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Incomplete Peace and Strategies of Resilience in Colombia

DISSERTATION

submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in Political Science

by

Shauna Norene Gillooly

Dissertation Committee:
Professor Cecelia Lynch, Chair
Assistant Professor Erin Lockwood
Professor Emeritus Raúl Fernandez

2021

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DEDICATION

To

my dear family, both blood and chosen

it takes a village

Two roads diverged in a yellow wood,
And sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;

Then took the other, as just as fair,
And having perhaps the better claim,
Because it was grassy and wanted wear;
Though as for that the passing there
Had worn them really about the same,

And both that morning equally lay
In leaves no step had trodden black.
Oh, I kept the first for another day!
Yet knowing how way leads on to way,
I doubted if I should ever come back.

I shall be telling this with a sigh
Somewhere ages and ages hence:
Two roads diverged in a wood, and I—
I took the one less traveled by,
And that has made all the difference.

Robert Frost
"The Road Not Taken"

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Indigenous Social Movements and Political Institutionalization: a Comparative Case Study. 2020. *Politics, Groups, and Identities, 8*(5), 1006-1021.

A Media Framing Analysis: The Coverage of Rape in Indian and Western News Sources. 2018. *Journal of South Asian Studies, 6*(2), 85-91.

ABSTRACT OF THE DISSERTATION

Incomplete Peace and Strategies of Resilience in Colombia

By

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Doctor of Philosophy in Political Science

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Incomplete Peace and Strategies of Resilience in Colombia focuses on interactions between the state government, the international community, and local communities as they attempt to once again build peace after the 2016 Peace Accords between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC). Immediately after the signing of the divisive peace accords, many different communities and populations within Colombia were hopeful as they imagined a new future. Five years after, it has become clear that rather than ending a part of the conflict, the accords and their implementation created a moment of reconfiguration for it. This dissertation examines the realities of how peacebuilding is carried out in Colombia, the ways that the national and international communities have shaped those processes, and how marginalized populations utilize strategies of resilience and self-help in the face of continued everyday violences committed by the state and other armed actors. From the halls of the Colombian and United States' Congresses to rural communities in the Pacific Coast, this dissertation interrogates the complex and ever-changing relationships which make up how peace "gets done" beyond a state-centered vision of peacebuilding.

Chapter 1: Where is Peace and Justice?

"This is not the memory of the state, this is our truth. They [the government] can't fix our problems, even with all of their negotiating tables, committees, and bureaucrats. We walk alongside death."

- Interview with Afro-descendant activist from Valle del Cauca, September 2018

Resistance and Resilience

In November 2016, the government of Colombia finalized a peace agreement with the leftist guerrilla group *Fuerzas Armadas Revolucionarias de Colombia* (The Revolutionary Armed Forces of Colombia- FARC). This agreement signaled a formal end to one aspect of a civil conflict that had lasted over 50 years, the longest-running conflict in the Western Hemisphere ("ICTJ Program Report: Colombia" 2012). However, as I discuss at length in this dissertation, FARC is only one actor in this multi-pronged conflict. While the Colombian conflict has been ongoing for over five decades, the character of the conflict has not been consistent over that duration of time. In the years that followed the signing of these accords, there have been starts and stops in the success of implementation. The work of the Truth Commission, a government agency dedicated to fact-finding for victims of the conflict has continued and expanded, and now includes gender and ethnic commissions.[1] The *Jurisdicción Especial para la Paz* (The Special Jurisdiction for Peace- JEP) is a transitional justice court created in 2016 with a 10 year mandate which has been created for the sole purpose of truth-finding and handing down alternative sentences for crimes committed by paramilitary groups, guerilla groups, and state forces during the conflict (Gillooly and Zvobgo 2019).

[1] The newest Truth Commission was created under as a condition of the peace accord.

The reality of many Colombians far from the capital city of Bogotá is that they still have not seen significant changes in their lives as a result of the accords. While there were institutional gains in the first five years of implementation, there were also distinct challenges. Since January 2016, Colombian think tank INDEPAZ has estimated that more than 700 human rights activists and signatories to the accords have been assassinated for their work on implementing the accords ("Informe líderes y defensores de DDHH asesinados – Indepaz," 2019). [2] [3] Afro-descendant, Indigenous, and campesino activists are particularly targeted for their advocacy work on themes such as rights to land return, eradication and replacement of illicit crops, resistance to illegal mining, and environmental protections. These activists are a part of the national territory that the is outside of formalized state processes of peacebuilding. This marginalization of communities which are outside of these formal processes, which is so poignantly articulated in the words of my interlocutor that open this chapter, is a central and reoccurring theme of this project—one that I return to, particularly in Chapters 3 and 4.

Colombia has embarked on multiple peace processes and attempts in less than a century, from the late 1940s to 2016. After each of these attempts or processes, the violence which accompanied those different periods and processes does not disappear, much to the chagrin of the local, national, and international peacebuilding communities. Rather, it transforms. This project engages with these transformations of violence and reactions to them, operating under the constructivist assumption that the relationships between the local, national, and international stakeholders working to build peace, as well as their relationships with actors engaging in direct violence are mutually constitutive and ever-evolving (Klotz and Lynch 2007).[4]

[2] This phrase refers to demobilized FARC combatants.
[3] This estimate is for January 2016-October 2019.
[4] In this sense, I mean that actors, agency, and structures are all constitutive here.

Throughout the history of politically motivated violence in Colombia, no part of the country has been untouched. From the *Bogatazo* in 1948 to the violence perpetrated over strategic territorial control all the way to the remote desert regions of La Guajira, rural communities have been the ones affected the most, particularly in recent years. A historic and consistent lack of state presence in these regions, (with the exception of the presence of the armed forces as yet another actor in the perpetration of violence), has led to patterns of abandonment and military occupation for large parts of the country. These patterns continue today, but not in a uniform way. This concept of "most affected" is one that is difficult to grapple with: "—a label quantified by the number of massacres, disappearances, arbitrary arrests, selective assassinations, and forced displacements that have taken place over the past half century. Such labels can serve to acknowledge the experience of war in places that continue to face the lasting effects of the armed conflict, but they also obscure how histories of violence are entangled with histories of grassroots peacebuilding" (Lederach 2017, 590). Throughout chapters 2 and 3, I interrogate the racialized and historic structures that have led to these particular patterns of state abandonment or absence, which are not accidental.

With the lack of a state willing to provide social services and more complete human security to these regions, other actors have stepped up.[5] In some cases, this replacement manifests as armed actors like guerrillas imposing order on a territory and the communities which occupy those territories that they control militarily (Arjona 2016). Many times, this 'stepping up' has been done by civil society and community organizing. Actors such as religious organizations, Indigenous defense guards, community leaders, women's networks, and others have taken the

[5] I define concept of human security in line with critical feminist scholars: traditional notions of security do not go 'deep' enough in their considerations for everyday, vernacular, and individual security (Enloe 2015, Wibben 2018). This conflict between the way the state views security and the ways in which organizers view security is addressed at length in chapters 3 and 4.

place of an unwilling state and have done the work of peacemaking and peacebuilding for decades, engaging in practices such as negotiating 'peace zones,' ceasefires, and peaceful passage for purposes of trade and agriculture, with varying degrees of success. These actors have created agreements and negotiations against the backdrop of ever-shifting alliances between armed actors like paramilitary groups and the central government or armed forces, as well as between a variety of leftist guerrilla groups and narcotrafficking organizations.

This project takes a three-level approach to examining the way that these relationships evolve in the instances of peacemaking, peacebuilding, and attempts at transitional justice (TJ) during continued and unevenly spread political violence. First, I examine how the state 'views itself' in its responsibility for peacebuilding and transitional justice mechanisms, and by extension, human security. Here I examine the ways that the state has inconsistently applied peacebuilding and transitional justice processes in this context. Secondly, I look at interactions between different levels of the state; national, regional, and local, and their relationships with national and international civil society organizations. Lastly, I look at the relationships between local movements, organizers and all of the above (various levels of the state, international organizations, and national movements).[6] This dissertation is the culmination of over three years of fieldwork conducted throughout Colombia from 2017-2021, with the bulk of it done previously to the COVID-19 outbreak in 2020. My in-country case studies treat the ways in which Indigenous and Afro-descendent communities have been particularly targeted in strategic and violent ways in the years leading up to and following the 2016 Havana Accords between the

[6] I want to state clearly here that I do not view local movements as a monolith or homogenous category. Doing so would continue to contribute to a silencing in this research. These movements have many tensions and divisions among themselves: in this project I have the privilege to work with *some* of them. Movements in Colombia's Pacific region are vastly different than those operating in the eastern plains regions. I will address these unique differences at length, as well as the tensions that exist among local movements at length in Chapters 2, 4, and 5.

Colombian government and the FARC. To that end, Buenaventura, the displaced Indigenous communities that live on the outskirts of Cali, the displaced Afro-descendent community in Bogotá, and another site in the Pacific region that I refer to here as Puerte Colombia are the communities and field sites I engage with in this dissertation thesis.[7] These field sites, which are located throughout the Pacific Coast of Colombia and are a part of the departments of Cauca, Nariño, and Valle del Cauca, are known for their legacies of organizing work and transnational ties of solidarity amidst a continued lack of positive state presence.[8] My primary form of data collection is semi-structured interviews with activists and organizers in these areas, the majority of which took place between June 2019 and September 2020. I also participated in ethnographic and participant observation, particularly in strategy meetings that local movements had, as well as their interactions with state and international actors (i.e., meetings with the United States ambassador to Colombia or meetings with Colombian state officials).

In addition to these field sites, where I focus on local organizers and their international, transnational, and national-level relationships, I conducted more than 60 interviews with government officials in a variety of roles. The majority of these interviews took place in the capital city of Bogotá. I interviewed elected members of the House of Representatives and the Senate, with a particular focus on those congressional members who were a part of the Peace Commissions or peace negotiations. I also interviewed bureaucrats and technocrats who were a part of the High Commission for Peace, the Presidential Observatory for Human Rights, the executive branch during Ivan Duque's administration, the Special Jurisdiction for Peace (JEP), and the Agency for Reincorporation and Normalization (ARN). These interviews, the majority of which were conducted between 2017-2019, served as valuable insight into how the state "sees"

[7] I have anonymized this field site out due to safety concerns for the community there.
[8] Justification for these particular field sites will be described at length in Chapter 5.

itself and its responsibilities in relation to the implementation of TJ mechanisms and peacebuilding processes (Scott 1998).

I conducted further interviews with international and national non-governmental organizations who formed yet another part of transnational partnerships.[9] It is well-documented how much organizations like the many agencies of the United Nations (UN)[10], the Organization of American States (OAS), and United States Agency for International Development (USAID) are involved in a variety of peacebuilding projects, and have been for an extensive period of time (Dickinson 2017; Gready and Robins 2014; Mani 2008; McAuliffe 2011). These interviews were conducted to determine how the international community views its role in the peace negotiation processes and subsequent implementation, including in instances of transnational solidarity.[11] I also conducted interviews with United States-based development firms which received USAID funding to work in Colombia, along with collaborations between national organizations and local communities on peace-focused projects funded by entities like the European Union, the German and Swedish Embassies, as well as the World Bank. I explore the relationships and power dynamics which exist between these entities. The field of peacebuilding in Colombia is a crowded one: these entities co-exist, interact, and clash in the same place and the same time, revealing interesting network connections and implications for how peacebuilding does or does not get done.[12] The way that these different actors "see" their role in peacebuilding and TJ implementation impacts the way that members of the international community interact with

[9] From here on out, I will refer to international non-governmental organizations as INGOs, and nationally based non-governmental organizations as NGOs.
[10] The UN has twenty-seven different agencies active in Colombia as of 2019 (Interview with the author, Bogotá, Colombia, June 2019).
[11] There is a tendency to engage in conceptual slippage by equating INGOs with the international community. While INGOs certainly form a part of the international community, the two are not the same. I further delineate these differences in Chapter 5.
[12] For more on this, see Chapters 4 and 5.

national and local counterparts and the way they feel empowered to collaborate with those counterparts, as I discuss in Chapter 5.

Lastly, the crux of my field research rests on collaborations with networks of Afro-descendant and Indigenous organizations. These organizations have, again, been working with national and international partners on issues such as economic and social justice, as well as advocating on the behalf of their communities to their own government. For example, the first point of the mission statement of the *Organización Nacional Indígena de Colombia* (National Indigenous Organization of Colombia- ONIC) reads as follows:

> To enforce and support indigenous communities' own government and exercise of authority for unity, autonomy, and dignity, the control of their territory, and the accomplishment and defense of their human rights, as well as collective human rights (ONIC n.d.).

The last bullet point of the mission statement reads:

> To create common strategies and interlocution with other social movements, NGOs, the Colombian state, national and international organisms of solidarity and cooperation in order to energize and establish peace processes, justice, and reparations which permit the end of the war in our country and to acquire post-conflict guarantees to develop our own future for Indigenous Communities (ONIC n.d.).[13]

This mission statement, while not representative of the variety of work that the different organizations I engage with have been doing, presents a concise summary of the processes I examine in this dissertation project. How are these partnerships constructed? How successful are these organizations in taking the place of a state which so often refuses to see? While I utilize the case of Colombia to explore these questions, Colombia certainly is not the only case to which this applies. This project looks beyond the paradigms of International Relations to question the authority of the state to use legitimate force, and how reification of the state at the center has

[13] Mission statement retrieved from ONIC's website November 2019 and translated from Spanish to English by the author.

foreclosed re-imaginings of what processes of peacebuilding and TJ can look like, as well as definitions of peace and justice (M. Weber 1978a).[14] In chapters 4 and 5, I look at "other ways" that pieces of peacebuilding gets done without the state.

This project sits at the intersection of race, class, and the environment. It engages with larger concepts of power relations in the intertwining of capitalism and violence. The nature of the Colombian conflict has changed over time, but the theme of violence as tool of capitalism has remained consistent: from extractivism to drug trafficking and back again. I argue that transformations of violence throughout a conflict is related to local fragmentation and state absence. However, this local fragmentation also allows for actors other than than the state to take on roles in an international arena that are traditionally assigned to the national government (Jayasuriya, 2004). Not only do we see armed actors acting in roles assigned to the state as I mention above, but civil society organizations and communities of different kinds have the space to create networks of national and transnational solidarity to work towards their goals, as I examine in Chapters 4 and 5.

Therefore, this dissertation argues that we need to look critically at the formal process of peacebuilding and move well beyond it. This is not an argument about state failure because of a lack of state capacity. Rather, this dissertation posits that we need an expanded understanding of peacebuilding that flips our current conceptualizations on its head and vastly expands our definitions and vantage points of peacebuilding. If we only look at formalized, state-centric forms of peacebuilding, we see an incomplete picture of its realities. In this dissertation, I look at other forms of organizing, resistance, struggles, and relationships that need to be taken seriously in expanded definitions of peacebuilding.

[14] I use capitalized 'International Relations' in reference to the discipline.

This project has evolved over time—initially, I saw this project as one that should be focused on transitional justice and its legal-institutional implications in Colombia with the newest peace accords that were incorporated into the country's constitutional law in 2016. However, as I began to delve into the separate literatures on peacebuilding and transitional justice as well as my fieldwork in 2017, I realized that a legal-institutional, state-centered approach was not sufficient to understand the complexities of "doing" peace, particularly in a place like Colombia, where violence increased even as implementation of the peace accords began in force in 2018.

