complexity of the humanitarian question because it makes it even more difficult to differentiate the combatants from the civilians(which is a basic premise for the application of international humanitarian law) (Latin America Report 2012: 5).

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Despite the fact that this does not seem likely to happen with the oldest leaders of the organization, in the case that the central command of the FARC is militarily defeated, the remaining troops can be absorbed by these illegal armed groups, or even create new ones. The moderation of the government's discourse in a moment where the FARC might require little more than a dignified way out may be important to avoid the country being dragged into a process of the dissemination of militias[96].

Despite the fact that the Santos initiative was met with widespread support throughout Colombian society, bringing the leftist armed group to the negotiation table stirred the resistance of some specific political groups. The military establishment, for one, is historically contrary to this political agenda. On the occasion of this new negotiation, they stood with the president, but backstage created a lot of pressure to be included in the negotiation table. In the negotiation team that had been meeting with the FARC during the last months, there were two 'representatives' of the armed forces: one being the retired General Óscar Naranjo Trujillo, who commanded the National Police during Uribe's second term, and was, therefore, also under Santo's command at that time, since he was Ministry of Defence. The other is the retired General Jorge Enrique de Mora Rangel, who was chosen because of the weight his word carries within the military ranks. But there is also a group of politicians willing to resist the government's attempt to engage in negotiation with these groups. A new far-right group is taking shape in Colombian politics, led by the former president Alvaro Uribe himself.

Those standing with a more polarized vision of society insist on the idea of organizing the social consensus in Colombia along the necessity of the war against terrorism. Although they are not, in themselves, against an agreement for the demobilization of these armed groups, they are radically against any scenario that allows former members of these organizations to pursue a legitimate political career in Colombian politics[97]. In May 2012, they instituted the "United Front Against the

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[96] There are indications that some of the fronts of the FARC are acting in coordination with the new illegal armed groups. The relationship of the guerrillas with these new groups goes beyond some eventual trade exchange of arms and drugs (such exchanges had already been observed even when the AUC still existed). There are reports of joint operations along with groups such as 'Los Rastrojos', one of the largest of these new illegal armed groups in Colombia (Diário Digital Eje21 2012).

[97] The Manifesto of the "United Front against the Terrorists" (Frente Unida en contra de los Terroristas) is an example of their view of the situation. They state that by supporting what they call a policy of 'appeasement', the government is exempting itself from its constitutional obligations, because in a

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Terrorists"(*Frente Unida en contra de los Terroristas*). The strategy of this movement was not to get, at that point, directly involved with party politics. They wanted to influence the debate in civil society and restore the cohesion that had been created around the war on terrorism in Colombia as a consensus that organized civil society and its relationship with the government.

7. Final remarks

This overview of the dynamic of the conflict and of the norms relating to the individuals and groups affected by the conflict in the aftermath of the Uribe government opens the space to put some of the elements of the period in perspective. The polarization of society around the mobilization of the war on terrorism wore off, and the consolidation of the narrative of the victims played an important role in undermining its momentum. The hegemony it enjoyed since 2002 was the product of a specific conjuncture both at the domestic and international levels. The sense of urgency this vision imposed was also result of the perception of an unfavourable position of the apparatus of the state in the status quo of the conflict. When the DSP restrained the military advance of the FARC, and then the policies informed by the transitional justice framework brought the prospect of a negotiated transition towards a post conflict scenario, the expectations changed. The humanitarian costs of the escalation of the war and the increasing threat posed by the possibility of fragmentation of the armed actors became too high to groups that were mostly interested in the political stabilization of the country. It is interesting to note that it was the consolidation of the instruments informed by the discourse of human security that provided the means for them to change the criteria of their calculations.

The complementarity of the policies between the victims and the displaced is also reinforced by their convergence into the legal framework for peace. This accommodation started by incorporating the issue of land restitution in Law 1448. The claims regarding forced eviction and land restitution are the ones most directly associated with the phenomenon of displacement, which is not surprising if one

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democracy terrorists could not be considered political criminals. Besides, being a criminal terrorist should exclude an individual from any right to ever being elected, even if they voluntarily demobilize (Frente de Unidad en Contra de los Terroristas 2012).

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considers that it is often the result of intentional and deliberate land appropriation carried out by violent means. Besides, internal displacement was conceived in the Law of Victims as one of the possible predicaments a victim of the conflict could be subjected to (regulated by Title III, Chapter III; Articles 60 to 68 of Law 1448).

There are groups that still support the vision that it is important to galvanize society around combating the terrorists. They can be found in the military ranks and among those who understand guerrilla insurgents represent an irreconcilable threat to their survival. They project their perception as a threat to the survival of society by relying on uncertainty to advocate the worst case scenario. They bring the accumulated knowledge about the struggle against the internal enemy and attempt to control the vision of the future through techniques aimed at the identification and elimination of that enemy.

By opting for this specific design, the research stressed that the polarization of society promoted by the Uribe government is not simply the result of the prevalence of strategic reasoning. It is composed of a set of discourses that informs the actors' choices and strategies. This perspective calls for a deeper understanding of the processes through which patterns of inclusion and exclusion are constructed, and the role played by the narratives that emphasize images of the enemy and images of the human. The aggregate effect of the discourses is associated with a specific arrangement, a nexus that is built between them, which is also always provisional because their contents and forms are always changing.

Regarding the focus on human security, the dissertation tried to explore the development of its normative directives and the vocabulary it creates. It exposes the penetration of the discourse in different social layers and describes not only the different ways through which government might be exercised in contemporary world politics, but how human security mediates knowledge production and social transformation between the space of international institution and other social spaces at the local and national levels.

The narratives informed by human security seem to expose in different ways the dilemmas and contradictions that emerged from the deployment of these practices, but adaptations were made inside the official discourse to accommodate these claims in a vision where the identification of the enemy is still the condition of the possibility of

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mitigating of the individual's suffering, as well as promoting the reconciliation of society. When the government of President Santos dissociates the more traditional political elite from its warlike discourse, it potentializes the dimension of the human security discourse that had been restrained by its instrumentalization inside the logic of the DSP. When implemented beyond the consideration of its role to the undermining of the FARC as the 'internal enemy', human security can be used to resist the very sense of urgency and uncertainty built by this vision, and project alternative visions of the future post-conflict scenario.

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References

Adelman, Howard. (2001) From Refugees to Forced Migration: the UNHCR and human security. *International Migration Review* 35: 1, pp.7-32.

Almario, Óscar (2004) 'Dinámica y consecuencias del conflicto armado colombiano en el Pacífico: limpieza étnica y desterritorialización de afrocolombianos e indígenas y 'multiculturalismo' de Estado e indolencia nacional'. In *Dimensiones Territoriales de la Guerra y la Paz* edited by Gustavo Montañez et al. Bogotá: Universidad Nacional de Colombia, pp.641-681.

Almond, Gary A. and Sidney Verba. (1963) *The Civic Culture: political attitudes and democracy in five nations*. Princeton: Princeton University Press, 562p.

Angariata C., Pablo Emílio (2011). *Seguridad Democrática: lo invisible de un régimen político y económico*. Bogotá: Siglo del Hombre editores, 374p.

Austin. John L. (1962) *How to Do Things with Words*. Cambridge: Harvard University Press, 166p.

Avila, Ariel Fernando (2011). 'Territorio, propriedad de la tierra y conflicto armado en Guaviare'. In *La Economía de los Paramilitares: redes de corrupción, negocios y política* edited by Mauricio Romero Vidal. Bogota and Medellin: Random House and Corporación Nuevo Arco Iris, pp.443-524.

Avilés, William (2006). *Global Capitalism, Democracy and civil-military relations in Colombia*. New York: State University of New York Press, 193p.