As I struggled to understand the seemingly opposite phenomenon of the 2016 peace accords and the increase in targeted violence toward those community leaders throughout the country attempting to implement the reforms that the accords promised, I realized that arguments around the state's capacity were insufficient, and that focusing only on attempts at legal-institutional reform was not enough to understand what was happening in Colombia. Arguments that "state absence" was causing the continued political violence were not convincing to me, particularly when I saw that it was in fact the state's *presence* in places like my field sites that continued to perpetrate violence. Thus, I concluded that looking only at formal, state-centered peacebuilding process was not sufficient to understand the realities of how peacebuilding gets done. To understand the complete picture, and to understand why and how things go wrong in peacebuilding processes, it is important to look at vantage points or relationships that circumvent, cross, leverage, and skip the state.

COVID-19 Outbreak and Restrictions on Data Collection

My field work and data collection were interrupted in March 2020 by the worldwide pandemic of COVID-19 and its arrival in Colombia. While I had planned to continue conducting field work at the sites I use in this dissertation, as well as two additional ones (Popayán and

Quibdó), the pandemic precluded my ability to do so. As a result, I had to drop the additional field sites from this analysis, and complete what data gathering I could virtually—primarily via WhatsApp and Zoom video calling and voice memos. However, the shifting security situation in Colombia as a result of national and regional lockdowns made even this sort of data collection difficult and a potential danger to my interlocutors. I received reports and communications of armed groups forcing communities into even stricter lockdowns than those proscribed by the national government and using lockdowns to go through community members' phones for information about those same community networks and initiatives. Because of this and other reasons, at certain points, I also stopped virtual data collection out of concern for the safety of my interlocutors. Therefore, this dissertation reflects a particular stage in a continuum for field work I plan to continue when it is safe to do so.

Peace and Violence

What is peacebuilding? What is transitional justice? What should their goals be? How do we define ideas like peace, violence, and justice? In the past 30-odd years, peacebuilding and TJ mechanisms have been defined, evaluated, measured, and critiqued (Arthur, 2009; Boraine, 2006; McAuliffe, 2011; Olsen, Payne, & Reiter, 2010). In the following sections, I will draw distinctions between peacebuilding-and-transitional-justice. Can there be one without the other? I finish with academic literature which critically engages these two concepts, often tying that criticism in with conceptualizations of Western-style development, and a literature whose definition was hierarchicalized by a Eurocentric academic and practitioner community. After discussing the ways in which I engage with those concepts in this project, I evaluate the ways in which reflexivity in research has shaped my dissertation project. I conclude this chapter with a roadmap of the rest of my project: the ways in which I utilize the concept of *miradas diferentes*

(different gazes, or looks) to investigate different realities of peace, violence, and power, and the systems which help to keep those different realities in place.

While it is difficult to nail down a definition of peace as such a potentially far-reaching concept, I start with the idea of peace as discussed by Galtung in the terms of "three principles:"

> 1. The term 'peace' shall be used for social goals at least verbally agreed to by many, if not necessarily by most.
> 2. These social goals may be complex and difficult, but not impossible, to attain.
> 3. The statement peace is [the] absence of violence shall be retained as valid (Galtung 1969, 167).

In this conceptualization, peace is only linked to violence in the sense that it is defined by an absence of it. Galtung posits, and I agree, that an "extended definition of violence" is necessary—a definition of violence should not just be limited to killing or other direct bodily harm. However, if this were the case, many forms of violence would still be allowable and "compatible" with a definition of peace (Galtung 1969, 168). Therefore, I move to consider a definition of structural violence.

> Whenever persons are harmed, maimed, or killed by poverty and unjust social, political, and economic institutions, systems, or structures, we speak of structural violence. Structural violence, like armed violence, can have two effects – it either kills its victims or it harms them in various ways short of killing (Kohler & Alcock, 1976).

Often, in instances of armed conflict, those affected are impacted by the double bind of behavioral violence and structural violence. Examples of behavioral, or direct violence according to Galtung are as followed: persons who are victims of direct or behavioral violence are directly threatened, harmed, and killed by actors with guns and caught in the crossfire between the military and insurgents. Those same persons are also harmed by a lack of food, shelter, access to medical care, education, and opportunity. The people most likely to be impacted by behavioral violence are also the most likely to be subsequently or simultaneously harmed through structural violence. Galtung's definition of structural violence was a groundbreaking theoretical development that

paved the way for future genealogies and understandings of violence. Galtung implied that structural violence continued because of an "invisibility" of that violence—if only we could "see" it, we would be able to stop it (Dilts et al. 2012). However, later approaches posit that it is not because we cannot "see" structural violence that it continues: rather, it is the ceaseless, open, "every day" ness of structural violence that allows it to persist (Dilts et al. 2012; Richmond 2001). First- and second- generation approaches of peacebuilding and peacemaking focus on the Weberian state as objects that *can* create peace, while third-generation approaches focus on creating peace from multiple points: NGOs, INGOs, the state, and other sectors of the international community (Richmond 2001). However, this approach places an emphasis on continued exportation of a Western international order, and thus continues to stall meaningful implementation of bottom-up approaches that this project considers.

Taking into account the impact of both behavioral and structural violence, I define peace as the following: peace is the absence of behavioral violence in that there are not armed actors actively harming or threatening harm to a population (including state forces), *as well as* conditions which allow for a population to have consistent access to potable water, food, economic conditions to work and live above the poverty line (at minimum), education, and freedom from environmental pollutants that might make their air, water, and food sources unsafe. This definition is empirically grounded in the experiences of my interlocutors and collaborators.[15] There are many ways in which the double bind of behavioral and structural violence might be manifested. This dissertation explores some of those ways. For example, if an Afro-descendant community in Chocó has access to a gold mine on their ancestral land, they should have the right to use (or not use) that resource to support their community without threat from armed actors, or

[15] I will discuss at length how this definition developed over time in Chapter 5.

without threat of the government illegally giving access to multi-national corporations to exploit that mine.

Transitional Justice

Similar to ideas of peace and violence, transitional justice is difficult to define, though many different definitions exist in academic literature. We can name and explain the mechanisms that are a part of transitional justice, but the actual definition of the thing, and the ways in which we should *combine* the mechanisms which belong to the grouping we call transitional justice is always up for debate. Boraine discusses the tensions that some parties may hold between criminal justice and transitional justice, defining the relationship between the two and TJ itself in the following way:

> Transitional justice, however, is not a contradiction of criminal justice. It is a convenient way of describing the search for a just society in the wake of undemocratic, often oppressive, and even violent systems. Therefore, rather than detracting from criminal justice, transitional justice offers a deeper, richer, and broader vision of justice which seeks to confront perpetrators, address the needs of victims, and assist in the start of a process of reconciliation and transformation (Boraine, 2006, p. 18).

In its emergence, transitional justice prioritized legal-institutional reforms and responses such as "punishing leaders, vetting abusive security forces, and replacing state secrecy with truth and transparency" (Arthur 2009, 322). Thus, the initial conceptual framework and application of transitional justice emerged with a liberal-institutional focus on legalism and institutional change at moments of political transition from authoritarianism toward democracy, rather than other claims to justice that were oriented toward social justice and redistribution. This meant that as an emerging framework, transitional justice was legalistically and institutionally focused. Inherent in this focus is the myth of neutrality: as an emerging concept, TJ was meant to be acultural, ahistorical, and areligious.

The first generation of TJ, with its legal-institutional focus, was supposed to serve as a 'one size fits all' approach to helping nations transition away from conflict and towards democracy (Arthur 2009). In this sense, earlier scholarship of TJ, as well as international practitioners on the ground, often did not account for cultural, historical, and religious issues involved in the transitional process. Rather, they focused on the way in which official institutions needed to be created or strengthened at the national level in order to avoid a return to large-scale violence (Boraine 2006). This institutions-focused process was viewed as a temporary and transitional one by the international community.

Lutz and Sikkink (2001) further discuss the way in which international norms began to shift around human rights abuses. They contend that a "justice cascade" emerged through shifting norms in the international community, and as a result of a transitional justice advocacy network that was intrinsically linked to human rights actors (Lutz and Sikkink 2001). The term itself, transitional justice, points to how dilemmas that actors faced were understood by the international community, and the normative lens through which political change was viewed. This normative lens helps explain why measures of "prosecutions, truth-telling, restitution, and reform of abusive state institutions—not some other measures of justice, such as those associated with claims for distributive justice—were recognized as the legitimate justice initiatives during a time of political change" (Arthur 2009, 326). The goal was to provide some form of justice to those who had suffered under repressive regimes while simultaneously strengthening fragile democracy and its new institutions. Official truth-telling efforts were viewed as a minimum requirement of justice to facilitate national reconciliation.

Therefore, transitional justice emerged as a conceptual framework in the late 1980s/early 1990s with some clear-cut characteristics and mechanisms. Its mechanisms include accountability

measures (legal trials, tribunals, special courts), truth-telling mechanisms (truth commissions, official records of testimony), reconciliation (creating an official national memory or narrative, new constitution/constitutional measures), institutional reform, and reparations to victims (Boraine, 2006). These "five pillars" make up the toolbox of TJ mechanisms. As a conceptual framework, liberal TJ emerged in the following way: it was enmeshed with perspectives that placed boundaries around current political issues, rather than seeing them as historically shaped. Likewise, it emerged with a focus on legal-institutional problems, while ignoring cultural factors that might have influenced accessibility to or interest in legal or institutional reforms in a particular context. Furthermore, the short-term objectives with which it was conceived meant that it dealt primarily with regime transition from authoritarianism to democracy. This transition has been viewed as a process with a finite temporal end, rather than one beginning the long, open-ended journey of establishing social preconditions for democratic institutions or an evolving shift in societal norms.

Fifty years into the conceptualization and development of TJ as practice, we can see that it is often anything but temporary, or with a defined 'end.' Conditions of both behavioral and structural violence, as well as politically fraught contestations of TJ mean that the implementations of proposed mechanisms in peace accords take years to be implemented, are implemented unevenly, or oftentimes, are never implemented. As such, I explore concepts of responsibility surrounding the administration of TJ, and the ways that it can perpetuate continued violence toward some citizens in spite of its mandate.

Perceptions of Justice

As I briefly referenced above, there is often a tension between transitional justice or transformative justice, and different conceptualizations like criminal justice. While legal

definitions of justice are important, be those definitions of transitional, transformative, or criminal justice, *perceptions* of justice are just as important. Perceptions of what justice should 'look like' in transitional contexts are a source of great conflict within a country or society undergoing said attempts at transition or transformation. Is an agreement arrived upon at a negotiating table amnesty or impunity for former combatants? How can victims and their families reach a resolution without feeling as if perpetrators have 'gotten away with it?'[16]

Part of the responsibility to reconcile conceptions and perceptions of criminal and transitional justice falls to public pedagogy and wider civic education on these issues. Not everyone can be expected to understand what pedantically loaded definitions of transformative justice mean, especially if they have just become accustomed to hearing the phrase transitional justice. A technocrat who was a part of the implementation team after the ratification of the 2016 Colombian peace accords summarized this problem in the following way: "This, I think, was a huge failure on the part of the government. Nobody knew what transformative justice meant, except for the professionals, and no one bothered to explain" (Interview with the author, Bogotá, Colombia, November 2019).[17] In Colombia, as is the case in other transitional justice contexts such as Argentina, Chile, and Northern Ireland, there is an intense political and public debate regarding the roles of truth and justice, amnesty and retribution, reconciliation and impunity. In order to further address the debates and actions being taken in Colombia, I draw from multiple and overlapping concepts in this literature: the concepts of justice as transformative, popular peace, hybridity, positive peace, and the everyday.

[16] This question is a deeply complex one: the category of 'victim' is not a monolith, and different people who have had different experiences of violence will with to reconcile with it in a variety of ways. The category of 'victim', particularly in the Colombian context, is a politically constructed and negotiated one. For more on this, see Krystalli 2019.
[17] My original translation from Spanish.

Justice as Transformative

In line with peacebuilding literature, the concept of justice as a mechanism for personal or societal transformation seeks to critique the normative lens of TJ and respond to some of its limitations. Gready and Robins (2014) describe some of the limitations of transitional justice and what transformative justice can offer to fill those gaps. They state that transitional justice has the following limitations: it prioritizes civil political rights, rather than examining chronic issues of structural violence and lack of equality in social relations that may be the root causes of conflicts. Additionally, they assert that TJ has become dominated by "an elite international professional and donor network as opposed to locally rooted movements" (2014).

The state-centric focus has a tendency to discourage engagement of populations that have been impacted the most by violence. Gready and Robins (2014) propose that transformative justice can be applied to address structural and everyday violence. It emphasizes local agency and resources, and prioritizes a process of peacebuilding rather than set outcomes conceived beforehand. They propose a combination of emancipatory peacebuilding and transformative justice to achieve these goals. To do this, they define emancipatory peacebuilding using a quote from David Roberts:

> Emancipatory postconflict peacebuilding . . . would reflect what a majority of the population needed after mass direct violence has been checked. And, rather than the locus of such discussion involving solely elite institutional democratization, it would be concerned with matters identified by the population, from below (Roberts 2008).

Gready and Roberts define transformative justice as that which uses a far wider range of approaches than how traditional notions of TJ have interpreted "holistic," and posit that the integration of social and economic policy is necessary.

Rama Mani (2006) explicitly addresses three dimensions of justice to study issues of structural violence and inequality, which helps in the construction of a just peace. Recificatory

justice addresses injustices that are the direct consequence of a conflict (i.e., human rights abuses against civilians). Legal justice deals with reestablishment of the rule of law, reforming institutions that may have been corrupt or taken advantage of during a conflict. Lastly, she addresses distributive justice, positing that it is the most neglected, and stems from structural and systemic injustices and distributive inequality that may underlie a conflict. She states these three forms of justice are interdependent and mutually reinforcing—when they are not all addressed, it produces "inadequate results and sets back the peace process itself" (27). She acknowledges the difficulties of addressing all three but posits that international peacebuilders have imposed rather than proposed/facilitated solutions in peacebuilding contexts. Similarly, Sharp (2015) emphasizes a need to shift focus when it comes to implementing peacebuilding and justice initiatives. He states, "post-conflict transitional justice initiatives have become just another box to tick in the post-conflict checklist" (151). He draws on Ruti Teitel's genealogy of transitional justice to categorize emerging work on justice as transformative to be associated with the discourse of the local and addressing the invisibility of economic justice and economic violence in previous generations of work. This framing is similar to the manner in which Teitel characterizes the "third phase" of transitional justice emergences (Teitel 2003).

Peacebuilding

There is debate in academic literature regarding the prospect of peacebuilding as transitional justice, particularly in response to 1st and 2nd generation TJ, and as an attempt to integrate some of the criticisms of international development/peacebuilding that has been raised by decolonial, feminist, and Indigenous literature and practice on TJ. This indicates a potential shift away from the paradigm of transitional justice as "the handmaiden of liberal political

transitions" (D. N. Sharp 2015). As discussions around the third wave of democracy fade, there has been a turn to examine transitional justice outside of traditional liberal notions.

Popular Peace, Hybridity, and the Everyday

David Roberts (2011) calls on the idea of 'popular peace' in order to place the focus of peacebuilding on everyday problems that are faced by communities and individuals like social services, economic and social rights, basic needs (access to clean water, shelter, electricity), and human security. He states that a focus on local needs generates much-needed legitimacy for government as well as for international peacebuilding initiatives in a post conflict context (Roberts 2011). This sense of missing legitimacy is relevant to Colombia in many areas that have suffered from the conflict. In some places, the state has been absent for decades as a result of control by extra-state armed actors. Rather than top-down initiatives typically pursued by governments, (and currently being pursued in Colombia at present), Roberts posits that this 'trickle up' mentality "can serve as a key to macro-level stability and peace" (82).

Linked to this concept of popular peace is the concept of the everyday. An everyday peace is one "in which a population's preferences are recognized…beyond narrow liberal confines" (Roberts 2011, 90). This idea of the everyday sometimes conflicts with peacebuilding initiatives that are focused on super-national or international perspectives. Roberts posits that

> "…the sense that peacebuilding processes are remote or irrelevant to the everyday lives, preferences, and social reality of the very individuals those processes are ostensibly intended to benefit may spark resistance, leading those affected by these programs to attempt to reconfigure them so that they begin to reflect their own everyday lives rather than structural attempts at assimilation" (Roberts in Sharp 2015).

This can include a prioritization of international over sub-national norms, or a peace process that does not include provisions for the different ways gendered violence and violence against minority or Indigenous groups may need to be addressed during post conflict transition.

We see the formation of this resistance in Colombia led by different sectors of civil society today, particularly as the number of human rights defenders who have been threatened and assassinated rises without a response from the national government. In what ways is the everyday not considered at the international and national tables of peace negotiations?

Ideas of liberal transitions have been hotly contested for their neocolonial overtones, and a lack of acknowledgement for local knowledge and practices. The concept of hybridity in critical peacebuilding theory attempts to analyze the constant interactions between the local and global: "a complex cocktail of local resistance, cooptation, and appropriation—but is in practice a 'glocal' phenomenon"(Mac Ginty and Sanghera 2012). The lens of hybridity is a reflexive attempt at understanding the prominence of liberalism in peacebuilding and transitional justice while striving to avoid falling into the trap of either romanticizing and essentializing the local or demonizing the liberal West as a monolith. Hybridity calls for local legitimacy, and to take the roles and preferences of non-elites seriously in the processes of transitional justice and peacebuilding. All of these theories in peacebuilding (e.g., popular peace, the everyday, hybridity), are intrinsically linked to create a holistic concept of positive peace.

This idea of positive peace is suggestive of a process that is "permanent and incremental" rather than "transitional, temporal, and incomplete" (Mani 2005). That is, the concept of positive peace is one that should be consistently reflexive in nature and should not have temporal limits and therefore requests that we consistently reevaluate our assumptions and goals. Mani (2007) contends that peacebuilding should aim to achieve objectives of negative peace and positive peace both simultaneously, and without a consecutive order of the two. Likewise, John Paul Lederach views peacebuilding as a dynamic, temporally undefined process. "Metaphorically, peace is seen

not merely as a stage in time or a condition. It is a dynamic social construct" (Lederach in Mani 2008).

So, what should peacebuilding be? It should be "domestically rooted" (Mani 2008, 14). Because it is localized, it cannot be defined a priori as an ahistorical bedrock to be universally applied, as suggested by traditional outlooks on TJ. This localization should not be thought of only in terms of the state level—it should consider the particular needs of regions and populations 'under' the state apparatus. This requires public ownership, debate, and participation in peacebuilding processes in order for their long-term success. It should not be imposed from above or imported. The role of international organizations and institutions, particularly in countries undertaking peacebuilding without sufficient resources is to facilitate, not dictate terms. Peacebuilding is dynamic: goals of achieving both negative and positive peace should be undertaken simultaneously. It should be invested in eliminating structural violence and oppression in the interest of conflict prevention. It is not a temporally bound process. It is an ongoing transformation of societal attitudes. Peacebuilding, (and I include transitional justice mechanisms within this term), contrary to earlier literature, is not apolitical. It is an intrinsically political process and is reliant on a domestic population's initiative and political will.

The Relationship Between Peacebuilding and Transitional Justice

In much of the literature on peacebuilding and transitional justice, they have been developed as parallel but distinct practices. Traditionally, the overlaps and nexus between peacebuilding and transitional justice have been ignored (Baker and Obradovic-Wochnik 2016). In this project, while I acknowledge that the relationship between the two has been non-linear and contentious, I view transitional justice as *one aspect of peacebuilding* which can contribute to the dismantling of direct and structural violence. Both peacebuilding and transitional justice have

been critiqued as parts of the liberal international peacebuilding apparatus (Dustin N. Sharp 2013). Acknowledging multiple definitions or approaches to justice as I discuss earlier in this chapter, helps scholars to engage with justice, and transitional justice, as a part of peacebuilding (Ibid, 286). Many transitional justice scholars situate their work in discourses on human rights concerns and legal structures (Lambourne 2008). In this project, I discuss transitional justice as an aspect of peacebuilding to create a more holistic approach. Including transitional justice as tool of peacebuilding: "… requires us to rethink our focus on 'transition' as an interim process that links the past and the future, and to think instead in terms of 'transformation,' which implies long-term, sustainable processes embedded in society and adoption of psychosocial, political and economic, as well as legal, perspectives on justice" (Ibid, 30).

This approach also allows me to return to the focus of structural violence: transitional justice, as Lambourne posits, is no longer just a part of a transitional moment, with a timeline that "ends" it, as I discuss earlier in the chapter. In this way, transitional justice is mobilized as another way forward, one aspect of a larger approach to dismantle larger issues of structural violence.

Territorial Peace

A newer approach toward the conceptualization of peace emerged in Colombia in 2014-2016, a discourse surrounding the negotiations and peace accords with the FARC, named *la paz territorial,* or territorial peace. In particular, this conceptualization was formed by then-High Commissioner for Peace, and one of the main government negotiators in the most recent process with the FARC, Sergio Jaramillo (Jaramillo 2014). Initially, this conceptualization was designed as a way to frame the peace accords with the FARC:

> It is an alliance in which governmental programs, regional authorities (within this leadership, that of mayors and governors will be fundamental), and communities unite to

> combine the coordination of national resources with the force and knowledge of local execution [of these policies and resources] (Jaramillo quoted in Vargas and Hurtado 2017).

This concept is framed within Galtung's definition of positive peace, an existence in which the peripheries of the country are not only free from direct threats of violence from armed groups, but that they also have access to resources of state welfare that they have historically been denied (Cairo and Ríos 2019). This concept also comes with the recognition that liberal and neoliberal notions of state making and peacebuilding have failed, and ideological continuance of those notions is sabotaging the achievement of deeper peace (Ibid). This positive peace is also referenced in the 1991 constitutional reform, where "the right to peace" is technically established in the new Colombian constitution (Moreno Millán 2014). However, while right to peace was established in 1991, there was no real construction or debate of a "rigorous theory of peace" until 2014-2016 in Colombia (Moreno Millán 2014, 307). This lack of public dialogue about concepts of peace as well as a lack of an operational definition of territorial peace itself has created issues even as the 2016 peace accords attempt to implement it (Criado de Diego 2017). Territorial peace as a concept is constructed as an attempt to decentralize power in Colombia. Within the history and national territory of Colombia, there has consistently been the creation and reinforcement of a center (Bogotá) and a periphery (the territories) in the country, and central neglect has allowed state absence and perpetuations of both direct and structural violences to flourish. Linked to this center/periphery relationship is the idea of the "heterogeneity of state absence"; that the patterns of abandonment of the state have created very local and specific contexts that have their own particular challenges and cultures around peace and violence (Ibid, 24). This idea is made even more difficult by the understanding that departmental and municipal boundaries are not particularly helpful denotations to understand these various contexts. Various peripheral

departments and municipalities in Colombia are multi-territorial and multi-dimensional—they share contexts, cultures, and histories that do not cleanly cut off where one municipality ends and the other begins (Becerra 2014; Mançano-Fernandes 2013). Within these geographies and politics of space that do not map neatly onto their literal denotations that were imposed from above following Colombia's independence from Spain, there is a need to regroup territory based on historical similarities and a truly localized concept (Fals-Borda 1987). This structure of the state and concentration of power is a form of violence itself, as continuing to organize state and local boundaries in the same way assures that the needs of all civilians will not be adequately met via this institutional rurality (Suelt Cock 2017). However, in these contexts of low or totally absent state presence and institutions, there are other cultures and structures of resistance that are long-established and often ill-recognized by national and international *miradas.* This idea of the organization of space through geography and the localized histories that contest those same organizations is one I return to in Chapter 2.

The Case of Colombia: Transformations of Conflict

Colombia's armed conflict began in the early 1960s. It is characterized as the 'same' conflict, and in the terms of continuity, it is. However, the motivations of the various actors involved in the conflict have changed over time, and those changing motivations have also changed the public discourse and characterization of the conflict over time. As I state earlier in this chapter, there are transformations of violence following every attempt at peace-making and peacebuilding. Of particular impact on the changing characterization of the conflict over time is the theme of violence as a tool of capitalism. In most recent years, the conflict has served as a way for drug cartels, multi-national corporations, and governments (both Colombian and foreign)

to profit off of parts of the country that are rich in natural resources and consistently left without meaningful services from the state.

While it is outside the scope of this project to speculate as to how the political or ideological motivations of groups like the ELN and FARC have changed over time, I can comment on the way their patterns of behavior have changed. When the Colombian armed conflict began, large scale production of the drug known as cocaine did not exist. This changed in the mid 1970s, when in the ever-rising demand from the United States and Europe, narcotraffickers saw the opportunity for an accumulation of wealth on a level that was previously unavailable to anyone who was not born into it. This was the critical event that changed the face of the Colombian armed conflict. This, in combination with the idea that Colombia "has always had more territory than state" has helped create conditions for a conflict that changes and transforms over time, but does not end (Becerra 2014).

Paramilitary groups, which initially began as small community defense groups, were contracted out by the narcotraffickers and became heavily armed private armies. The leftist guerrilla groups, who initially refused to directly interact with the drug trade, changed their stances over time. At first, they just taxed the product as it moved through their territories. Then, they began to actively fight for territory where coca is grown, and eventually forced citizens under their control in some territories to harvest coca and controlled production laboratories. They, along with paramilitary groups and narcotraffickers, fought for these territories, as well as those strategic zones along the Pacific and Caribbean Coasts where the product could be moved out of Colombia and eventually transported to the United States and Europe.

So regardless of a group's political or ideological leaning, this conflict, in the end, has most recently been motivated by money. It has evolved into a conflict that is about controlling

strategic territory in order to make cocaine. What has remained consistent are the ways that the state apparatus and armed groups have trapped civilians into a cycle of violence. In chapter 2, I discuss these transitions and cycles at length as I discuss the history of political violence and social movements in Colombia.

Fieldwork Ethics, Reflexivity, and Collaboration

Operating under the assumption that fieldwork is always "contextual, relational, embodied, and politicized," I use this section to take the opportunity to briefly discuss my thought processes surrounding positionality, reflexivity, and collaboration throughout the course of this project (Sultana, 2016). Additionally, understanding that tools of formalized research ethics in the Global North, like the University system of an Institutional Review Board (IRB), are not sufficient or even necessarily helpful in protecting research participants in an international context, I lay out my additional fieldwork protection plans as they pertain to the context of Colombia and this project specifically. Hereafter, I refer to those who generously gave their time, knowledge, and resources throughout the course of this project as research collaborators as opposed to research participants.

Fieldwork Ethics and Collaborator Protections

Since the signing of the Havana Accords in 2016, it is estimated that approximately 700 human rights defenders and community organizers have been assassinated for their work in seeing through different aspects of the accords and for leading organizing and mobilizing strategies which threaten the interests of neo-paramilitary and narcotrafficking groups. An even greater and unknown number are living under threat. Despite Duque's promises to reform the National Protection Unit, the government agency responsible for allocating security to those under threat, these changes have not yet happened (Interview with the author, September 2018, Bogotá,

Colombia). So, despite a demonstrated and urgent need, the majority of these leaders are living under very real threat with no protection. To protect their identities and not place them in further harm's way as a result of their participation in this project, I take the following precautions in this dissertation, and any publications following it: I do not contextualize quotes by field site. Many of these sites are small, rural, and the activists in these areas are well known. Therefore, in my interviews with these activists and the quotes I utilize, I will only reference or contextualize them by department or a larger city center.[18] A department is the Colombian equivalent of a state in the United States, is much larger, and provides better guarantees of true anonymity. The departments cited in this dissertation are Cauca, Nariño, and Valle de Cauca, huge areas that encompass the majority of the Pacific region of Colombia. The exception to this is my interviews with international or government elites, in which I do reference the city the interview was held. In addition to this, and in keeping with the IRB protocol this project is under, all responses are anonymized. Any quote utilized is accompanied with a pseudonym. All collaborators had the opportunity to choose what pseudonym they wanted to be referenced as, but no real names and no full names will be used in this project. In the case of Puerte Colombia, I felt that the risk to the community was so great due to shifting security contexts in the region as to warrant anonymization of the field site all together. This was done following discussions with community members there.

Positionality and Reflexivity

Formalized Global North processes of research ethics also often do not take into account the ways that power hierarchies between researchers and collaborators can reproduce silences and

[18] The exception to this is the case of Puente Nayero, where the community leaders wanted me to name the community outright.

violence (Ackerly and True 2008). In this section I outline my identity entering these spaces, and the privilege that accompanies that identity.

In relationship to my collaborators, I hold privilege. I am a white woman with the resources to pursue higher education in the United States. I entered the field with the name and backing of a prestigious US university system (University of California), and achieved access to people that a researcher with similar qualifications as myself, but from a Colombian university, would not have been able to access, particularly in reference to my interviews with government elites. The way others perceived my identity in the field came with a level of privilege and access that others do not have. At my field sites, my appearance makes me, without question, an outsider. As a US citizen, I was sometimes regarded with suspicion, and only with the word of the organizations I was affiliated with was I initially allowed to enter some spaces.

As a young woman, I also was constantly in negotiation of my autonomy and personal situation, and to an extent, my physical safety. I consistently fielded inappropriate, uncomfortable comments and questions, most often from male elites, regarding my personal life and marital status. I demurred when interviewees asked me on dates, about my relationship status, and negotiated different interview sites when places like bars were proposed. There were three interviewees, again all of whom were male elites, who I did not follow up or continue my professional relationship with who could have been particularly helpful in my avenue of research due to the level of discomfort I felt in my interactions with them. Thus, the perception of my identity and positionality that others held most often provided me with even more privilege and access, but occasionally foreclosed avenues of collaboration and work surrounding the perception of my "availability" as a young woman and suspicion of my position as a US citizen.

Addressing Reproductions of Silences and Violence in Research

The questions I explore in this project lend themselves to an interpretivist methodology. In both the design and execution of my project, I reflexively engage with feminist and interpretivist literature on research ethics and positionality to avoid perpetrating harm in my work. Therefore, I engage with research surrounding ideas of ethical participation. This means that my project emphasizes non-hierarchical interactions and understandings and requires a reflexivity in thinking through the ways in which my research questions may have unequal power relations embedded within them (Bondi 2003; Sultana, 2007; Wyld and Jones 1997).[19] Reflexivity in research involves reflection on self, process, and representation, and critically examining power relations and politics in the research process, and researcher accountability in data collection and interpretation (Al-Hindi and Kawabata 2002; Krause 2021; Moss, Falconer Al-Hindi, and Kawabata 2002). This is a process I have engaged with throughout the formulation of the project.