Axworth, Lloyd (1999) *Human Security: safety for people in a changing world*. Centre for Peace and Development Studies. April 1999. <http://www.cpdsindia.org/peopleinachangingworld.htm> (15 October 2011)

Ballén, Rafael (2010) *La pequeña política de Uribe y sus simulaciones*. Bogotá: Editorial Temis, 216p.

Balzacq, Thierry (2005) The Three Faces of Securitization: political agency, audience and context. *European Journal of International Relations* 11: 2, pp.171-201.

Balzacq, Thierry(ed) (2010) *Securitization Theory: how security problems emerge and dissolve*. London: Routledge, 258p.

Bejarano, Ana María (2001). 'The constitution of 1991: An Institutional Evaluation

Human security policies in the Colombian conflict during the Uribe government

Seven Years Later'. In *Violence in Colombia 1990-2000: waging war and negotiating peace*, edited by Charles Bergquist et al. Willington: Scholarly Resources Books, pp.53-74.

Beyani, Chaloka (2006). 'The Role of Human Rights Bodies in Protecting Refugees'. In *Human Rights and Refugees, Internally displaced persons and Migrant Workers: essays in memory of Joan Fitzpatrick and Arthur Helton*, edited by Anne F. Bayefsky. Leiden and Boston: Martinus Nijhoff Publishers, pp. 269-282.

Bigo, Didier (2001). 'Migration and Security'. In: *Controlling a New Migration World*, edited by Virginie Guiraudon and Christian Joppke. London: Routledge, pp.121-149.

Bigo, Didier (2002). Security and Immigration: toward a critique of the governmentality of unease. *Alternatives: local, global, political* 27 (supplement), pp.63-92.

Bonilla, Laura (2007). 'Magdalena Medio: dela lucha por la tierra a la consolidación de autoritarismos subnacionales'. In *Parapolítica: la ruta de la expansión paramilitar y los acuerdos políticos* edited by Mauricio Romero. Bogotá: Intermedio Editores and Corporación Nuevo Arco Iris, pp.341-389.

Booth, Ken (1991). Security and Emancipation. *Review of International Relations*, 17: 4, pp.313-326.

Booth, Ken (2005). 'Critical explorations'. In: *Critical Security Studies and World Politics* edited by Ken Booth. Boulder and London: Lyne Reinner Publishers, pp.1-18.

Botero, Catalina (2006). 'Derecho Penal Internacional y Justicia de Transición: ¿Estamos condenados a repetir incesantemente la historia trágica de *la muerte y la donzela*?' In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.280-322.

Botero, Catalina and Esteban Restrepo (2005). 'Estándares internacionales y processos de transición en Colombia'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.19-66.

Burchell, Graham et al (1991). *The Foucault Effect: studies in governmentality*. Chicago: University of Chicago Press, 303p.

Bushnell, David (1993). *The Making of Modern Colombia: a nation on spite of itself*.

Human security policies in the Colombian conflict during the Uribe government

Berkeley: University of California Press, 384p.

Bushnell, David (2007). 'Politica y partidos en el siglo XIX: algunos antecedentes historicos'. In *Pasado y Presente de la Violencia en Colombia*, edited by Gonzalo Sánchez and Ricardo Peñaranda. Medellín: La Carretera Histórica, pp.73-79.

Butler. Judith (1993). *Bodies That Matter: on the discursive limits of 'Sex'*. New York: Routledge, 288p.

Buzan, Barry (2004). A reductionist, idealist notion that adds little analytical value. *Security Dialogue* 35: 3, pp.369-370.

Buzan, Barry et al (1998). *Security: a new framework for analysis*. Boulder: Lynne Reinner Publishers, 241p.

Camacho, Alvaro (2006). 'De narcos, paracrecias y mafias'. In *En la Encrucijada: Colombia en el siglo XXI* edited by Francisco Leal Buitrago. Bogotá: Grupo Editorial Norma, pp.387-419.

Camacho, Alvaro (2007). 'Cinco tesis para una sociologia política del narcotráfico y la violencia en Colombia'. In *Pasado y Presente de la Violencia en Colombia*, edited by Gonzalo Sánchez and Ricardo Peñaranda. Medellín: La Carretera Histórica, pp.363-378.

Card, Claudia (2006). 'El paradigma de la atrocidad: una teoría del mal'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.16-54.

C.A.S.E. Collective (2006). Critical Approaches to Security in Europe: a networked manifesto. *Security Dialogue* 37: 4 pp.442-487.

Cepeda, Iván and Claudia Girón (2006). 'Testigos historicos y sujetos de justicia'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.375-387.

Chandler, David and Nik Hinek(eds) (2011). *Critical Perspectives on Human Security: rethinking emancipation and power in international relations*. London and New York: Routledge, 208p.

Chaparro, Adolfo (2005). 'La función crítica del 'perdón sin soberanía' en procesos de justicia transicional'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.233-258.

Human security policies in the Colombian conflict during the Uribe government

Codhes (2009). *Víctimas emergentes: desplazamiento, derechos humanos y conflito armado em 2008*. Boletín Informativo de la Consultoría para los Derechos Humanos y el Desplazamiento. n.75. 22 April 2009.
<http://www.abcolombia.org.uk/downloads/codhes_informa_no.75_-_Victimas_emergentes.__22_abril_2009.pdf> (15 October 2011)

Cohen, Roberta and Francis Deng (1998). *Masses in Flight: the Global Crises of Internal Displacement*. Washington, DC: Brookings Institution Press, 414p.

Collinson, Sarah and Samir Elhawary (2012). *Humanitarian Space: a review of trends and issues*. Humanitarian Policy Group Report 32.
<http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7643.pdf> (10 March 2013)

Comisión Nacional sobre la Desaparición de Personas (Conadep) (1984). *Informe Nunca Más*. 20 September 1984.
<http://www.desaparecidos.org/nuncamas/web/english/library/nevagain/nevagain_-001.htm> (22 February 2013)

Commission on Human Security(CHS) (2003). *Human Security Now*.
<http://www.humansecurity-chs.org/finalreport/index.html> (10 June 2012)

Commission on Intervention and State Sovereignty(CISS) (2001). *The Responsibility to Protect*. <http://responsibilitytoprotect.org/ICISS%20Report-1.pdf> (10 November 2012)

Communiqué of the Asian-African Conference of Bandung (1955). 24 April 1955.
<http://franke.uchicago.edu/Final_Communique_Bandung_1955.pdf> (22 February 2013)

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Treaty) (1997). 18 September 1997.
<http://www.un.org/Depts/mine/UNDocs/ban_trty.htm> (10 March 2013).

Convention relating to the Status of Refugees (Refugee Convention) (1951). 28 July 1951.
<http://www.unhcr.org/3b66c2aa10.html> (22 February 2013)

Corte Constitucional de la República de Colombia (2004). *Comunicado de Prensa-Sentencia T-025 de 2004*. 06 February 2004.

Human security policies in the Colombian conflict during the Uribe government

<http://www.acnur.org/biblioteca/pdf/2522.pdf> (28 March 2010)

Corte Constitucional de la República de Colombia (2002). *Sentencia C-063 de 2002*. 04
    February 2003.
    <http://www.secretariasenado.gov.co/senado/basedoc/cc_sc_nf/2003/c-
    063_2003.html> (22 February 2013)

Corte Constitucional de la República de Colombia (2003). *Sentencia C-619 de 2003*. 29
    July 2003.
    <http://www.secretariasenado.gov.co/senado/basedoc/cc_sc_nf/2003/c-
    619_2003.html> (28 March 2013)

Cortés, Francisco (2006). 'Entre el perdón y la justicia: reflexiones en torno a los
    límites y contradicciones de la justicia transicional'. In *Justicia Transicional: teoría y
    práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.85-
    112.