Collaboration

As a result of this engagement, I have arrived at the necessity of collaboration and reciprocity in this project. It is irresponsible to expect collaborators to give time, knowledge, and perspective to one's project without engaging in some form of reciprocity. To that end, I began my discussions with interlocutors about what I could contribute that they might find most useful. This decision was always made by the community— it was not a suggestion I imposed. Throughout this project, I engaged in the following forms of reciprocity: contributing to a database which recorded ongoing human rights violations against Afro-descendant populations, writing media or policy articles in English to increase visibility about the issues that specific

[19] Understanding the way the world is, and the ways we all exist within it, it may be impossible to have completely non-hierarchical interactions, and perhaps arrogant to assume I achieved that here. However, it was something I strove for throughout this project.

communities are facing, and providing assistance in grant-writing for productive projects from entities like USAID.

A Roadmap

This dissertation engages with the ways that communities and individuals imagine peace and mobilize toward that end, with the aim of engaging with broader definitions of peacebuilding in order to see the full picture of the reality of "doing" or "making" peace. To that end, I engage with literature on transitional justice and different interpretations of peacebuilding like conceptualizations of positive peace, hybridity, the everyday, and territorial peace. Here, I connect lessons from contexts of peacebuilding and transitional justice around the world, noting that even as critical literature on peacebuilding and TJ criticize the state, they continue to center it in these processes, despite its limited success in achieving goals such as positive or "complete" peace. I use the concept of territorial peace—a Colombian-focused and -developed approach to peacebuilding established leading up to the 2016 Havana Accords as a potential way forward to "bridge the gap" and move toward a de-centering of the state in these processes. As I explain in Chapter 1, processes of peacebuilding and TJ are not ahistorical, acultural, or apolitical. To that end, I use Chapter 2 to examine contexts and histories of mobilization, violence, and peace processes in Colombia. This history reveals just why it may be so difficult to de-centralize the state in peacebuilding processes in Colombia, but also why histories of the state's participation in violence and conflict should make us suspect of it as an arbitrator of peace and justice. I address the ways that the Colombian conflict has evolved and re-configured over time—what began in the 1960s as a political, ideological struggle has shifted throughout the decades to be more about different armed groups and criminal organizations fighting for strategic control over territories and routes for narcotrafficking.

In Chapter 3, I engage with the state, examining just why the state, or state-centric perspectives, are not sufficient to understanding or doing peacebuilding. Colombia is an ideal case to study this, as incomplete and multiple peace processes over decades have created an enormous state apparatus focused on different concepts of peacebuilding and TJ, albeit one with inconsistent implementation of both. Unlike other International Relations scholars, I do not try to define the state. Instead, I focus on the contradictions that mask the state, as well as the state as a vehicle for peacebuilding implementation. I do this by engaging with different *miradas* of peacebuilding which place the local, national, and international in conversation with one another. As the state defies our attempts to unmask it, its everyday interactions with citizens reveals it to be a site of multiplicities of illegitimate violence. From here, through interviews with elected and appointed government officials, technocrats, and bureaucrats in Colombia from 2017-2021, I find that specific themes emerge surrounding aspects of responsibility for processes of peacebuilding and TJ. Many bureaucrats place the responsibility (or the failure of significant strides toward peace) on civilian populations, even as those same populations are marginalized by state bureaucracy or defined as a civilian out-group a là Barnett 1996. In the same chapter, I center Black, Indigenous, and feminist perspectives on the state and, struggles for Black and Indigenous autonomy in Colombia. Even as the Colombian government celebrates these communities as an integral part of the multi-cultural and pluralistic fabric of the country, they are marginalized within the state apparatuses responsible for peacebuilding and implementation which could create meaningful change in their quality of life. What could these changes look like? An end to forced displacement, education, and medical provisions on par with the national average, peace which incorporates the absence of direct violence and structural violences, and the right to return to and

use ancestral territories as communities see fit.[20] Through chapters 2 and 3, I demonstrate the inconsistency of the state in attempts at implementation of peacebuilding and TJ. The following two chapters engage with the responses of the local and the international to these inconsistences.

Moving forward from this point, the rest of the dissertation focuses on strategies of resistance, resilience, and self-help that particular communities in Colombia utilize in the face of a state that refuses to see. Building on this focus of community self-help and self-protection strategies in the face of state apathy and inconsistency in the realm of peacebuilding and TJ, I turn to two cases that highlight these strategies and how they do or do not engage with the state in chapter 4. The first case is that of the Nasa cabildo de Santiago de Cali, which serves as a sort of welfare bridge between municipal governance in Cali and Valle del Cauca to their members, who are first-, second-, and third-generation displaced Nasa persons. The cabildo as a community has elected to work within institutional recognition to access as many resources as possible, even if they are unevenly and grudgingly given by the state. In the example of my second case, that of Puerte Colombia, this community has lost all faith in the state to deal fairly or humanely with them. To that end, they have created a self-protection whisper network, and for the most part, do not engage with state institutions. There are some exceptions to this. For example, the Ombudsman's Office (*la Defensoria*), which is by far the most reputable state institution in rural or conflict-afflicted communities, community leaders do engage with. However, the self-protection network I describe here is one that is not shared with the state. In fact, community members include state forces in their self-protection map as just another armed actor. Considering the history of the region and the armed forces there, this is a just assessment and inclusion on the part of the community.

[20] Such as freedom from extractivism from armed groups or multi-national corporations.

In chapter 5, I engage with partnerships between local and international communities in their attempts to create different visions or paths toward peacebuilding and TJ implementation. Some communities, like Puente Nayero and AFRODES, engage with the international community and transnational networks to leverage support for their communities and causes and force the state into some type of action. However, as I explain in this chapter, the onus is often on communities or individuals to commodify their traumas or experiences with violence in to get that support from different sectors of the international community. At the same time, this commodification is to a certain extent an agentic choice. Communities leverage trauma into expertise, which in turn provides them international support which can (and has) forced the Colombian state into actions or support that it likely would not have provided unprompted. Here I examine two different types of relationships between the local and the international communities, and I posit that one type of relationship could demonstrate a different way forward for successful and consistent implementation of peacebuilding and TJ processes.

Lastly, in chapter 6, I 'zoom out' to focus on the broader implications of my project. My project takes a critical look at perceptions of local and national peacebuilding practices by using Colombia as an exemplary case study. In existing literature, even critical literature which focuses the "local turn," the state is still seen as the main distributor and participant of peacebuilding and TJ. The case of Colombia challenges these assumptions by showing that peacebuilding and TJ mechanisms can be successful, and potentially more successful, without the state acting as a primary arbitrator of power and influence on these mechanisms, and even when the state continues to participate in forms of direct and indirect violence against some populations. We need to reconsider the way we think about transitional justice and who metes it out, which can change the way support and resources are allocated for a more successful and effective

conceptualization of peace. This has the potential to improve egalitarian interactions between different levels of peacebuilding actors, and to examine the ways in which peacebuilders and policymakers may need to expand understandings of how peacebuilding and transitional justice processes can be done.

Chapter 2: Defining and Tracing Historical Transformations of Violence in Colombia

Introduction

Operating under the assumption that nothing happens without context, and that these contexts are constantly evolving and shifting, this chapter addresses the historical context of violence in Colombia, in particular the parallel legacies of mobilization and political violence that have consequences in the present day. Political factions, critical moments of political assassinations and violence, and incomplete peace upon incomplete peace has built the complex social and political context of violence which exists in Colombia today. In order to break with the past, it is necessary to delve into the manner in which these present realities were constructed. This chapter takes a chronological and thematic approach to Colombia's histories of mobilization and violence. I begin with a brief summary of the conditions that began the Colombian conflict, but my primary focus begins with the widespread Black, Indigenous, and women's networks of mobilization in the 1960s and 1970s around issues of collective land rights, institutional reforms, and the right to live within the broader aspects of positive peace. Throughout this chronology, I call attention to themes of accessibility, geography, space, and power as they intertwine with patterns of violence and moments of peace, placing these ideas in the context of territorial peace. These themes hold implications for how the Colombian conflict has been constructed and its character in the present day, and I return to them in chapters 3, 4, and 5. In this chapter, I provide context as to the delegitimate forms of violence the state has participated in. When I look at the histories of violences and even at moments, sabotage that the state has engaged in when it comes to peace and violence in Colombia, I see multiple examples of just why we should be suspect of the state in its ability or desire to implement peacebuilding and transitional justice mechanisms impartially and consistently.

Known as the "country of regions," the territory that Colombia occupies is divided up by three different mountain chains of the Andes and is diverse; it ranges from the Amazon rainforest in the south, to Caribbean and Pacific coasts, as well as sierra plains that take up much of the eastern part of the country, and where farming and cattle ranching are the primary occupations. These geographies, and the politics which surround them, play an important role in understanding the way that violence has been shaped within the Colombian context. These geographies and histories of conflict create templates of action which shape later events and current realities of violence. Territorial peace as a concept is constructed as an attempt to decentralize a government in Colombia which has consistently created a center (Bogotá) and a periphery (the territories) in the country, and central neglect has allowed state absence and perpetuations of both direct and structural violences to flourish. This particular organization of government has created the "heterogeneity of state absence"; the patterns of abandonment of the state have created very local and specific contexts that have their own particular challenges and cultures around peace and violence. These challenges have been ongoing and shifting since previous to Colombia's independence from Spain and they have created political conditions which contributed to the creation of first "bandit" groups responsible for political cleansing throughout the country, followed by guerrillas and paramilitaries.

Political Conditions Leading up to Guerrilla Formation in the 1960s

The debate over the centralization which created the center/periphery divide has been an ever-present issue, dating back to the 1800s and Colombia's official independence from Spain in 1810. The Conservatives advocated for a more active role of the Catholic church, supported its involvement in government, opposed the separation of church and state, and preferred a centralized mode of governance (Delpar 2010). The Liberals pushed for a secular state founded

on Enlightenment ideals and a more decentralized, regionally focused governance. The two political parties fought six relatively short civil wars in the nineteenth century. This frequent resort to civil war was compounded by the fact that Colombian elections were winner-take-all (Albarracín, Gamboa, and Mainwaring 2018). Whichever party won the majority in the presidential election also had the power to appoint governors, who appointed mayors (Steele 2017). This system led to intense party clientelism and partisanship, and deeply entrenched political identities which were passed on generationally (Ibid). In addition to the winner-take-all political appointment system, whichever party won power was in control of land usage and redistribution policy. In 1936, *Ley* 200, or "The Law of the Lands" was established. This law gave land ownership rights to peasants who were able to put it to a productive "social use", mainly small-scale production. Much of the land targeted by this law was previously claimed by powerful and large-scale owners, who feared losing their legal rights and the production of those holdings. Although it was incredibly difficult for peasants to use *Ley* 200 to achieve land ownership, wealthy landowners felt threatened (Legrand 1984). At the same time, "agrarian leagues" were being formed to advocate for the rights of rural peasants, and the Communist party was beginning to organize peasants in the 1940s (Molano, 1987). This organization and potential threat to large-scale land holdings concerned both Liberal and Conservative elite interests. In 1944, the Liberal-controlled Congress sided, certainly not for the last time, with the wealthy landowners and rolled back any progress in land distribution that might have been made under *Ley* 200 through the establishment of *Ley* 100, which put an indefinite hold on any redistribution efforts. Enter Jorge Eliécer Gaitán, Liberal rebel and presidential candidate. In the 1940s, he advocated for economic redistribution and more equitable political participation, gaining a significant following throughout the country, particularly in rural areas. His platform led to a split within the Liberal

party due to the fact that it threatened all oligarchical interests, regardless of party, in that he called for an expansion of who was allowed into the political sphere of power. In particular, he advocated for increased political participation for citizens, as opposed to participation in politics that was typically realistically restricted to the children and grandchildren of previous presidents and generals. This split in the Liberal party meant that Conservative candidate Mariano Ospina won the 1946 presidential elections with a non-majority percentage of the vote (Roldán 1993). Subsequent to these electoral results, pockets of violence began to emerge, primarily based around the new *Ley* 100 in rural and agrarian-focused areas.

On April 9, 1948, Gaitán was assassinated in Bogotá. His supporters subsequently began to riot, loot, and subjected those they suspected of involvement in the assassination to mob justice, leaving the details of his killing shrouded in mystery. The *Bogotazo,* as those days of looting and rioting were named, led to the intensification of politically motivated violence throughout the country, particularly those areas which were already clashing over issues of land redistribution and usage.

La Violencia

The assassination of Gaitán was a critical event in Colombian history, and in the historical context which created the conditions for the Colombian conflict today. In the days after Gaitán's death, and from 1948 until 1958, violence erupted throughout the country. This period of time is known as *La Violencia* and is one of the bloodiest periods in Colombia's history to date. The actual death toll is unknown, but conservative estimates state that at least 200,000 people were killed during *La Violencia* (Lee 2012). During this period, both Conservative and Liberals created armed groups to defend their electoral and political interests. As the governing party at the time, the Conservatives had control of the army and the police and used them in an attempt to

systematically exterminate Liberal supporters (who were two thirds majority of the country). In addition to institutionalized violence, Conservatives created militias that came to be colloquially termed as *pájaros* (birds) and death squads. They were particularly known for their brutality. Despite the cruelty of their methods, the Conservatives continued to have the support of the Catholic Church, due to its historic partnership with the party (Peñaranda 2007). These *pájaros* were the predecessors to the paramilitary groups (colloquially known as *los paros*) which emerged in the 1980s.

In response, the Liberals formed their own militia groups. Alongside them formed smaller self-defense groups of the communists and agrarian leagues. Here, in part, we begin to see the foundation of the modern-day guerilla groups. The first generation of these self-defense groups later came to establish *Fuerzas Armadas Revolucionarios de Colombia* (Revolutionary Armed Forces of Colombia- FARC). One of the founding members of FARC, Isauro Yosa (*nom de guerre* Mayor Lister), stated:

> "...forty days [after the assassination of Gaitán], the thing had already started. The dead were abundant and we knew them. Not the assassins, though. The police didn't realize or take responsibility for anything, as if what was happening were in a neighboring country. That's why we had to take up weapons: because no one responded" (Molano 1994).

This sentiment, that unwillingness or inability on the part of the national government to protect or aid many parts of the population, continues to the present political context, as I discuss in the following chapters. The level of violence that the country experienced lead to the beginning of Colombia's massive internal migration in the early 1950s, which is still in flux today. This violence, and the migration patterns which resulted from it, led to an increased regionalization. Because these migration patterns were a result of politically motivated violence, this regional splintering is politically defined, and created space for extra-state armed groups, left- and right-wing alike, to have territorial control over different areas for significant periods of time in the

1940s-1980s, while the Conservative and Liberal oligarchs continued to jostle for political power in central Bogotá.

The Military Coup of 1953 and *Repúblicas Independientes*

In 1949 a new presidential election was held, one year earlier than anticipated, in part due to the high levels of violence throughout the country. Due to increased levels of political violence towards Liberal candidates, there was only one candidate in this election— Conservative Laureano Gómez, who subsequently won the election and became president. From 1950-1953, Gómez continued the political cleansing of Liberals and their supporters. He militarized the police, bringing them under the umbrella of the Ministry of Defense (where they remain today), and ideologically-motivated violence continued to spread (Llorente 2005). In 1953, the military stepped in, leading to the only (short-lived) military coup Colombia has experienced.[21] General Gustavo Rojas Pinilla forced then-President Gómez into exile and took control of the national government, portraying himself (and the army in general), as nonpartisan (Gilhodés, 2007). At first, the Rojas regime made strides towards peacemaking. It offered a general amnesty for armed group members (Conservative and Liberal alike). Many accepted this amnesty, with approximately 3,500 armed group members demobilizing, including the majority of the Liberal guerrillas in the Eastern Plains region of the country (Roldán 1993). This hasty and incomplete amnesty is the first of many which contributed to incomplete peace and demobilization and created stratified layers of conflict. Those Liberal guerrillas who did not accept the amnesty offered by the Rojas regime were labelled as *liberales sucios* ("dirty Liberals") by those 'clean' Liberals who did demobilize when given the opportunity. Those *sucios* who allied themselves

[21] The fact that Colombia only experienced one (very short) military coup makes it something of a regional anomaly in Latin America.

with communists were thereafter all the more targeted, not just by the Colombian armed forces, but also by the 'clean' Liberals who were remobilized by large landholders to protect their holdings. Following a series of military offensives between 1953 and 1956, which largely targeted areas of displaced Liberals (those with the agrarian leagues being hit the hardest), a combination of the displaced Liberals and communist self-defense groups formed independent republics. A few early examples of these independent republics include Marquetalia, Riochiquito, Guyabero, and El Pato. Here, displaced peoples lived with the new Liberal-communist defense groups who provided order and protection. These autonomous republics filled a consistent lack of state governance, solidified by constantly evolving areas of violence and a complex topography. These communities welcomed those who were fleeing from other regions due to the violence, and from these independent republics we see the first formations of FARC. At first, these republics were largely ignored by the central government, as they were self-governing and orderly, with the armed groups providing administrative and educational services within their territories where the state had no interest in governing and providing other social services. But yet again, due to pressure from powerful landowners, this time in tandem with pressure from the United States in light of their anti-Communist policies and the 'red scare', the government and the military eventually took action against the autonomous republics.

El Frente Nacional

In 1956, the Conservative and Liberal elites ousted Rojas and put a military junta in place while elections were organized (Helguera 1961). The first elections of *El Frente Nacional* (the National Front) were held in 1958, which was essentially a two-party regime that allowed for participation from only the Conservative and Liberal parties. It entailed that one presidential term would be served by a Liberal, the next by a Conservative, and alternate on and on. This regime

was in place until 1974, when elections were made more open. Regardless of party name, *El Frente Nacional* was the most conservative government in Latin America at the time and created a legacy of neoliberalism in Colombia.

Liberal Alberto Lleras was the first president of the National Front, beginning his term in 1958. Upon taking office, he quickly enacted another amnesty agreement and a rehabilitation program designed for the demobilization and reintegration of combatants into society.[22] However, this rehabilitation program did not last long, as it was plagued with accusations, mainly from Conservatives, that it was a "payout" to the bandits and criminals who had colluded with the Liberals (Karl 2017). In 1960, Lleras established a tribunal (the first of many), to deal with land and property disputes which followed the wide levels of displacement from *La Violencia*. These tribunals, which were located in the regions which were perceived to have been the most impacted by violence (Caldas, Huila, Tolima, Cauca, and Valle del Cauca), only lasted two years, and dealt with an infinitesimal fraction of the population who had lost land to displacement and violence before they were shut down. The failure of this first tribunal reflects an initial unwillingness and inability on the part of the state to see through these various processes of peacebuilding and transitional justice, a theme which continues throughout Colombia's history.

Displacement, Politics, and Space: Emergence of the Leftist Guerrillas

Violence, and the displacement which accompanied it, contributed to the rapid urbanization of Colombia, as the majority of displacement happened in rural areas, and those who were displaced most often moved to urban ones. In 1938, approximately 70 percent of the population lived in rural areas. By 1972, that number had dropped to 45 percent (Schoultz 1972,

[22] At one point, Manuel Marulanda (the primary founder of FARC), was employed through this program himself.

28). Current estimates are approximately 30 percent rural, 70 percent urban. In the few rural areas that were resettled by displaced people, two phenomena occurred: firstly, rural municipalities were resettled in a segregated, homogenous partisan manner (Steele 2017). Areas that had previously been mixed between Conservative and Liberals were now primarily homogenous. Secondly, some displaced people, mostly Liberals, and sometimes accompanied by the Liberal-communist defense forces resettled in what were previously largely unpopulated areas.[23] By the end of La Violencia in 1958, 125 municipalities where Liberals held the majority before 1950 now possessed a Conservative majority; only seven were the reverse (Karl 2017). At least one quarter of the displaced population at this time chose to colonize frontier regions of the country, again often accompanied by the Liberal-communist defense forces and entering areas where there was very little state presence (Adams in Steele 2017). Many of these territories remain outside the grasp of the state government to this day.

The rehabilitation program started by Lleras was followed by a new attempt at land redistribution. The Social Agrarian Reform of 1961 "legitimized the occupation of territory" and was particularly aimed at the "armed colonization" of frontier land developed by displaced Liberals (Karl 2017). However, as other land reforms efforts which came before (and after) this one, it was met with considerable resistance, particularly from regional elites. Those elites who had taken advantage of the violence and subsequent displacement did so to grow their own landholdings, and were too politically and economically powerful for the agrarian reform to make a significant difference (Sarmiento 1985). The areas where this land reform effort made the most difference were the areas where armed colonization was happening—in Magdalena Medio and Llanos (Albertus and Kaplan 2013). The land reform resulted in some land titles being officially

[23] While the majority of these areas were entirely unpopulated, again due to the geographical difficulty in accessing them, some were Indigenous territory.

granted, but they were not followed up by any attempt by the state to provide services to those areas. The guerrillas were the only organization in some of these areas up until the early 1980s. As Gutiérrez Sanín, Acevedo, and Viatela (2007) state, "the triumph of colonization over reform activated the unoccupied territories and strengthened them demographically while maintaining a complete state vacuum" (21).

After the establishment of *El Frente Nacional* in 1958, violence took on new patterns throughout the country. In general, armed groups were divided into two categories: "bandits" and revolutionaries. Some of the "bandits" were sponsored and developed by local elites to protect the holdings they had acquired during *La Violencia*, while others that used to be associated with the political and land-owning elites became independent operators (Gonzalo and Meertens 1983). They were termed "bandits" due to their lack of political affiliation (Steele 2017). These groups of independent bandits can be considered the precursors to the modern paramilitary groups.

In 1964, due to pressure from the United States as well as powerful Colombian landholders, the military attacked the *repúblicas independientes.* The most infamous was the attack on Marquetalia in Southern Tolima, which was the territory administered by Manuel Marulanda. This shift in policy towards the communist-controlled territories was a critical turning point which led to a new era, with new motivations, of political violence. After the attack, both civilian and armed communists relocated. The state's violence against the peasant republics led to a transformation in thinking for many civilians, where the state became an enemy (Legrand 1984). After Marquetalia, the self-defense organization which protected and administered to the independent republic created a new insurgent group. In 1966, they officially named themselves *Las Fuerzas Armadas Revolucionarias de Colombia* (the Revolutionary Armed Forces of Colombia, or FARC).

The Global Anti-Imperial Struggle

In order to zoom out and appreciate the larger historical context in the case of Colombia, it is important to discuss both regional and global implications of guerrilla formation, and the transnational networks that these groups had and still do possess. In 1959, at the same time displaced Liberals and Liberal-communist defense forces were settling frontier regions of Colombia, the communist Cuban Revolution successfully seized power. The success of the peasant revolution against US-backed strongman and Cuban president Fulgencio Batista, contributed to and inspired a wave of movements that were related to a global anti-imperial struggle (Wickham-Crowley 1992). Shortly after the Cuban Revolution, and with the open support from the Castro regime, we see the emergence of first-generation guerrilla movements across Latin America; Bolivia, Brazil, Colombia, Guatemala, Mexico, and Venezuela, to name a few. The global position that Cuba took in the early 1960s meant that there were communications and meetings between communist and guerrilla sympathizers across the world; these communications ranged from Latin America to Asia to parts of Africa, like Angola.[24]

The United States was not impervious to the transnational alliances that the guerrillas enjoyed, or the foothold that different guerrilla factions were beginning to have in Colombia, along with other parts of Latin America. An excerpt from General Porter's testimony to the 1967 Senate Foreign Relations Committee reads as follows:

> I can see a country like Colombia, where there is an active insurgency which has been going on actually as a result of the Bogatacia in 1948. It has been going on and originally you couldn't tell whether these were bandits or people that were just outside the pale, because of the acts that they had committed in the early fifties, or just what it was.
>
> But in the two years I have been down there, it is very obvious that much of this so-called banditry throughout the countryside in Colombia, and most of these countries, has been

[24] Until as late as the 2010s, FARC enjoyed material and training support from the sympathetic governments of Cuba and Venezuela.

> stopped. And what we are dealing with are actually groups that are trying to pull the government down and get the support of the people to begin bringing communism into these countries ("1967 Executive Sessions of the Senate Foreign Relations Committee" 1967, 221).

The United States' response to the 'red scare' throughout Latin America had direct implications to the Colombian government's response to the guerrillas and turn towards instances of state-sponsored violence as the conflict progressed over time. It is important to note that FARC were not the only successful and emerging first-generation guerrilla in Colombia, but rather, some of the last holdouts from the global "anti-imperial struggle" at the time of the signing of the peace accords in 2016.

First-Generation Guerrilla Soup

As FARC began to organize into an armed insurgent group, so did others: all with different approaches to revolution, partially motivated by the Maoist versus Soviet (Marxist/Leninist) ideological division, and different trajectories in the conflict. This ideological division was present within the larger global sphere: the debate between the Maoists and Soviets was reflected at a domestic level in Colombia. The Marxist-Leninist Communist Party (PC-ML) was created in 1964, largely out of frustration with the Colombian Communist Party (PCC), which was committed to solving political differences peacefully (Pizarro Leongómez 1992). The PC-ML created an armed branch, *el Ejército Popular de Liberación* (the Popular Liberation Army, or EPL) in 1967, almost simultaneously with the establishment of FARC.[25] Rather than focus on the peasant struggle like FARC, the EPL mobilized urban student networks. After over two decades of activity, the EPL demobilized in 1991.

[25] At the time of its foundation, FARC was not associated with the PCC at all.

Another first-generation guerrilla group followed the example of Cuba: *el Ejército de Liberación Nacional* (the National Liberation Army, or ELN). It was founded in 1964 by Fabio Vásquez Castaño, a rebel trained in Cuba and supported by Castro (McDermott 2014). The ELN, similar to the EPL, drew heavily from urban student networks. Uniquely, it takes a part of its founding thought from a radical Catholic theology known as liberation theology and retained a strong identity with the Catholic church, as well as with student movements.

At its core, liberation theology critiques Western notions of development and pushes back with dependency theory.

> Motivated by the crucified Christ, the heirs of liberation theology have developed a theology of life or of human rights. As human rights advocates, they identify among the causes of violence the policies of capitalist development, denounced as imperialist and responsible for the poverty of the majority of the population (Celis 2016).

It is part of a discussion that redefines "theology as a critical reflection on the Church's pastoral action" (G. Gutiérrez and Seco 1971). This created an opportunity for clergy and laypeople alike to take a critical look at the system they were existing in and created a call for action which some answered in a radical fashion. "Let us not forget that the signs of the times are not only a call to intellectual analysis. They are, above all, a demand for action, for commitment, for service of others" (244). In 1965, Father Camilo Torres formed an organization that he named the United Front. It began as a movement to organize Colombian citizens from different social and economic strata to fight for change in the country. Later on, this organization was absorbed into the ranks of the ELN and Torres, among other Roman Catholic priests who espoused liberation theology, took over leadership of the organization. Torres was killed in his first battle but remained a symbol for both the ELN and radical liberation theologists. Liberation theology was used as a framework to issue a radical call to action in Colombia due to existing political, social, and economic inequalities, the results of which are still pertinent to the nature of the civil conflict as it exists

today. Following a round of failed peace negotiations which began in 2016 and ended due to an ELN-sponsored car bomb being set off at a police academy in central Bogotá, the ELN remains active today, absorbing many of the FARC dissidents who choose to leave reintegration zones (Gillooly & Zvobgo, 2019).

A Second Generation of Insurgents

Although the FARC, EPL, and ELN constitute the three main first-generation guerrilla movements, other groups followed in the mid-1970s through the early 1990s, known as the second-generation guerrillas. The majority of these second-generation groups were formed from splits over ideological or tactical disagreements in the first-generation groups, and unlike the ELN and FARC, none of them remain active today.[26]

The most well-known of these second-generation groups is the *Movimiento 19 de Abril* (19th of April Movement, or M-19). Due to disagreement over strategy in the FARC, Jaime Bateman broke off and formed the M-19 in 1974, which favored high-profile urban attacks and relied heavily on propaganda campaigns. The M-19 modeled itself after the Tupamaros in Uruguay and the Montoneros in Argentina (Chernick, 1988). The group's profile and recruitment expanded rapidly up until 1985, when the M-19 took the Palace of Justice, Colombia's Supreme Court, hostage. This attack resulted in the destruction of the building, the deaths of twelve justices, several top insurgent leaders, and hundreds of others who were caught in the crossfire. Shortly after this event in 1989, the M-19 demobilized and formed a political party.

[26] While FARC was declared officially demobilized in August 2017, but since then, it is estimated that at least 60% of all originally demobilized fighters have left the designated reintegration zones and returned to the field. In addition, 4 of FARC's high-level officers, including Iván Márquez, have fled back to the jungle, and some blocs have been re-organized, still using FARC flags and organizational structures. For this reason, I consider FARC to still be active, but for clarity's sake, I will refer to the current state of the group as FARC dissidents, so as to not conflate those former combatants who *did* demobilize and enter the political arena (with the same name) with those who did not choose to do so. This situation will be parsed more thoroughly in the section on incomplete peace negotiations later on in the chapter.

While the M-19 had the highest profile and was the largest of the second-generation guerrillas, it was not the only one. Other second-generation groups include: *Ejército Revolucionario del Pueblo* (People's Revolutionary Army, or ERP), *Movimiento Armado Quitín Lamé* (Quintin Lamé Armed Movement, or MAQL), *Comandos Ernestos Rojas*, and *Partido Revolucionario de los Trabajadores de Colombia* (Worker's Revolutionary Party of Colombia, or PRT). These groups were significantly smaller than the first-generation groups and the M-19, and most demobilized in the early 1990s under the peace agreement offered by then-President Virgilio Barco. However, many of these groups conducted coordinated attacks with one another, and all contributed to the complexity of the Colombian conflict, and subsequent layers of peace treaties and negotiations.

The M-19 primarily operated in urban settings. While the ELN also had some urban success, the rest of the insurgent groups were most successful operating at the peripheries of and in rural parts of the country, particularly in those areas that were most recently settled. This was easiest due to the fact that these new settlements and rural areas were in need of organization and services that the Colombian government was unwilling to provide. The insurgents easily won goodwill of the farmer and peasant populations (many of whom were displaced by *La Violencia*) by offering that order and public goods the central government could not or would not, a model which has continued throughout the Colombian conflict (Arjona 2016). These areas were also home to cash crops like bananas and rich in natural resources like oil, gold, and emerald mines. The insurgents (most successfully, the FARC and the ELN), used these more rural and state-absent places as a home base, and then expanded into regions of the country where the state was more present, including the areas that predominately produce coffee (G. Sánchez 2006).