Costa, Grazielle (2008). *Entre 'Guerreiros Justos' e 'Almas Belas': proteção, poder e
    resitência política nos discursos e nas práticas das mulheres colombianas
    organizadas pela paz.* PhD Dissertaion. Rio de Janeiro: PUC-Rio, 286p.

Cubides, Fernando (2001). 'From private to Public Violence: the Paramilitaries'. In
    Violence in Colombia 1990-2000: waging war and negotiating peace, edited by
    Charles Bergquist et al. Willington: Scholarly Resources Books, pp.127-150.

Cruz, Adolfo (2009). *La Construcción del Ejercito Nacional en Colombia: 1907-1930*.
    Bogotá: Carreta Historica, 234p.

De Greiff, Pablo (2006). 'Enfrentar el pasado: reparaciones por abusos graves a los
    derechos humanos'. In *Justicia Transicional: teoría y práxis*, edited by Camila
    Gamboa. Bogotá: Editorial Universidad de Rosario, pp.204-241.

Dean, Mitchell (1999). *Governmentality: power and rule in modern society.* London:
    Sage Publications, 235p.

Deas, Malcolm (2007). 'Algunos interrogantes sobre la relación guerras civiles y
    violencia'. In *Pasado y Presente de la Violencia en Colombia*, edited by Gonzalo
    Sánchez and Ricardo Peñaranda. Medellín: La Carretera Histórica, pp.81-86.

Departamento Nacional de Planeación (2002). *Plan Nacional de Desarrollo 2002-
    2006: hacia um Estado comunitário.*
    <https://www.dnp.gov.co/Portals/0/archivos/documentos/GCRP/PND/PND.pdf>

(13 March 2012)

Díaz, Catalina (2006). 'La reparación de las víctimas de la violencia política en Colombia: problemas y oportunidades'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.518-551.

Diario Digital Eje21 (2012). Armada denuncia alianza entre las Farc y 'Los Rastrojos' en la Costa Pacífica. Diaro Digital Eje21(Manizales) 08 February. <http://eje21.com.co/secciones-mainmenu-2/1-ltimas/47546-armada-denuncia-alianza-entre-las-farc-y-los-rastrojos-en-la-costa-pacifica.html> (22 February 2013)

Dreyfus, Hubert L. and Paul Rabinow (1995). *Michel Foucault: uma trajetória filosófica- para além do estruturalismo e da hermenêutica*. São Paulo: Editora Forense Universitária, 299p.

Duffield, Mark (2001). *Global Governance and the New Wars: the merging of development and security*. London and New York: Zed Books, 293p.

Duffield, Mark (2007). *Development, Security and Unending War: governing the world of peoples*. Cambridge: Polity Press, 266p.

Duffield, Mark and Nicholas Waddell, Nicholas (2006). Securing Humans In a Dangerous World. *International Politics*, 43, pp.1-23.

Duggan, Colleen (2005). 'Prólogo'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.vii-xii.

Duzan, Maria Jimena. El paramilitarismo no se ha acabado. El Tiempo 18 February. <http://www.eltiempo.com/archivo/documento/MAM-2831023> (12 October 2012).

El Congresso de Colombia (1997). *Ley 387 de 1997*. <http://www.secretariasenado.gov.co/senado/basedoc/ley/1997/ley_0387_1997.html> (7 March 2013)

El Congresso de Colombia (2005). *Ley 975 de 2005 (Justice and Peace Law)*. <http://web.presidencia.gov.co/leyes/2005/julio/ley975250705.pdf> (22 February 2013)

El Congresso de Colombia (2011). *Ley 1448 of 2011 (Law of Victims and Land Restitution)*. <http://www.archivogeneral.gov.co/?idcategoria=4419#> (22 February 2013)

El Gobierno Nacional y las Autodefensas Unidas de Colombia (2003). *Acuerdo de*

Human security policies in the Colombian conflict during the Uribe government

Santa Fe de Ralito para Contribuir a la Paz de Colombia. 15 July 2003.
<https://sites.google.com/site/procesodepazd/-acuerdo-de-santa-fe-ralito-para-contribuir-a-la-paz-de-colombia>   (22 February 2013)

El Espectador (2012). Uribe dice que Santos está negociando con las FARC en Cuba. El Espectador (Bogota) 19 August.
<http://www.elespectador.com/noticias/politica/articulo-368724-uribe-dice-santos-esta-negociando-farc-cuba> (12 October 2012)

El Tiempo (2008a). Delegado de la ONU destaca lucha contra 'falsos positivos'. El Tiempo (Bogota) 09 January.
<http://www.eltiempo.com/archivo/documento/MAM- 2788077> (12 October 2012)

El Tiempo (2008b). En frontera con Ecuador se cerró cerco sobre 'R. Reyes'. El Tiempo (Bogota) 02 March.
<http://www.eltiempo.com/archivo/documento/MAM-2847666> (12 October 2012)

El Tiempo (2008c). Amenazas a líderes cívicos en Ariari. El Tiempo (Bogota) 26 March.
<http://www.eltiempo.com/archivo/documento/CMS-4036342> (12 October 2012)

El Tiempo (2008d). Directora del DAS admite responsabilidad política en seguimientos al senador Gustavo Petro. El Tiempo (Bogota) 22 October.
<http://www.eltiempo.com/archivo/documento/CMS-4618276> (12 October 2012)

El Tiempo (2008e). Situación de Derechos Humanos en Colombia fue debatida por Consejo de DD.HH. de la ONU. El Tiempo (Bogota) 10 December.
<http://www.eltiempo.com/archivo/documento/CMS-4715006> (12 October 2012)

El Tiempo (2009). Uribe recibió 'Medalla a la Libertad', máxima distinción que otorga Estados Unidos a un civil. El Tiempo (Bogota) 12 January.
<http://www.eltiempo.com/archivo/documento/CMS-4750248> (12 October 2012)

El Tiempo (2010). Ex presidente Uribe dice que Estados Unidos 'no tiene excusas' para no ratificar el TLC con Colombia. El Tiempo (Bogota) 21 September.
<http://www.eltiempo.com/archivo/documento/CMS-7942280> (12 October 2012)

Elster, Jon (1998). Coming to Terms with the Past: a framework for the study of transitional justice in the transition to democracy. *European Journal of Sociology* 39:1, pp.7-48.

Elster, Jon (2004). *Closing the Books: transitional justice in historical perspective*.

Human security policies in the Colombian conflict during the Uribe government

Cambridge: Cambridge University Press, 298p.

Escober, Arturo (1995). *Encountering Development: the making and unmaking of the Third World*. Princeton, NJ: Princeton University Press, 320p.

Escobar, Arturo (2004). Beyond the Third World: Imperial Globality, Global Coloniality, and Anti-Globalization Social Movements. *Third World Quarterly* 25:1, pp.207-230.

Esteves, Paulo (2010). Peace Operations and the Government of Humanitarian Spaces. *International Peacekeeping*, 17: 5, pp.613-628.

Ferguson, James (2006). *Global Shadows: Africa in the Neoliberal World Order*. Durham and London: Duke University Press, 257p.

Fierke, Karin M. (1998) *Changing games, changing strategies: critical investigations in security*. Manchester: Manchester University Press, 234p.

Fierke, Karin M. (2006) 'Bewitched by the Past: social memory, trauma and International Relations'. In *Memory, Trauma and World Politics: reflections on the relationship between past and present*, edited by Duncan Bell. New York: Palgrave Macmillan, pp.116-134.

Fierke, Karin M. (2007) *Critical Approaches to International Security*. Cambridge: Polity Press, 235p.

Filippini, Leonardo and Lisa Magarrell (2005). 'Instituiciones de la justicia de transición y contexto político'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.143-169.