A Proportionate Response? The Rise of the Paramilitaries

In the 1970s, the Colombian government embarked on an aggressive military campaign against the rising success of the guerrillas, in particular the success of the FARC, ELN, and EPL. This success was defined by some territorial gain, but primarily through their control of rural territory and lack of military victories against them in those areas. This campaign policy was termed the "state of siege," put in place by then-president Turbay, and allowed the government to arrest anyone participating in mass demonstrations or any sort of political organizing effort. In general, this strategy backfired: government repression and detaining (often in inhumane conditions and involving torture) of civilians led them to get involved with the guerrillas if they weren't before. FARC in particular gained many recruits as a direct result of this government strategy (Reyes Posada and Amaya 2006)

Not only did the government policies of a state of siege lead to more recruits for the guerrillas, but it also changed the ways in which they interacted with the civilian population, particularly in the regions they had territorial control. In Magdalena Medio (a part of the eastern plains geography of Colombia), FARC continued to increase its "protection tax" on those who lived on territory under its control (Ronderos 2014). Many locals, particularly those who were not wealthy, were tired of the increased extortion and the threat of kidnapping if they did not pay the tax. Later on in the conflict, these counterinsurgent *autodefensas* (self-defense forces), as they were originally termed, took on a different role.

Henry Pérez, a middle-class rancher and previously, a supporter of the FARC, founded the first *autodefensas* in the late 1970s in the Magdalena Medio region (Ronderos 2014). Civilian militias were not a new concept to the Colombian context- both the Conservative and the Liberals employed civilian militias, the Conservative groups in particular known for their brutality during *La Violencia* (Duncan 2014). After *La Violencia* and the establishment of the first-generation

insurgent groups, a part of the military's counterinsurgent plans was to arm civilians for their self-defense. However, it was not until the insurgents' response to the state of siege during Turbay's administration and the subsequent shift in civilian sentiment towards the guerrillas in Magdalena Medio that we see the establishment of civilian militias that would have such an enduring and violent impact on the conflict.

Pérez organized neighboring ranchers and developed an organization known as ACDEGAM, which was a cattle rancher's association (Steven 2006). The organization created what they called health brigades, which included civilian militias/*autodefensas*, and they traveled throughout the four municipalities that make up the majority of the Magdalena Medio region (Puerto Boyacá, Puerto Berrío, Puerto Nare, and Puerto Triunfo). In the course of their travels in the region, they offered health services in rural communities; the *autodefensas* used this opportunity not only to hear about the struggles of the peasants, but also to gather information in order to ascertain who was aiding the insurgents and who was tired of their control *(La Semana*, 1989). This practice quickly became popular and spread throughout the country: "landowners, businessmen, and miners in regions like Urabá, Meta, northeast Antioquia and all of the Magdalena Medio, began to patronize the health brigades that preceded the so-called 'cleansing operations,' and the first massacres that occurred at that time in the country" (*La Semana,* 1989 quoted in Steele, 2017). This patronage allowed the *autodefensas* to expand and increase their operations and numbers, particularly when they developed partnerships with the military and narcotraffickers, both of which were powerful groups and offered significant avenues of support to the burgeoning militia groups.

The narcotraffickers which rose to prominence in the 1970s and 1980s were ideal targets for the guerrilla groups. They were much wealthier than the average peasant, so some insurgent

groups targeted members of their families for kidnapping, as they could pay a much higher ransom. In response, the narcotraffickers provided financial and material support to the *autodefensas*, which was a significant step in their transformation into the paramilitary groups which have characterized the modern conflict.[27] This alliance offered distinct advantages to the narcotraffickers. As they expanded their operations and reach through acquiring more land, and eventually gained a foothold in "legitimate Colombian business" as huge cattle ranchers and farm holders, expanding their property holdings into more areas where insurgents were active and controlled territory. The *autodefensas* were contracted to protect their lands, as well as the lands of other large holders. With increased funding and supplies, the *autodefensas* didn't just protect the land of their patrons—they also began to engage directly in battle with insurgent groups like the FARC (Bagley 1988). This increase in weapons capabilities, communication infrastructure, and organizational hierarchy (members of paramilitaries received a salary) led to a transformation from volunteer civilian militias to what was essentially an extra military who was not burdened with the pretense of following the rules of engagement or treating civilian non-combatants humanely.

The paramilitaries also received assistance from the Colombian military. The repressive "state of siege" policies under Turbáy changed dramatically when Conservative president Belisario Betancur took office in 1982. Betancur organized a ceasefire with four of the active insurgent groups (Chernick, 1988). His offers of amnesties and releasing political prisoners did not sit well with the military, which openly opposed the peace talks (including his own Minister of Defense) (Romero 2003). Military officers in different regions began to support the

[27] In 1981, the M-19 kidnapped the daughter of a member of what became the powerful Medellín cartel. In response, her father Jorge Luis Ochoa called a meeting of the narcotraffickers, each of whom donated 7.5 million US dollars. to form the paramilitary group MAS, or "death to kidnappers", which was allied with the same group Pérez started in the Magdalena Medio region (Badgley 1988).

paramilitary groups, and the paramilitaries received training not only from Colombian armed forces, but also from United States, British, and Israeli counter-insurgent experts and mercenaries (Dudley and Murillo 1998). This alliance grew more powerful and close knit over time: later on in the conflict, the military and police would actively engage in coordinated attacks with the paramilitary groups, and hundreds of high-level Colombian politicians would later be implicated in alliances with different groups in what is known as the *parapolítica* scandal.

"War is Expensive": Changing Insurgent Practices and Ideologies

In the late 1970s and early 1980s, guerrilla groups began to change their *modus operandi.* When the large-scale cocaine production in Colombia first began, insurgent groups like the FARC at first refused to become involved, and only taxed the production and growing of coca that occurred in the territories they controlled (Molano, 1987). Eventually, FARC realized the massive earning potential of being involved in the drug trade directly: they began to grow coca and produce the paste that is eventually refined into cocaine, as well as charging traffickers for "safe routes" through their territories-- another reason why narcotraffickers began to ally with the self-defense forces.

Soon after, the ideological and practical considerations of the conflict shifted. What was previously a war over ideologies (land redistribution, more equal political access, advocacy for wealth redistribution), became a war between the FARC, ELN, EPL, and others and the paramilitaries and the state over resources. In returning to a theme of geography and violence, regions that were good for coca cultivation, and which also had a dearth of natural resources such as gold, emeralds, and oil were the most contested, and therefore the places where there was the most violence and subsequent displacement, and where there is a history of a sustained lack of

state presence.[28] The majority of these areas are the ancestral territories of Afro-descendant and Indigenous populations, many of whom remain displaced.

Emerging National Mobilizations

Within the context of an oligarchical power-sharing structure like *El Frente Nacional* that led to space for a group like FARC, with revolutionary ideals to emerge, so did other types of national mobilizations in Colombia. In particular, mobilizations around ethnic identities and women's movements began to formalize and have more influence within national politics. These mobilizations happened simultaneously with global emergences of those same movements such as the Civil Rights Movement and the feminist movements of the 1960s and early 1970s. In this section, I address the history of the Black, Indigenous, and feminist mobilizations in Colombia. Later on, I place these mobilizations in context of the later years of the Colombian armed conflict and modern attempts at peace accords with a variety of armed actors in contexts of continuing state violence.

Black Political Movements in Colombia

Like many countries that were a part of the trans-Atlantic chattel slave trade, there was a marked difference between the legal date of the abolishment of slavery in Colombia versus the realities of freedom for Black persons and those who were formerly enslaved. While 1851 is marked as the official date of the abolishment of slavery in the country, poorly established mechanisms for freeing enslaved persons and bureaucratic loopholes that white elites used to retain that persons that they viewed as "their property" meant that the reality of freedom was not

[28] The ELN tended to be more active in extractive areas (gold, emeralds, oil), while the FARC retained more of a presence in areas that were ideal for coca cultivation, although both overlapped and at times, were equally likely to coordinate joint attacks or fight each other over the same territory. The FARC remained active in the drug trade until their "demobilization" in 2017. The ELN is still active in extractive regions today, particularly near the Panamanian and Venezuelan border regions.

one that many Black persons in Colombia saw until the 1880s and 1890s (Taussig 2010; Lohse 2017).

Alongside this white recalcitrance to release enslaved Black persons as the law now demanded, there were Black resistance movements and communities that emerged via networks of escaped and formerly enslaved persons. Most notably in Colombia, these communities are still referred to as the Palanqueros—today they have their own cultural and socio-linguistic traditions and are located in enclaves in the Pacific and Caribbean coasts, where their ancestors settled after escaping slavery from mines or plantations throughout the late 1700s and throughout the 1800s. However, histories of slavery and white resistance to Black equality, alongside Colombia's increasingly complicated armed conflict meant that as of the 1950s and 1960s, Black rural farmers and communities often had no legal recognition under Colombian law for the lands that they had, at that point, lived on for generations. This ancestral land was rich in natural resources and historically had little oversight or protection from the central government. With the development of guerrilla groups of FARC and the ELN, and the parallel rise of paramilitary groups, Black communities were and are often caught in the crossfires; forced to leave their ancestral lands or forced to stay and work the mines or cultivate coca, with whatever group that happened to control the territory at any given moment taking a significant cut of the profits. The nature of how Black communities were spaced out within the country, along with persistent and structural racism, made it difficult to construct a country-wide "Black" movement, one that emerged from a racial consciousness. However, in the late 1960s and early 1970s, the "Negritude" movement gained traction in Colombia—a fledgling national movement based on a shared ethnic identity and struggle.

The Early Years of the Negritude Movement and Organizing in Colombia

Many scholars have discussed the de-politization of ethnic identities in order to obscure larger issues of racial hierarchy (Bourgois 1986; Esposito and Murphy 2010; Lentin 2005; Saldívar 2018). In Colombia, this obfuscation was achieved through the language of *mestizaje* used by the state, or a colorblind liberalism where whites, Blacks, Indigenous persons, and various combinations of all lived in racial harmony (PASCHEL 2016, 48). While many Black persons in Colombia mobilized around other identities, such as women, campesinos, or workers, the increasing politicization of Black identity led to emergences of an explicit organizing around a Black identity. Paschel denotes this difference in the following way:

> When black people engage in movements that articulate the struggle primarily in terms other than ethno-racial identity—even if most of the people in such movement identify as black—we might call this *mobilizing while black.* In contrast, when movements frame their struggle primarily in terms of black identity and typically—though not always—as a fight against racism, we should understand this as *mobilizing as blacks* (Ibid, 49).[29]

These emergences and politicizations in Colombia led to the first organizations focused on "mobilizing as blacks" in the 1970s. A part of this Negritude movement was inspired by the larger afro-diasporic movement around Black identity that was happening at the same time: influences from Civil Rights movement leaders such as MLK, Malcom X, and the Black Panther Party as well as Afro-Cubanism, Rastafarianism, and the new independence of African countries mutually influenced one another (Valderrama Rentería 2018, 69). In particular, the Negritude movement and its intellectuals took much of their inspiration from the writings of Aimé Césaire and Frantz Fanon, as well as other international Black intellectuals: "This negritude, hurled against the contempt of the white man, has alone proved capable in some sectors of lifting taboos and maledictions" (Fanon 2007, 151). While some have characterized the Cordobismo movement of

[29] Emphasis original to Paschel.

the 1930s and 1940s as an "Afro-Colombian" movement, I agree with Paschel in that it is better identified as a leftist liberal movement with a particular regional identity (Rausch 2003). This is because the founders and participants of Cordobismo did not explicitly identify as a Black movement or mobilize around issues of race or ethnicity, returning to the difference pointed to by Paschel in the differences of *mobilizing while Black* versus *mobilizing as Black*. Thus, I begin my discussion of Black mobilization in Colombia with that of the Black urban intellectual movements of the 1970s and Movimiento Cimarrón.

In 1977, the First Congress of Black Culture in the Americas took place in Cali. The transnational event featured scholars, activists, and writers from almost every country on the continent ("Essay on Congresses : Manuel Zapata Olivella" n.d.). Inspired by this Congress, members of the Soweto Study Group (named after the Soweto community in South Africa) eventually established a national organization named Cimarrón in 1982 (PASCHEL 2016, 66). Cimarrón, which still exists today, focused on Afro-Colombian political participation, education, and development of a unique and national Afro-Colombian history and culture ("Movimiento Nacional Cimarrón" n.d.). Cimarrón initially emerged as an urban movement and attempted to expand into the "territories" or more rural Black communities of Colombia, who at this moment in history, were facing rising threats as the site of contested territories between guerrilla groups, paramilitaries, and state forces. The group eventually splintered into two different branches—rural leaders from Chocó shifted their focus toward the issue of land rights for rural Black communities facing increased violence, displacement, and threats from both national and international development, while having tenuous legal claims to the land (Paschel 2016, 67). In particular, the rural branch of Cimarrón and the other grassroots organizations it helped mobilize

began to articulate the ethnicization of Blackness and the way that this could be leveraged in the struggle for land rights, particularly in the Pacific.

Constitutional Reform, Collective Land Rights, and *Ley* 70

Ley 70 was established in 1993 as a part of the space opened by the 1991 constitutional reform and gave Black and Indigenous communities legal protection to claims of their ancestral lands and the resources that foreign companies had been extracting from those lands since colonial times. The law was a result of intense negotiations between Black leaders and the national government to recognize ethnic territorial claims, in light of the new Colombian constitution of 1991 establishing Afro-Colombians as a recognized minority group for the first time in the country's history (Oslender 2008). *Ley 70* allowed Black communities to petition for collective land titles for their ancestral lands, which previously were viewed as empty and state-owned lands. This conceptualization of "emptiness" had previously allowed foreign and national companies to exploit natural resources from the mines and rainforests in the region without considering the concerns and desires of local communities (Oslender 2008). Several Black social movements emerged around this time period to link long-standing land struggles in Colombia to calls for ethnic territorial autonomy (Restrepo 2004). Mounting pressure from civil society and Black movements in the Pacific basin areas and in the cities, in addition to a global discourse around sustainable development and biodiversity conservation, led to the Colombian state's interests aligning to implement *Ley 70* in the 1990s (Escobar 2002; Grueso, Rosero, and Escobar 2003; Oslender 2004; Rivas 2001). The first collective land titles were awarded to Black communities in Riosucio in Northern Chocó in 1996, but it soon became clear that there were other interests at work within the state which were opposed to being cut off from the natural resources on Black ancestral land (Oslender 2008; Hoffmann 1998).

Realities of Black Territorial Autonomy and Displacement

Soon after the collective land titles were given in Riosucio in 1996, the Colombian armed forces and paramilitaries conducted joint operations against local populations, particularly targeting local leaders who had advocated and organized to receive the collective land titles in a military action known as Operation Genesis in 1997 (Interview, Bogotá, August 2018). From this period onward, Afro-Colombians faced massive levels of displacement as their communities were threatened by paramilitaries and guerrilla groups. These groups sometimes worked in conjunction with foreign or national extractive companies to get communities off the land so that they could exploit it and gave armed groups a cut of their profits (Interview, Cali, June 2019).

Beyond massive displacements as a result of massacres and other violence perpetrated by armed groups which impact more rural Black communities, there has been "a total perversion of *Ley 70* in the Colombian Pacific" (Arboleda 2004, 38). "It pretends to guarantee sustainability, conservation of biodiversity in the region, and the protection of Afro-Colombian culture. Instead, in front of inactivity and a total paralysis of the Colombian state, we see evidence of a constant re-mapping of the territories of the Pacific, divided by armed groups" (Arboleda 2004, 39). Black communities are not only threatened by armed groups (and the insidious ties that the Colombian government may or may not have to those groups), but also face a direct threat of their collective and territorial rights from the state itself.