Flynn, Thomas (2006). 'Foucault's Mapping of History'. In *The Cambridge Companion to Foucault*, edited by Gary Gutting. Cambridge: Cambridge University Press, pp.29-48.

Foucault, Michel (1991). 'Politics and the Study of Discourse'. In: Burchell, Graham et al. *The Foucault Effect: studies in governmentality*. Chicago: University of Chicago Press, pp.53-72.

Foucault, Michel (2003). *Em Defesa da Sociedade: Cursos do College de France*. Rio de Janeiro: Editora Martins Fontes, 269p.

Foucault, Michel (2005). 'Nietzsche, a Genealogia, a História'. In *Arqueologia das Ciências e História dos Sistemas de Pensamento*, edited by Michael Foucault.

Human security policies in the Colombian conflict during the Uribe government

Coleção Ditos e Escritos II.. Rio de Janeiro: Editora Forense Universitária, pp.260-281.

Foucault, Michel (2007). *Arqueologia do Saber*. Rio de Janeiro: Editora Forense Universtária. 236p.

Foucault, Michel (2008). *Nascimento da Biopolítica: Cursos do College de France*. Rio de Janeiro: Editora Martins Fontes, 469p.

Foucault, Michel (2008). *Segurança, Território, População: Cursos do College de France*. Rio de Janeiro: Editora Martins Fontes, 520p.

Franco R., Vilma and Juan Diego Restrepo E.(2011). 'Empresarios palmeros, poderes de facto y despojo de tierras en el Bajo Atrato'. In *La Economía de los Paramilitares: redes de corrupción, negocios y política* edited by Mauricio Romero Vidal. Bogota and Medellin: Random House and Corporación Nuevo Arco Iris, pp.269-410.

Frente de Unidad en Contra de los Terroristas (2012). Manifesto de la Frente de Unidad en Contra de los Terroristas. <http://www.pensamientocolombia.org/ZScripts/Manifiestos/Manifiesto1.php> (22 Februay 2013.

Gamboa, Camila (2006). 'La transición democrática y la responsabilidad de la comunidad con su pasado'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.141-157.

García-Peña, Daniel (2005). La relación del Estado colombiano con el fenómeno paramilitar. Por el esclarecimiento historico. *Análisis Político* v.18 n.53, pp.58-76.

Goodwin-Gill. Guy S. (2000) 'UNHCR and Internal Displacement: stepping into a legal and political minefield'. In *World Refugee Survey 2000*. US Committee for Refugees, pp.26-31.

Goodwin-Gill. Guy S. (2006) International Protection and Assistance for Refugees and the Displaced: institutional challenges and United Nations Reform. Paper presented at the Refugee Studies Centre Workshop 'Refugee protection in International Law: contemporary challenges' Oxford. <http://www.unhcr.org/47e8d2a82.pdf> (05 March 2013)

Goodwin-Gill. Guy S. and Jane McAdam (2007). *The Refugee in International Law*. Third Edition. Oxford: Oxford University Press, 786p.

Guevara, Ernesto 'Che' (2000). 'The Foco Theory[1963]'. In *Latin America and the*

Human security policies in the Colombian conflict during the Uribe government

United States: a documentary history, edited by Pobert H Holden and Eric Zolov. Oxford: Oxford University Press, pp.244-246.

Gutiérrez, Ana María (2006). 'Las amnistías y indultos, un hábito social en Colombia'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.388-407.

Gutiérrez, Francisco and Maurcio Barón (2006). 'Estado, control territorial paramilitar y ordem politico en Colombia'. In *Nuestra Guerra sin Nombre: transformaciones del conflicto en Colombia* edited by Francisco Gutiérrez, María Emma Willys and Gonzalo Sánchez. Bogotá: Grupo Editorial Norma, pp.267-309.

Hampson, Fen O. (2008). 'Human Security'. In *Security Studies: an introduction*, edited by Paul D. Willians. London and New York: Routledge, 279-294.

Haq, Mahbub ul (1995). *Reflections on Human Development*. Oxford: Offord University Press, 252p.

Helton, Arthur (2003). 'What is Refugee Protection? A question revisited'. In *Problems of Protection: the UNHCR, refugees and human rights*, edited by Steiner, Niklaus et al. London and New York: Routledge, pp.19-36.

Helton, Arthur and Eliana Jacobs (2006). 'What is Forced Migration?' In *Human Rights and Refugees, Internally displaced persons and Migrant Workers: essays in memory of Joan Fitzpatrick and Arthur Helton*, edited by Anne F. Bayefsky. Leiden and Boston: Martinus Nijhoff Publishers, pp. 3-14.

Hernández, Carolina (2009). 'De la Seguridad Nacional a la Seguridad Democratica: nuevos problemas, viejos esquemas'. In *Génesis y Transformaciones del Estado Nación en Colombia: una mirada topológica a los estudios sociales desde la filosofía política*, edited by Adolfo Amaya and Carolina Hernández. Bogotá: Editorial Universidad del Rosario, pp.219-250,.

Holbrooke, Richard (2000). Speech at the Cardozo Law School. In: Reliefweb "Ambassador Holbrooke's Remarks on 'In-Country Refugees'". 28 March 2000. <http://reliefweb.int/report/angola/ambassador-holbrooke-remarks-country-refugees> (5 April 2013).

Holmes, Jennifer S., Sheila A. Gutierrez, and Kevin M. Curtin, (eds) (2009). *Guns, Drugs, and Development in Colombia*. Austin: University of Texas Press, 408p.

Hoyos, Guillermo (2006). 'El significado de la tolerancia liberal en un processo de

Human security policies in the Colombian conflict during the Uribe government

reconciliación'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.183-203.

Hristov, Jasmin (2009). *Blood and Capital: The Paramilitarization of Colombia*. Ontario: Between the Lines and Canada Council of the Arts, 264p.

Human Rights Watch (1996). *Colombia's Killer Networks: the military-paramilitary partnership and the United States*. New York, Human Rights Watch.

Human Rights Watch (2005). *Colombia: Displaced and Discarded- The Plight of Internally Displaced Persons in Bogotá and Cartagena*. 14 October 2005. <http://hrw.org/reports/2005/colombia1005/> (20 February 2010).

Human Security Doctrine for Europe (2004). *The Barcelona Report of the Study Group on Europe Security Capabilities*. 15 September 2004. <http://eprints.lse.ac.uk/40209/1/A_human_security_doctrine_for_Europe%28author-29.pdf> (20 March 2010)

Huntington, Samuel P. (1968). *Political Order in Changing Societies*. New Haven: Yale University Press, 488p.

Huysmans, Jef (2006). *The Politics of Insecurity: fear, migration and asylum in the EU*. London: Routledge, 191p.

Huysmans, Jef (2011). What is an act? On security speech acts and little security nothings. *Security Dialogue* 42 special issue, pp.371-383.

Hylton, Forrest (2006). *Evil Hour in Colombia*. London and New York: Verso, 174p.

Ibañez, Ana María (2008). *El Desplazamiento Forzoso en Colombia: ¿un camino sin retorno hacia la pobreza?* Bogotá: Ediciones Uniandes, 277p.

Ibañez, Ana María and Andrea Velásquez (2008). *Public policies to assist Internally Displaced Persons: the role of municipal authorities*. The Brookings-Bern Project on Internal Displacement- occasional paper.

International Committee of the Red Cross(ICRC) (2009). Internally Displaced Persons: the role of the International Committee of the Red Cross. 30 June 2000. International *Review of the Red Cross* 838. <http://www.icrc.org/eng/resources/documents/misc/57jqhr.htm> (5 April 2013)

Internal Displacement Monitoring Centre(IDMC) (2007). *Internal Displacement: global overview of trends and developments 2007*. 2 April 2008. Geneva: Norwegian Refugee Council, 98p.

Human security policies in the Colombian conflict during the Uribe government

Internal Displacement Monitoring Centre(IDMC) (2012). *Global Overview 2011: people internally displaced by conflict and violence*. 19 April 2012. Geneva: Norwegian Refugee Council, 94p.

Jacanamijoy, Benjamin (2004). 'Guerra y paz en territorios indígenas: processos de convivencia y supervivencia en el conflicto'. In *Dimensiones Territoriales de la Guerra y la Paz* edited by Gustavo Montañez et al. Bogotá: Universidad Nacional de Colombia, pp.625-630.

Jaramillo, Sergio et al. (2009). *Transitional Justice and DDR: the case of Colombia*. International Center for Transitional Justice Working Paper. <http://ictj.org/sites/default/files/ICTJ-DDR-Colombia-CaseStudy-2009-English.pdf> (15 February 2013)

Keen, David (2008). *Complex Emergencies*. Cambridge: Polity Press, 293p.

Kerr, Pauline (2007). 'Human Security'. In *Contemporary Security Studies*, edited by Alain Collins. Oxford: Oxford University Press, pp.91-108.

Krause, Keith and Michael C. Williams(eds) (1997) *Critical Security Studies*: concepts and cases. London: UCL Press, 379p.

Kubálková, Vendulka (2001). 'Soviet 'New Thinking' and the end of the Cold War: five explanations'. In *Foreign Policy in a Constructed World*, edited by Vendulka Kubálková. New York: M. E. Sharpe, pp.99-145.

Labrousse, Alain (2010). *A Geopolítica das Drogas.* São Paulo: Desatino, 142p.

Latin America Briefing (2006). *Tougher Challenges Ahead for Colombia's Uribe*. International Crisis Group. 20 October 2006. <http://www.crisisgroup.org/library/documents/latin_america/b11_colombia_uribe-_s_second_term.pdf> (10 October 2011)

Latin America Briefing (2009). *The Virtuous Twins: Protecting Human Rights and Improving Security in Colombia.* International Crisis Group. 25 May 2009. <http://www.crisisgroup.org/library/documents/latin_america/twins___protecting-_human_rights_and_improving_security_in_colombia.pdf> (10 October 2010)

Latin America Report (2003). *Colombia: President Uribe's Democratic Security Policy.* 13 November 2003 International Crisis Group. <http://www.crisisgroup.org/library/documents/latin_america/06_colombia__uribe-_dem__security.pdf> (10 October 2011)

Human security policies in the Colombian conflict during the Uribe government

Latin America Report (2006). *Colombia: Toward Peace and Justice?* 14 March 2006. International Crisis Group. <http://www.crisisgroup.org/library/documents/latin_america/16_colombia_towards-_peace_and_justice.pdf> (10 October 2011)

Latin America Report (2012). *Colombia: Peace at Last?* 25 September 2012. International Crisis Group. <http://www.crisisgroup.org/~/media/Files/latin-america/colombia/045-colombia-peace-at-last.pdf> (22 February 2013).

Loescher, Gil (2003). 'UNHCR at Fifty: refugee protection and world politics'. In *Problems of Protection: the UNHCR, refugees and human rights* edited by Steiner, Niklaus et al. London and New York: Routledge, pp.3-18.

López, Andres (2006). 'Narcotráfico, ilegalidad y conflict en Colombia'. In *Nuestra Guerra sin Nombre: transformaciones del conflicto en Colombia* edited by Francisco Gutiérrez, María Emma Willys and Gonzalo Sánchez. Bogotá: Grupo Editorial Norma, pp.405-439.

López, Claudia (2007). 'La ruta de la expansión paramilitar y la transformación política de Antioquia'. In *Parapolítica: la ruta de la expansión paramilitar y los acuerdos políticos* edited by Mauricio Romero. Bogotá: Intermedio Editores and Corporación Nuevo Arco Iris, pp.123-232.

López, Claudia (2010). 'La Refundación de la Patria: de la teoria a la evidencia' in *Y Refundarón la Patria: de como mafiosos y políticos reconfigurarón el Estado colombiano*, edited by Claudia López H. Bogotá: Random House and Corporación Nuevo Arco Iris, pp. 29-78.

Lovejoy, Arthur (1936). *The Great Chain of Being: a study of the history of an idea*. Boston: Harvard University Press, 382p.

Lubbers, Ruud (2001). *Statement by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees, to the 57th Session of the United Nations Commission on Human Rights*. 21 March 2001. <http://www.unhcr.org/3bb31317b.html> (05 April 2013)

MacDonald, Matt (2008). Securitization and the Construction of Security. *European Journal of International Relations* 14: 4, pp.563-587.

MacFarlane, S Neil and Yuen F. Khong (2006). *Human Security and the UN*: a critical

Human security policies in the Colombian conflict during the Uribe government

history. Bloomington and Indianapolis: Indiana University Press, 346p.

Malamud-Goti, Jaime (2006). 'Lo bueno y lo malo de la inculpación y las víctimas'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.158-182.

Medellín, Pedro (2010). 'No todo vale en la Guerra: una evaluación de ocho años de seguridad democrática'. In Rangel, Alfredo and Pedro Medellín *Política de Seguridad Democrática.* Bogotá: Grupo Editorial Norma, p. 101-247.

Medina, Carlos (1990). *Autodefensas, paramilitares y narcotráfico en Colombia: Origen, desarrollo y consolidación. El caso Puerto Boyacá*. Bogotá: Editorial Documentos Periodísticos, 409p.

Ministerio de Defensa Nacional (2003). *Política de Defensa y Seguridad Democrática.* <http://www.oas.org/csh/spanish/documentos/Colombia.pdf> (22 February 2013)

Ministerio de Defensa Nacional (2011). *Política Integral de Seguridad y Defensa para la Prosperidad*. <http://www.infodefensa.com/wp-content/uploads/Politica_Integral_de_Seguridad_y_Defensa_-para_la_prosperidad.pdf> (22 February 2013)

Ministerio de Interior y de Justicia (2008). *Decreto 1290 de 22 Abril de 2008*. <http://www.redepaz.org.co/IMG/pdf/Decreto_1290_del_22_de_Abril_2008.pdf> (3 March 2012)

Moore Jr., Barrington (1966). *The Social Origins of Dictatorship and Democracy: lord and peasant I the making of the modern world.* Boston: Beacon Press, 559p.

Muñoz R., Alba Luz et al. (2009). *Derechos de la Población Desplazada (Estudio de caso em la Ciudad de Medellín)*. Medellín: Señal Ediciones, 475p.

Murphy, Craig N. (2005). *Global Institutions, Marginalization and Development*. New York: Routledge, 221p.

Office for the Coordination of Humanitarian Affairs(OCHA) (1998). *Guiding Principles on Internal Displacement.* UN Doc. E/CN.4/1998/53/Add.2. 11 February 1998.

Office for the Coordination of Humanitarian Affairs(OCHA) (2003). *Glossary of Humanitarian Terms for the Protection of Civilian in Armed Conflict*. New York, OCHA, 27p.

<http://un-interpreters.org/glossaries/ocha%20glossary.pdf> (22 February 2013)

Oficina Auto Comisionado para la Paz (2007). *Proceso de paz com las Autodefenas-Informe ejecutivo*.

   <http://www.cooperacioninternacional.com/descargas/informe-final-desmovilizaciones.pdf> (22 February 2013)

Orozco, Iván (2005). 'Reflexiones impertinentes: sobre la memoria y el olvido, sobre el castigo y la clemencia'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.171-210.

Orozco, Iván (2009). *Justicia transicional en tiempos del deber de memoria*. Bogotá: Editorial Temis S.A., 219p.

Osiel, Mark (2005). 'Respuestas estatales a las atrocidades masivas'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.67-79.

Osiel, Mark (2006). 'La banalidad del bien-alineado: incentivos contra la atrocidad masiva'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.55-68.