The reality of Black territoral autonomy is that when these communities finally received their first collective land titles, they were subsequently pushed off their lands via systematic violence. What is happening since then, and continues to the present day "is a state- and para-state-generated violence visited upon rural black communities, and, ironically and cynically, directed against the state's own laws. In other words, the state and the paramilitary forces are at

the service of a national and transational capital…" (Oslender 2008, 92). This demonstrates a prioritization of some laws over others which ties into the idea of a state which is fluid and complex, but continues to perpetrate violence through biases. Thus we see the state participating in the de-nationalization of Black people in Colombia—they are seen as non-national due to their supposed lack of claims or ties to ancestral land, even as the conditions which create that conext are manufactured by the state itself (Ng'Weno 2007).

Indigenous Movement in Colombia

Indigenous mobilizations in Colombia had a different trajectory than that of the Black movement, primary around the ways that Indigenous "ethnicity" was mobilized, both in Colombia and internationally. As is the case throughout the Americas, Indigenous persons in Colombia have been systematically subjected to displacement and genocide since the arrival of European colonizers. This colonization of "frontiers"; or what was seen by settlers as empty space, reached new levels in Colombia during La Violencia as increasingly violent clashes between Liberal and Conservative bandits forced primarily Liberal groups to more remote regions that were the ancestral lands of Indigenous groups within the national territory (Tovar-Restrepo and Irazábal 2014). This disproportionate level of victimization relative to overall population size (Indigenous persons make up approximately 5% of Colombia's total population) has continued from La Violencia to the present day.

Establishment of Indigenous Organizations in the 1960s and 1970s

The Indigenous movement in Colombia has spanned more than fifty years of the Colombian conflict. Notably, via their mobilizations, Indigenous groups in Colombia have gained collective ownership of over thirty percent of the national territory with only about 4 percent of the national population, and has had an outsized impact on the international Indigenous rights

movement (Jackson 2019). Unlike the Afro-Colombian population, Indigenous groups had their rights to ancestral land acknowledged before the establishment of *Ley 70* in 1993 (Ng'Weno 2007). Indigenous forms of governance, like *cabildos,* which refers to a tribe's or group's government structure, and *resguardos,* or reservations, referring to Indigenous groups' land, dates back to language and laws used by the Spanish crown in the late 1800s (Jackson 2019).[30] Indigenous organizing in Colombia began in the early 1900s, when Nasa leader Martin Quintín Lame led an insurrection which eventually became a social movement.[31] However, Lame and other Indigenous leaders of the moment appealed to the central state and felt that it could bring inclusion while he fought elites and centers of power (Jackson 2019; Quintín Lame 2004). Lame is still recognized as an important figure for today's activists (Pineda Camacho 1984).

In the 1970s, Indigenous organizations such as the Consejo Regional Indígena del Cauca (CRIC, Regional Indigenous Council of Cauca)—the first Indigenous organization—and others began to form and seek to distinguish themselves from the nonindigenous Left.[32] The nonindigenous Left saw these indigenous organizations as a threat to national unity, because as they did organize against imperialism and capitalism, they took the nation-state model under discussion in this chapter as the assumed best model for governance, while indigenous organizations did not. CRIC organized under a militant, Cauca-wide, model of indigeneity, which is a strategy they continue to engage widely and successfully today. The Organización Nacional Indígena de Colombia (ONIC, National Indigenous Organization of Colombia) was established in 1982, was recognized by the Colombian state in 1983, and participates in an official capacity with programs concerning indigenous affairs. Up to the 1980s, Indigenous organizers had huge success

[30] The term *cabildo* refers to Indigenous groups' internal structure of governance in Colombia to the present day.
[31] The Nasa are the largest Indigenous ethnic group in Colombia.
[32] CRIC is one of the organizations I collaborate with in this thesis—I discuss their founding and internal structure in more detail in Chapters 4 and 5.

in getting the state to acquiesce to awarding more land to *resguardos,* recognizing rights to cultural and language education, providing free healthcare and education, and to exempt Indigenous peoples in Colombia from paying taxes or having to serve in the military (Jimeno 1993; E. Sánchez et al. 1993).

Of course, this success in obtaining land and other rights for Indigenous peoples is colored by the disproportionate victimization of Indigenous groups through the course of the Colombian conflict: by paramilitaries, narcotraffickers, guerrillas, and state forces alike. Indigenous lands face threats from armed groups seeking to take over coca production in their territory, aerial fumigation to prevent growing coca crops which results in environmental and health effects (of which we still do not know the full extent), and forced recruitment (Gray 2012; Interview, Cali, January 2020). Many Indigenous communities throughout Colombia used non-violent resistance and strategies of neutrality to combat the encroachment of armed groups onto their land (Chaves, Aarts, and Bommel 2018; Gray 2012; Murillo 2009). In particular, the Nasa community has received national and international attention for their organizing. Firstly, the establishment of the Nasa Indigenous Guard has become a hallmark of Nasa collective identity, organizing efforts, and strategies of non-violent resistance. The Indigenous Guard was founded in 2001; members are trained in Indigenous methods of conflict resolution as well as international human rights principles (Gray 2012, 56). They patrol Nasa villages in groups, and they stand guard over meetings of the *cabildo* in some parts of the country (Interviews at the assembly of *Nasa Cabildo de Santiago de Cali,* November 2019). Guards use only symbolic weapons; each guard has a traditional bastón (staff), which symbolizes the power bestowed on them by their community (Chaves, Aarts, and Bommel 2018). Secondly, the Nasa community participates in *mingas.* Murillo (2009) defines the *minga* in the following manner:

> *Minga* is comes from the indigenous Quechua language of the Andean region, and refers to a collective work effort whereby everybody in the community commits all their resources and time to achieve a common objective. A minga can only be carried out after deliberation and consultation with the people; its legitimacy thus emanates from the base. A successful minga requires full consensus; even one detractor can potentially ruin the outcome for the collective. It could be a minga to build a new school, to complete the harvest, or even to find a lost child. The term is thus used deliberately by the indigenous communities of Colombia to describe their popular mobilizations – first, as a nod to ancestral cultural tradition, and second, as a political exhortation to continue working until the overall objectives of the community are achieved (137).

Indigenous leaders, organizers, and in particular, members of the Indigenous Guard continue to be targeted for assassination as displacement from Indigenous autonomous lands continues in Colombia ("Colombia: ONG Denunció El Asesinato de Un Guardia Indígena" 2020).

Women's Mobilizations in Colombia

Simultaneously with the increasingly visible ethnic rights movements in Colombia, the women's rights movements merged along with the global feminist movement. Many women mobilized around an intersectional identity, and movements at the intersections of identities like Black or campesino women's movements, or movements based on the identity of motherhood, sprang up around the country. The majority of these mobilizations were in response to the intersections of violence around the intersections of identities of being a woman *and* Black or Indigenous, or a woman *and* a campesino. Calls for greater political participation for women, an end to sexual violence—particularly sexual violence related to the armed conflict and narcotrafficking, and mobilization as mothers of those who were disappeared were all mainstays (and continue to be) in women's mobilizations in Colombia. Regionally, women's organizations have been some of the most successful in Colombia's history. Oftentimes, this means that more direct violence and threats are brought against women organizers and women's movements—their histories of success are a threat to armed actors that may be present in or control any given region (Zulver 2021). While women's movements and mobilizations have been present since the 1970s,

they reached new heights in the 1990s and through the period of "democratic security" imposed by then-president Alvaro Uribe. Initial groups of feminist organizations fractured in the 1980s, but reformed with new foci and increased mobilization leading into the constitutional reform of 1991 (Canavate 2009).

Increased Violence, New Mobilizations for Women

While increased levels of violence continued into the 1990s, increased democratic openings through the presidency of Virgilio Barco and proposals for a constitutional reform at the end of the 1980s continued to allow institutional space for women and ethnic movements. Because of this, there was another rupture between feminist movements, in some ways not dissimilar to the rupture in the Black movement in Colombia. Some women's organizations felt that the disproportionate violence that campesino and rural women were subjected to was not being centered enough in existing movements; others felt that the illiberal violence perpetrated by the state warranted a militaristic response, similarly to some views held by the FARC; others were deeply anti-war, seeing war and violence in all its forms as fundamentally anti-feminist; and still others felt that the experiences of intersectional identities (i.e. Black and Indigenous women) were not being accounted for and were being washed away by a form of white feminism that did not account for the variety of lived experiences intersectionality accounted for (Canavate 2009; Hernández Reyes 2019). However, these ruptures created space for a network of women's and feminist organizations throughout Colombia that today has significant mobilizing power across a myriad of issues.

In particular, the political power and visibility of women's organizations vis-à-vis their mobilizations exploded during the period of "democratic security," Uribe's two-term presidency from 2002-2010. In particular, women mobilized around intersectional identities to draw visibility

to different aspects of the armed conflict such as forced displacement, torture, forced recruitment, arbitrary detention, forced disappearances such as the false positives scandal, sexual violence, and kidnapping (Melo 2016).

Wider Context of Democratic Security and State Abuses in the New Millennium

The tide of public opinion had turned firmly against the guerrillas. Between 2001 and 2003, FARC kidnapped over two dozen public officials, most notoriously, presidential candidate Ingrid Betancourt, who was taken hostage in 2002 (Isaacson 2003). By the early 2000s, paramilitary groups were responsible for approximately 80% of political violence in the country, often in league with the Colombian Armed Forces (Tate 2001). The United States continued to provide huge amounts of aid to Colombia in the early 2000s under Bush Jr., primarily for counter-narcotic and counter-insurgent purposes, reframed as a part of the War on Terror. Previously existing stipulations requiring the Colombian army to achieve certain human rights conditions in order to receive aid were waived under Clinton and US State Department continued to oppose their re-establishment, essentially acknowledging that Colombia would not be able to meet these conditions (170). Therefore, this aid was being provided by the US while members of the Colombian military were actively linked to paramilitaries. This policy of continued US military aid without human rights stipulations followed the Salvadorian policy model of the 1980s, and led to an exacerbation of internal placement, as well as spillover of violence, refugees, and drug trafficking into the neighboring countries of Ecuador, Panama, Peru, and Venezuela, a trend which continues to the present day.

By the early 2000s, both the guerillas and the paramilitaries [33] were actively involved in the production and trafficking of drugs, and the most contested territories were those in the Southern and Western areas of the country which have the best climate for coca production. Additionally, areas which were rich with natural resources such as gold, emeralds, and oil were contested between the groups, primarily located in the Pacific and Northwestern regions of the country. The United States offered unstipulated aid to the military, and the guerrillas had begun to engage in practices like "miracle fishing," where they would set up roadblocks and kidnap anyone they thought might have value—the extension of kidnapping from only wealthy elites to the middle class went a long way towards damaging the guerrillas' popularity with the Colombian population (Rohter 1999). Enter Uribe's "firm hand" policy. He began an intense military campaign against the insurgents, utilizing the military, as well as other more informal networks to achieve military progress, like the paramilitaries and civilian "networks" similar to Convivir.

Uribe's Peace Negotiations and the Demobilization of the Paramilitaries

In 2002, right-wing candidate Álvaro Uribe won the presidential election. His election (and re-election) reflected the general frustration that the Colombian population felt after decades of failed negotiations and continued levels of violence in an increasingly complex, multi-actor conflict. Uribe pledged to use a "firm hand" with the guerrillas, and was committed to militarily weakening the guerrillas, through any means, before re-entering any sort of negotiations with them. When Uribe took office in 2002, the guerrillas were present in approximately 66% of Colombia's municipalities, and had significant control of the territory immediately surrounding Bogotá.

[33] Implicit in this due to the relationships between the Armed Forces and the paramilitaries were the Colombian Armed Forces.

Shortly after taking office, Uribe began peace negotiations with the AUC. While the majority of the paramilitaries were regionally autonomous, the AUC had loosely organized most of the paramilitary factions under its umbrella, established in 1997. In 2004, Uribe and the paramilitary groups reached an agreement regarding the demobilization and reintegration process for approximately 30,000 paramilitary fighters and affiliates, known as the controversial *Ley de Justicia y Paz* (Peace and Justice Law) (Hristov 2009). Every aspect of this demobilization and disarmament process has been heavily criticized by scholars, practitioners, civil society groups, international organizations, and the Colombian press. These criticisms are as follows, and have serious implications for the concept of cyclical transformations of violence within the Colombian context: 1) there was no peace agreement; 2) not all demobilized persons were paramilitary, **and not all paramilitaries demobilized—**rather, they were restructured through this demobilization process and made more effective; 3) many demobilized persons lived double lives after the establishment of the Peace and Justice Law (Hristov 2009).

The demobilization negotiated between the Uribe administration and the AUC was not a peace process. The close ties between the armed forces and the paramilitaries, including the fact that they were trained by US forces as a part of counterinsurgency aid offered to the Colombian state, undermined the legitimacy of the AUC process, and the Colombian population was widely suspicious of a process which occurred between what seemed to be two allies—the state and the paramilitaries (Chernick 2008, Nussio 2011). This suspicion was exacerbated when the *parapolítica* scandal broke in 2006, and hundreds of Colombian politicians at the local and national level were implicated in support and partnership with paramilitaries. The second criticism, that not all people who claimed the benefits offered under the Peace and Justice Law were actually paramilitary members, and that many paramilitaries did not actually demobilize, has

serious implications for the current context of continued political threat and violence in Colombia. Before the demobilization process began, one of the AUC commanders estimated that approximately 15,000 people would demobilize, but by the end of that same process, the number was closer to 30,000 (Nussio 2011). There is evidence to suggest that civilians joined the ranks of the AUC right before demobilization in order to take advantage of the promised benefits, which included a monthly government stipend, vocational training and education, psychosocial services, and grants for micro-businesses (Nussio 2011).

The question of just how much paramilitaries actually demobilized continues, and again, has serious implications for the way in which the Colombian conflict evolved from 2003- onward. Some paramilitary groups refused to demobilize (it is worth noting that the AUC was an umbrella organization and did not have total control over many of the groups in its membership), and others just used the demobilization process to restructure, and remove the individuals within the organizations that were no longer useful to them, which in fact made them more effective and streamlined (Hristov 2009, Nussio 2011). These "neo-paramilitary" groups behave very similarly to their predecessors; they announce their presence with threatening emails, flyers, and graffiti throughout the country, particularly targeting certain political parties or individuals leading up to local and regional elections. Their membership includes former AUC members as well as new recruits, as well as continuing their relationships with some military and police (Hristov 2009). They operate in the same regions as the groups which came before them, engage in the same activities, and threaten and assassinate the same populations. The negotiation process between the Uribe administration and the AUC is seen as an incorporation of the paramilitaries into the Colombian governmental structure, not an elimination of them.