Palacios, Marco (2006). *Between Legitimacy and Violence*: a history of Colombia 1875-2002. Duham: Duke University Press, 320p.

Paris, Roland (2001). Human Security: paradigm shift or hot air? *International Security* 36: 2, pp.87-102.

Pécault, Daniel (2001) La tragedía colombiana: Guerra, violencia, tráfico de droga. *Sociedad y Economía* n.1 Sept, pp.133-148

Pécault, Daniel (2007). 'De las violencias a la violencia'. In *Pasado y Presente de la Violencia en Colombia*, edited by Gonzalo Sánchez and Ricardo Peñaranda. Medellín: La Carretera Histórica, pp.229-238.

Pécault, Daniel (2010). *Farc: uma guerrilha sem fim ou sem fins?* São Paulo: Editora Paz e Terra, 160p.

Peña, Rocio (2006). 'En busca de la legitimidad perdida: entre la impunidad y la incoherencia'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.466-487.

Pensky, Max (2006). 'El passado es otro pueblo. Un argumento a favor de los derechos

Human security policies in the Colombian conflict during the Uribe government

póstumos como limitaciones normativas a las amnistías'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.113-140.

Pizarro, Eduardo (2004). *Una Democracia Asediada: balance y perspectivas del conflicto armado en Colombia*. Bogotá: Grupo Editorial Norma, 370p.

Pizarro, Eduardo (2009). 'Reparar el bote en alta mar'. In Pizarro, Eduardo And León Valencia *Ley de Justicia y Paz*. Bogotá: Grupo Editorial Norma, p.1-183.

Pizarro, Eduardo (2008). Princípio de Solidaridad. El Tiempo 22 October. <http://www.eltiempo.com/archivo/documento/CMS-4612110> (8 March 2012)

Phuong, Catherine (2004). *The International Protection of Internally Displace Persons.* Cambridge: Cambridge University Press, 293p.

Presidencia de la República (1989). *Decreto 1194 de 1989*. Diario Oficial No. 38849. <ftp://ftp.camara.gov.co/camara/basedoc/decreto/1989/decreto_1194_1989.html> (22 February 2013)

Presidencia de la República (2002a). *Decreto 1837 de 2002*. Diario Oficial No. 44.897. <http://www.secretariasenado.gov.co/senado/basedoc/decreto/2002/decreto-1837-2002.html> (22 February 2013)

Presidencia de la República (2002b). *Decreto 1838 de 2002*. Diario Oficial No. 44.897. <http://www.secretariasenado.gov.co/senado/basedoc/decreto/2002/decreto-1838-2002.html> (22 February 2013)

Presidencia de la República (2002c). *Decreto 2555 de 2002*. Diario Oficial No. 44.992. <http://www.secretariasenado.gov.co/senado/basedoc/decreto/2002/decreto-2555-2002.html> (22 February 2013)

Presidencia de la República (2003). *Decreto 245 de 2003*. Diario Oficial No. 45.088 <http://www.secretariasenado.gov.co/senado/basedoc/decreto/2003/decreto-0245-2003.html> (22 February 2013).

Presidencia de la República (2012). Discurso del Presidente Juan Manuel Santos Calderón. 07 August 2012. <http://wsp.presidencia.gov.co/Prensa/2010/Agosto/Paginas/20100807_15.aspx> (22 February 2013).

Programa de las Naciones Unidas para el Desarrollo (PNUD) (2011). Colombia Rural: razones para la esperanza. Informe Nacional de Desarrollo Humano 2011. Bogotá:

Human security policies in the Colombian conflict during the Uribe government

INDH PNUD, 438p.

Quinche, Manuel Fernando (2006). 'La degradación de los derechos de las víctimas dentro del proceso de negociación con los grupos paramilitares'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.489-517.

Ramírez, María Clemencia (2011). *Between Guerrillas and the State: the cocalero movement, citizenship and identity in the Colombian amazon*. Durham & London: Duke University Press, 311p.

Ramírez, Marta Lúcia (2011). 'La Cooperación Internacional: un imperativo de la lucha contra el crímen transnacional'. In Ramírez, Marta Lúcia and Jorge Enrique Reboledo *Relaciones Militares Colombia-Estados Unidos*. Bogotá: Grupo Editorial Norma, pp.1-116.

Rangel, Alfredo (2010). 'El Exito de la Seguridad Democrática'. In Rangel, Alfredo and Pedro Madellín *Política de Seguridad Democrática*. Bogotá: Grupo Editorial Norma, p 1-99.

Reboledo, Jorge Enrique (2011). 'Bases: Legalidad y Soberanía'. In: Ramírez, Marta Lúcia and Jorge Enrique Reboledo *Relaciones Militares Colombia-Estados Unidos*. Bogotá: Grupo Editorial Norma, pp.117-225.

Reina, Mauricio (2001). 'Drug Trafficking and the National Economy'. In *Violence in Colombia 1990-2000: waging war and negotiating peace*, edited by Charles Bergquist et al. Willington: Scholarly Resources Books, pp.75-94.

Refugees International (2008). *Colombia: Forced Internal Displacement Overwhelming Capacity to Respond*. 29 September 2008. <http://www.refintl.org/policy/field-report/colombia-forced-internal-displacement-overwhelming-capacity-respond> (10 March 2011)

Report of the Independent Commission of the International Development Issues(Brandt Commission) (1980). *North-South: a programme for survival*. Boston, MA: MIT Press, 304p.

Restrepo, Luis Carlos (2005). *Justicia y Paz: de la negociación a la gracia*. Medellín: Instituto Tecnológico Metropolitano, 319p.

Rettberg, Angelika (2005). 'Reflexiones introductorias sobre la relación entre construccíon de paz y justicia transicional'. In *Entre el Perdón y el Paredón:*

Human security policies in the Colombian conflict during the Uribe government

preguntas y dilemas de la justicia transicional, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.1-17.

Reyes, Alejandro (2007). 'Paramilitares en Colombia: contexto, aliados y consecuencias'. In *Pasado y Presente de la Violencia en Colombia*, edited by Gonzalo Sánchez and Ricardo Peñaranda. Medellín: La Carretera Histórica, pp.353-362.

Reyes, Alejandro (1987). La violencia y el problema agrario en Colombia. *Analisis Político* n.2 Septiembre-diciembre.

Reyes, Alejandro (1997). 'Compra de tierra por narcotraficantes'. In *Drogas Ilícitas en Colombia* edited by Francisco Thuomi et al. Bogota: PNUD, Ministerio de Justicia and Dirección Nacional de Estupefacientes.

Reyes, Alejandro (2009). *Guerreros y Campesinos: el despojo de la tierra en Colombia*. Bogotá: Grupo Editorial Norma and Fescol, 378p.

Ricoeur, Paul (1976). *Interpretation Theory: discourse and the surplus of meaning*. Forth Worth: Texas Christian University Press, 107p.

Ricoeur, Paul (2008). *A Memória, a História, o Esquecimento*. São Paulo: Editora Unicamp, 536 p.

Rist, Gilbert (2008). *The History of Development: from Western origins to global faith*. London and New York: Zed Books, 288p.

Rochlin, James F. (2003) *Vanguard Revolutionaries in Latin America: Peru, Colombia, Mexico*. London: Lynne Reinner Publishers, 293p.

Rome Statute of the International Criminal Court (1998). 17 July 1998. <http://untreaty.un.org/cod/icc/statute/romefra.htm> (22 February 2013).

Romero, Mauricio (2000a). Autonomía militar, autodefensas y paramilitares en Colombia: ¿es posible una salida democrática al conflicto armado? In: *The Peace Process in Colombia and the U.S. Policy*, Working Paper # 247, Latin American Program, Woodrow Wilson International Center for Scholars, Washington, D.C.

Romero, Mauricio (2000b) Changing Identities and Contested Settings: the paramilitaries in contemporary Colombia. *International Journal of Politics, Culture and Society*, v.14, n.1, pp.51-69

Romero, Mauricio (2002) Democratización política y contrarreforma paramilitar en Colombia. *Política y Sociedad* v.39, n.1, pp.273-292.

Human security policies in the Colombian conflict during the Uribe government

Romero, Mauricio (2006). 'Nuevas Guerras, paramilitares y ilegalidad: una trampa difícil de superar'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.409-434.

Romero, Mauricio (2007a). Disidentes, Rearmados y Emergentes: ¿Bandas Criminales o Tercera Generación Paramilitar? Primer informe área de DDR, Comisión Nacional de Reparación y Reconciliación, CNRR

Romero, Mauricio (2007b). Paramilitares, Narcotráfico y contrainsurgencia: una experiencia para no repetir. In *Pasado y Presente de la Violencia en Colombia*, edited by Gonzalo Sánchez and Ricardo Peñaranda. Medellín: La Carretera Histórica, pp.407-430.

Romero, Mauricio (2011). 'Desproteccíon, estigmatización y despojo: paramilitares, Estado y depredación en el norte del departamento de Chocó'. In *La Economía de los Paramilitares: redes de corrupción, negocios y política* edited by Mauricio Romero Vidal. Bogota and Medellin: Random House and Corporación Nuevo Arco Iris, pp.411-442.

Rose, Nicholas (2000). Government and control. *British Journal of Criminology* 40, pp.321-339.

Rose, Nicholas and Peter Miller (2010). Political power beyond the State: problematics of government. *The British Journal of Sociology* 61 supplement s1, pp.271-303.

Rostow, Walter W. (1960). *The Stages of Economic Growth: a non-communist manifesto*. Cambridge: Cambridge University Press, 273p.

Rouquie, Alain and Stephen Suffern (1994). 'The Military in Latin American politics since 1930'. In *Cambridge History of Latin America* VI, part. 2, edited by Leslie Bethell. Cambridge: Cambridge University Press, pp.233-304.

Rozema, Ralph (2008). Urban-DDR processes: paramilitaries and criminal networks in Medellín, Colombia. *Journal of Latin American Studies* 40, pp.423-452, 2008.

Santana, Pedro (2009). Desplazados y Corte Constitucional: urge cambio de políticas públicas. 17 July 2009. Agencia Latinoamerica de Información. <http://alainet.org/active/31803&lang=es> (28 March 2011).

Sánchez, Gonzalo (1991). *Guerra y Política en la Sociedad Colombiana*. Bogota: Editorial Nomos, 236p.

Sánchez, Gonzalo (2001). 'Introduction: Problems of Violence, Prospects for Peace'. In

Human security policies in the Colombian conflict during the Uribe government

Violence in Colombia 1990-2000: waging war and negotiating peace, edited by Charles Bergquist et al. Willington: Scholarly Resources Books, pp.1-38.

Santos, Alejandro (2009). 'Prólogo'. In Pizarro, Eduardo and León Valencia *Ley de Justicia y Paz*. Bogotá: Grupo Editorial Norma, p.ix-xii.

Santos, Alejandro (2010). 'Prólogo: La Seguridad Democratica: ni tantas alabanzas, ni sólo vituperos'. In Rangel, Alfredo and Pedro Medellín. *Política de Seguridad Democrática*. Bogotá: Grupo Editorial Norma, p xiii-xix.

Salazar C., Luz María. *Las Viudas de la Violencia Política: trayectorias de vida y estrategias de sobrevivencia en Colombia*. México: El Colegio Mexiquense, 490p.

Salter, Mark B. and Can E. Mutlu (2012). *Research Methods in Critical Security Studies: an introduction*. London: Routledge, 256p.

Sen, Amartya (1981). *Poverty and Famines: an essay on entitlement and deprivation*. Oxford: Oxford University Press, 257p.

Springer, Natalia (2006). *Colombia: Desplazamiento Interno- politicas y problemas.* Report requested by United Nations High Commissioner for Refugees(UNHCR). <http://www.acnur.org/biblioteca/pdf/5040.pdf> (20 March 2013)

Stahn, Carsten (2005). 'La geometria de la justicia transicional: opciones de diseño institucional'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.81-142.

Staples, Amy L. S. (2006). *The Birth of Development: how the World Bank, Food and Agriculture Organization and World Health Organization changed the World, 1945-1965*. Kent: The Kent State University Press, 349p.

Stritzel, Holger (2007). Towards a Theory of Securitization: Copenhagen and beyond. *European Journal of International Relations* 13: 3, pp.357-383.

Stritzel, Holger (2011a). Security as translation: threats, discourse and the politics of localization. *Review of International Studies* 37, pp.2491-2517.

Stritzel, Holger (2011b). Security, the translation. *Security Dialogue* 32: 4-5, pp.345-355.

Tadjbakhsh, Shahrbanou and Anurada M. Chenoy (2007) *Human Security: concepts and implications*. London and New York: Routledge, 272p.

Teitel, Ruti G. (2000). *Transitional Justice*. Oxford: Oxford University Press, 304p.

Teitel, Ruti G. (2003), Transitional Justice Genealogy. *Harvard Journal of Human*

Human security policies in the Colombian conflict during the Uribe government

Rights 16, pp.69-94.

Tennant, Vicky et al. (2010) *Safeguarding Humanitarian Space: a review of key challenges for the UNHCR*. UNHCR Policy Development and Evaluation Services Report PDES/2010/01.

<http://www.unhcr.org/4b68042d9.html> (22 February 2013)

Truman, Harry S. (1949). Inaugural Address 20 January 1949. The Avalon Project: documents in Law, History and Diplomacy.

<http://avalon.law.yale.edu/20th_century/truman.asp> (15 March 2013)

Ungar, Elisabeth and Juan Felipe Cordona (2010). 'Leyes de economia agraria: ¿intento para legalizar el despojo? Contenido y tramite legislativo' in *Y Refundarón la Patria: de como mafiosos y políticos reconfigurarón el Estado colombiano*, edited by Claudia López H. Bogotá: Random House and Corporación Nuevo Arco Iris, pp. 331-363.

United Nations Commission on Human Rights(UNCHR) (1991). *Resolution 1991/25*. 05 March 1991. UN Doc. E/CN.4/RES/1991/25.

United Nations Commission on Human Rights(UNCHR) (1992). *Resolution 1992/73*. 05 March 1992. UN Doc. E/CN.4/RES/1992/73.

United Nations Commission on Human Rights(UNCHR) (1993). *Comprehensive study prepared by Mr. Francis M. Deng, Representative of the Secretary-General on the human rights issues related to internally displaced persons, pursuant to Commission on Human Rights resolution 1992/73*. UN Doc. E/CN.4/1993/35. 21 January 1993.

United Nations Commission on Human Rights(UNCHR) (2004). *Report of the United Nations High Commissioner for Human Rights on the human rights situation in Colombia*.   17 February 2004. UN Doc. E/CN.4/2004/13.

United Nations Development Programme(UNDP) (1990). *Human Development Report 1990.*

<http://hdr.undp.org/en/reports/global/hdr1990/chapters/> (10 March 2013)

United Nations Development Programme(UNDP) (1994) *Human Development Report 1994.*

http://hdr.undp.org/en/reports/global/hdr1994/chapters/> (10 March 2013)

United Nations General Assembly(UNGA) (1948). *The Universal Declaration of*

Human security policies in the Colombian conflict during the Uribe government

Human Rights. 10 December 1948. UN Doc. 217 A (III).

United Nations General Assembly(UNGA) (1950). *Resolution 428 of 14 December 1950*. Statute of the Office of the United Nations High Commissioner for Refugees. UN Doc. A∕RES∕428(V) .

United Nations General Assembly(UNGA) (1973). *International Convention for Suppression and Punishment of the Crime of Apartheid*. 30 November 1973. UN Doc. A∕RES∕3068(XXVIII).

United Nations General Assembly(UNGA) (1974a). *Declaration on the Establishment of a New Economic Order*. 01 May 1974. UN Doc. A∕RES∕S-6∕3201.

United Nations General Assembly(UNGA) (1974b). *Program of Action on the Establishment of a New International Economic Order*. 01 May 1974. UN Doc. A∕RES∕S-6∕3202.

United Nations General Assembly(UNGA) (1984). *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. 10 December 1984. UN Doc. A∕RES∕39∕46.

United Nations General Assembly(UNGA) (1985). *Declaration of Basic Principles of Justice for Victims of Crimes and Abuse of Power*. General Assembly, 96th Plenary Meeting. 29 November 1985. UN Doc. A/RES/40/34.

United Nations General Assembly(UNGA) (1991). *Resolution 46∕182*. 19 December 1991. UN Doc. A/RES/46/182.

United Nations General Assembly(UNGA) (2000). *United Nations Millennium Declaration*. 8 September 2000. UN Doc. A∕55∕L.2.

United Nations General Assembly(UNGA) (2005). *Resolution 60/147. Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*. 16 December 2005. UN Doc. A∕RES∕60∕147.

United Nations High Commissioner for Refugees(UNHCR) (2000). *Internally Displaced Persons: the role of the United Nations High Commissioner for Refugees*. UN Doc. E∕50∕SC∕INF.2.
<http://www.unrol.org/files/3ae6b33a0.pdf> (5 March 2013)

United Nations High Commissioner for Refugees(UNHCR) (2012). *Global Trends 2011*.

<http://www.unhcr.org/4fd6f87f9.html> (5 March 2013)

United Nations High Panel on Threats, Challenges and Change (2004). *A More Secure World: our shared responsibility.*
<https://www.un.org/secureworld/report2.pdf> (22 February 2013)

United Nations Office for Drug Control and Crime Prevention (ODCCP) (1999). *Handbook on Justice for Victims.*
<http://www.uncjin.org/Standards/9857854.pdf> (26 February 2012).

United Nations Secretary-General(UNSG) (1992). *An Agenda for Peace: preventive diplomacy, peacemaking and peace-keeping.* Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council. 31 January 1992. UN Doc. A/47/277 - S/24111.

United Nations Secretary-General(UNSG) (2005). *In a Larger Freedom: report of the Secretary-General of the United Nations.* 21 March 2005. UN Doc. A/59/2005.

United Nations Security Council(UNSC) (1993). *Resolution 827.* 25 May 1993. UN Doc. S/RES/827(1993).

United Nations Security Council(UNSC) (1994). *Resolution 955.* 08 November 1994. UN Doc. S/ RES/ 955(1994).

United Nations Security Council(UNSC) (2000). *4089ᵗʰ Meeting.* 13 January 2000. UN Doc. S/PV.4089.

United Nations Security Council(UNSC) (2004). *Report of the Secretary General: the rule of law and transitional justice in conflict and post-conflict societies.* 23 August 2004. UN Doc. S/2004/616.

Uprimy, Rodrigo and Maria Paula Saffon (2005). 'Justicia transicional and justicia restaurativa: tensiones y complementariedades'. In *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, edited by Angelika Rettberg. Bogota: Ediciones Uniandes, pp.211-232.

Uprimy, Rodrigo and Maria Paula Saffon (2006). 'Derecho a la verdad: alcances y límites de la verdad judicial'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.345-374.

Uribe, Maria Tereza (2006). 'Esclarecimento histórico y verdad jurídica: notas introductorias sobre los usos de la verdad'. In *Justicia Transicional: teoría y práxis*, edited by Camila Gamboa. Bogotá: Editorial Universidad de Rosario, pp.324-344.

Urrea, Fernando (2004). 'Patrones de segregación urbana de la población afrocolombiana y migrantes recientes a causa del conflicto armado en Cali'. In *Dimensiones Territoriales de la Guerra y la Paz* edited by Gustavo Montañez et al. Bogotá: Universidad Nacional de Colombia, pp.683-702.

Valencia, León (2007). 'Los caminos de la alianza entre los paramilitares y los políticos' In *Parapolítica: la ruta de la expansión paramilitar y los acuerdos políticos* edited by Mauricio Romero. Bogotá: Intermedio Editores and Corporación Nuevo Arco Iris, pp.13-47.

Valencia, León (2009). 'Ni justicia ni paz'. In Pizarro, Eduardo and León Valencia. *Ley de Justicia y Paz*. Bogotá: Grupo Editorial Norma, pp.185-338.

Villamizar, Darío. 'Paramilitarismo y pueblos indígenas: persecución y despojo'. In *Parapolítica: la ruta de la expansión paramilitar y los acuerdos políticos* edited by Mauricio Romero. Bogotá: Intermedio Editores and Corporación Nuevo Arco Iris, pp.421-448.

Wæver, Ole (1995). 'Securitization and Desecuritization'. In *On Security*, edited by Ronnie D Lipschutz. New York: Columbia University Press, pp. 46-86.

Wæver, Ole (2004). Aberystwyth, Paris, Copenhagen: New 'Schools' in Security Theory and their Origins between Core and Periphery. Paper presented at the annual meeting of the International Studies Association in Montreal, March 17-20.

Wæver, Ole et al. (1993). *Identity, Migration and the New Security Agenda in Europe*. New York: St Martin's Press, 221p.

Wagner, Johanna G. (2005). An IHL/CRC Perspective on "Humanitarian Space", *Humanitarian Exchange Magazine* 32, pp.24-26. <http://www.odihpn.org/download/humanitarianexchange032pdf> (15 March 2013)

Weiss, Thomas and David Korn (2006). *Internal Displacement: Conceptualisations and its Consequences*. London and New York: Routledge, 190p.

Williams, Michael C. (2003) Words, Images, Enemies: securitization and International Politics. *International Studies Quarterly* 47, pp.511-531.

Wittgeinstein, Ludwig (1958). *Philosophical Investigations*. Oxford: Blackwell Publishing, 450p.

White House (2002). *National Security Strategy 2002*. <http://www.globalsecurity.org/military/library/policy/national/nss-020920.pdf> (12

Human security policies in the Colombian conflict during the Uribe government

October 2011)

White House (2010). *National Security Strategy 2010.*
<http://www.whitehouse.gov/sites/default/files/rss_viewer/national-security-strategy.pdf> (12 October 2011)

World Bank (2003). *Breaking the Conflict Trap: civil war and development policy. World Bank Policy Research Report*. Washington: The World Bank and Oxford: Oxford University Press co-publication. 221p.

Wyn Jones, Richard (1999). *Security, Strategy, and Critical Theory.* Boulder: Lynne Rienner Publications, 191p.

Wyn Jones, Richard (2005). 'On Emancipation: necessity, capacity and concrete utopias'. In *Critical Security Studies and World Politics*, edited by Ken Booth. Boulder and London: Lyne Reinner Publishers, pp.215-135.

Zanotti, Laura (2005). Governmentalizing the Post-Cold War International Regime: the UN debate on democratization and good governance. *Alternatives: global, local, political* 30, pp.461-487.

Zard, Monette (2006). 'Toward a Comprehensive Approach to Protecting Refugees and the Internally Displaced'. In *Human Rights and Refugees, Internally displaced persons and Migrant Workers: essays in memory of Joan Fitzpatrick and Arthur Helton*, edited by Anne F. Bayefsky. Leiden and Boston: Martinus Nijhoff Publishers, pp.15-64.