The Parapolítica Scandal

In spite of the scandal surrounding Uribe and his political allies, he successfully amended the Constitution, allowing him to seek and win a second presidential term, continuing his first campaign promise of a sound military defeat of the guerrillas, in spite of FARC's continuing territorial gain. In 2006, shortly after Uribe's reelection, (and the Constitutional amendment allowing him to seek a second term), the *parapolítica* scandal broke. As of 2019, investigations into the parapolítica scandal were still ongoing. The parapolítica scandal implicated approximately 40% of the Colombian congress as people who had been in cahoots with the AUC, both before, during, and after the demobilization process, all the way up to then-president Uribe himself, and then-Minister of Defense and next president of Colombia Juan Manuel Santos. Uribe's ranch in César has been identified on more than one occasion as an installation for paramilitary leaders and units. In addition, Uribe received $40,000 (USD) in campaign funds from Enilce López, who used her casinos to provide financial support for paramilitary groups. She was jailed in 2006 for arms trafficking and embezzling public funds (Hristov 2009). Simultaneously with the investigations and first arrests of the parapolítica scandal, the *chuzadas* scandal broke in 2007. It was discovered that Colombia's then- Administrative Department of Security (DAS) had been conducting illegal wiretapping and surveillance on political opposition, journalists, leftist academics and intellectuals, as well as Supreme Court judges presiding on cases dealing with demobilized paramilitaries. The intelligence gathered by the DAS was then passed on directly to paramilitary groups so that they could more effectively target their potential opposition. One of those directly impacted by the *chuzada* scandal was sociologist Alfredo Correa de Andreis, who was murdered as a result of illegal intelligence gathered by the DAS and passed along to paramilitaries in 2004.

In 2008, former senator Mario Uribe, co-author of the Peace and Justice Law which organized the demobilization of the paramilitaries, and then-president Uribe's cousin, was arrested for providing aid to paramilitary groups (Hristov 2009). All five congressmen from Uribe's party, Centro Democrático, were investigated for connections to the paramilitaries, and 85% of the hundreds of legislators implicated and investigated in the parapolítica scandal were from parties which supported President Uribe, a phenomenon which was termed *parauribismo* by popular center-leftist Senator Jorge Robledo.

Los Falsos Positivos

In what became known as *los falsos positivos,* or the "false positives scandal", between 2002 and 2008, between 5,000 and 10,000 Colombian citizens were executed by the military to 'up their numbers' in the fight against the guerrillas. The scandal broke upon the discovery of a mass unmarked grave of 19 young men from Soacha (an area on the outskirts of Bogotá), who were found hundreds of miles away (Gordon 2017). Military "recruiters" would lure people who were poor or had mental disabilities, mostly young men, to a meeting place. These "recruiters" which lured their victims with the promise of employment were paid by the military for every person they brought them (O'Driscoll 2011). There, they would be murdered by members of the Colombian Armed Forces, sometimes in conjunction with paramilitaries (Gordon 2017). Their bodies would then be moved to another location, put into guerrilla uniforms, and staged with a grenade or a guerrilla to manipulate an image of a lawful combat death. Victims included unemployed people, homeless people, children, people with mental and physical disabilities, farmers, indigents, indigenous people, community leaders, and drug addicts (HRW 2015; ICC 2012). They were later buried in unmarked graves far from where they were recruited (Volkmann

2012). The lack of public detection for such a significant period of time can be attributed to the strategy of the military:

> This modus operandi follows a dark logic. Those who would care about a poor peasant presented as killed in combat are his or her parents, relatives, friends, and neighbors. So what could be done to avoid questioning of families and communities? The solution was to seek victims in places far away from the locations where they were going to be killed. As nobody knew them in the area where they were killed, nobody would ask questions. No mother or grandfather from nearby communities would identify and claim the body. They could be buried quickly as "unidentified" (Volkmann 2012, 403).

This scandal occurred due to pressure and incentives from higher-up command officers, along with President Uribe and then- Minister of Defense Juan Manuel Santos to produce results in the war against the guerrillas, who continued to gain territory in the early 2000s. These incentives increased substantially during the period in which the number of false positives escalated (Acemoğlu and Robinson 2016). Units which failed to demonstrate "results" in number of combatants killed were punished, and units who were hesitant to kill civilians were sanctioned (Wood 2009). The JEP confirmed in 2021 that this number was higher than expected; 6,402 persons were found to be victims of the false positives scandal, again, the majority of these victims were from different marginalized communities.

Uribe sanctioned 27 officers for their "lack of oversight" regarding *los falsos positivos*, and post-2008, numbers of extra-judicial killings seemed to decrease (Gordon 2017). Uribe and Defense Minister Juan Manual Santos claimed to have no knowledge of the events—and neither have faced any prosecution or punishment for the actions of the officers under their command. Uribe attempted yet again to change the constitution and run for a third presidential term, but the Colombian Supreme Court ruled that a president could only serve two terms in total. Uribe accepted the ruling of the court, and in 2010 Uribe's protégé and former Minister of Defense Juan Manuel Santos was elected the new president of Colombia.

Success at Last? The Negotiations and Peace Accords Under Santos

During the first two years of Santos' presidency, he conducted secret negotiations with the FARC, using his brother as a go-between for the government. In 2012, he publicly announced that the government would begin official peace negotiations with the FARC once again, saying that he would learn from his many predecessors' mistakes. This policy of negotiation was a significant departure from Uribe's "firm hand" and military defeat platform, and drew the ire of Uribe, who despite the scandals throughout his presidency, left office with high approval ratings and continued his political career as a popular Senator. Upon Santos' announcement of negotiations with FARC, (which he was forced to publicly announce once Uribe leaked the secret negotiations), Uribe split from his and Santos' party and created a new one known as Centro Democrático. Despite Uribe's ire, and running an anti-negotiation presidential candidate from Centro Democrático against Santos in the 2014 elections, Santos narrowly won and continued talks with the FARC, eventually expanding them to the ELN as well.

Once the negotiations were leaked, they proceeded in a remarkably transparent manner (Bakiner 2019). In 2012, FARC and government delegates traveled to Oslo, Norway, for agenda-setting negotiations on neutral ground. There were periodic check-ins on the process of the negotiations as to which issues had been resolved and which had not throughout the process. The governments of Chile and Venezuela were there as observer states, Norway and Cuba were guarantors (Maldonado 2016). The UN was also present in a significant capacity to shape the agenda-setting process. While stakeholders like civil society and the military were not negotiators, their platforms were taken seriously during the negotiation process. It was clear from past failed negotiations that a peace agreement without the considerations of both would not be successful. The legal framework which was agreed upon before moving forward was an inclusive

and wide-reaching agenda that included major themes: an agrarian development policy; more equitable political participation; a solution to the problem of illicit drugs; and victims' rights and transitional justice. Once this framework was agreed upon, the negotiations transitioned to Havana, Cuba to work out the details.

The Havana Negotiations and Accords

The time in Havana was spent negotiating details regarding processes of transitional justice, disarmament, and demobilization, along with public hearings and testimony from victims of both the state and FARC. Again, both members of the military and civil society organizations were represented, as well as observer delegates from other countries, including the United States. The accords are centered around victims' rights and contain a focus on marginalized groups disproportionately affected by the violence, more so than previous peace agreements implemented by the national government. Despite this relatively inclusive model and positive feedback from the international community, the agreement continues to face significant opposition within the country. This opposition is spearheaded by former president Uribe. Intense political polarization within the country presents a challenge when it comes to the implementation of the various aspects and programs of the peace accords. These programs include economic and social development programs, such as financial incentives for farmers who stop producing coca, reintegration for former guerilla members, land redistribution and reparations for victims, and a transitional justice initiative that includes several truth-telling mechanisms ("Acuerdo Final" 2017). Along with these victim- and restorative-justice focused provisions is the inclusion of FARC as a political party in the Colombian government, with special electorate seats set aside for

the newly formed political party in upcoming elections. In September 2016, Timochenko[34] along with other FARC high-ranking officers joined government officials, including President Juan Manuel Santos, and signed official peace accords in Cartagena. Shortly after the celebration, the peace accords were put before the Colombian voters as a plebiscite, which was not constitutionally required, but had been promised by President Santos in order to increase the legitimacy of the accords.

The 2016 Plebiscite Vote

In October of 2016, Colombian citizens voted on a referendum that could have ended a 52-year civil war between Colombia and FARC, a leftist guerilla group. Its details were negotiated over a four-year period, including two years of secret talks. President Santos's government, along with the rest of the world, were shocked when the referendum failed by a margin of 0.4%, with 50.2% voting against the referendum, and 49.8% voting in favor of the referendum ("Colombia Referendum: Voters Reject Farc Peace Deal - BBC News" 2016). The referendum had relatively low voter turnout, with less than 38% of those eligible turning out to vote on the referendum, which was the only issue on the ballot (Ibid).

The "No" campaign was led by former Colombian president Alvaro Uribe, who stated that a vote of no was not a rejection of peace, but rather a rejection of peace under the circumstances of the peace agreement that had been reached with FARC. Uribe's protests resonated with many voters, as many felt that the current agreement was too lenient on FARC fighters. Under the agreement that was rejected by voters in October of 2016, the approximately 7,000 fighters remaining in FARC and additional urban militia members would disarm and become a legal

[34] The *nom de guerre* of FARC's Supreme Commander at the time of negotiation and signing of the peace accords, highest ranking position in the group. He was also FARC's presidential candidate for the 2018 elections before dropping out of the race due to health problems and death threats.

political party. Additionally, the deal would allow leaders of the group to avoid jail or other sentencing if they confessed to the crimes they had committed, which included killings, kidnappings, indiscriminate attacks (like car bombs and land mines), as well as recruitment of child soldiers, and provide government subsidies to guerrilla members integrating back into society.

Uribe argued that he did not support the continuation of the war but wanted to fix the agreement. "Colombians, let's correct the path," he stated after the results of the referendum vote had been announced. "We insist on correctives so that the constitution is respected, not substituted, [that there be] justice, and not the derogation of institutions, political pluralism without it appearing to be a prize for criminals" ("Colombia's Peace Deal Rejection Returns Álvaro Uribe to Political Limelight | Farc | The Guardian" 2016). In the case of the referendum vote in Colombia, the "No" campaign utilized more than one framing argument to appeal to different audiences in order to convince Colombian citizens to vote against the peace deal. According to the campaign manager Luís Carlos Veléz, the strategy of the campaign was to made citizens angry regarding various different aspects of the peace deal by the time of the vote. "We wanted voters to cast their ballot in anger" ("La Cuestionable Estrategia de Campaña Del No | EL ESPECTADOR" 2016). The 'no' campaign approached this goal very strategically, using a variety of frames across belief systems and socioeconomic strata in an attempt to utilize the most resonant or appealing frame with different audiences, or sections of the voting populace. In order to spread these frames as quickly as possible, the campaign capitalized on social media and frequently posted shocking or fear-mongering opinion pieces and infographics about the peace agreement.

For the upper- and middle-classes, the No campaign focused on the aspect of the peace agreement that capitulated to impunity for FARC members who confessed to crimes, the fact that former guerrilla fighters would be eligible to participate in politics, and tax reform ("La Cuestionable Estrategia de Campaña Del No | EL ESPECTADOR" 2016). To appeal to those in lower socioeconomic strata, the campaign focused on the fact that former FARC members would be receiving government subsidies (Ibid). In addition to targeting audiences based on socioeconomic status, the No campaign also framed arguments that they believed would have regional resonance, even going so far as to record commercials in ads with speakers who possessed the unique accents of Colombia's different regions. For example, on the coast and near the Colombian/Venezuelan border, ads were run warning citizens that a "yes" vote on the referendum could potentially turn Colombia into their cash-strapped, politically volatile, and unstable neighbor Venezuela. In the region of Cauca, which is a department of Colombia that has been one of those most historically impacted by the conflict, the No campaign ran radio ads on Saturday nights that focused on the impact that the implementation of the peace deal would have on victims of the conflict (Ibid). In Medellín, the industrial capital of the country, the argument focused on the fact that if 'No' won the vote, not a peso of taxpayer's money would go to the subsidies that were promised to former guerrilla fighters by the government for the purposes of social reintegration. A social media campaign scared those receiving pensions from the government into believing that they would have to give over 7% of those government pensions to help support the demobilized guerrillas ("Colombia's Peace Deal Rejection Returns Álvaro Uribe to Political Limelight | Farc | The Guardian" 2016). Even the religious demographic was targeted- the No campaign pandered to Colombia's large base of evangelical Christians and conservative Catholics in order to convince them that the peace accord was a threat to traditional family values,

and that it recognized the rights of gay, lesbian, and transgender people. Pamphlets for the No campaign falsely claimed that the peace accord would allow a government-FARC official joint committee to prosecute anyone who was against the deal. One billboard that appeared in the department of Antioquia asked, "Do you want to see Timochenko as president? Vote yes" (Ibid).

After the failure of the referendum vote, the government went back to the negotiating table with FARC in Havana. While the government did manage to gain more concessions from the group, FARC insisted on the ability to form an official political party after disbanding, and leaders will still serve no time for crimes committed against members of the populace, if members confess to crimes before investigations begin. These conditions were ratified and made into law with the "new" peace agreement which was voted on through the Colombian National Assembly in 2017. Despite FARC's history of both subversive and overt attempts to destabilize the government, provisions have been made for FARC to automatically be entitled to five seats in the both the Senate and the House of Colombia's National Assembly in the 2018 elections as a starting point for their party, again as outlined by the peace agreement. Since the referendum vote failed, each new legal measure of the peace accord has to be passed piecemeal through Congress, and is subject to additional scrutiny by the judiciary, which means that implementation of the accords will be made even more lengthy, creating opportunities for spoilers to organize around new opportunities for violence (Lessa 2013). The failure of the plebiscite vote on the accords, as well as the continued polarization that Colombia faces points to deep-seated ideological divisions that have been present since the days of *La Violencia* and *El Frente Nacional* and a continued lack of inclusion of marginalized communities in the country.

The "Current" State of Affairs

In the subsequent months after the ratification of the peace accords, Santos' administration pushed to quickly start the implementation of some parts of the accords, but seriously lagged behind on others. The final agreement provides provisions for the establishment of a special court, Jurisidición Especial para la Paz (la JEP, or Special Jurisdiction for Peace) for former combatants accused of war crimes or drug trafficking during the conflict. This court will aim to be part truth commission, part prosecutor, handing down prison sentences in some cases, but more likely to encourage victims' rights to truth and alternative forms of reparations ("Acuerdo Final" 2017). The final accords do not allow prison sentences for those who have confessed to war crimes, which is one of the most contested points of the accords. However, former combatants are not allowed to run in newly created congressional districts that were former conflict zones. This is an attempt to mitigate the existing influence of FARC and potential intimidation of voters in areas the group previously controlled (Arjona 2016). Lastly, the accords indicate that former combatants will be given government subsidies to help with reintegration into society, under the conditions of demobilization and disarmament.

On August 15, 2017, the UN Mission in Colombia announced that the first phase of its objective mission had been completed- the extraction of arms. FARC was officially demobilized, and its weapons had been handed over to the UN for disposal at a higher rate than ever before- more than one weapon per combatant ("Press Release – UN Mission in Colombia. Extraction of Arms Caches" 2017). Despite the FARC's adherences to conditions agreed upon with the government, and the UN's assurances of compliance, former FARC members faced less than ideal conditions at demobilization camp sites, and the government continues to lag on fulfilling its promises to the FARC as stipulated by the Final Accords. A contribution to this less-than-ideal

timeline on the part of the government is a result of the public and intense vitriol that the accords continue to face.

In August 2018, *Centro Democrático* candidate and yet another Uribe protégé, Iván Duque, took office. Duque campaigned on the promise of dismantling the peace accords in their current form, but has been stymied by the Colombian Supreme Court, who ruled that the next two presidents must work to implement the accords in their agreed-upon form. To that end, Duque has been treading the middle ground: he continues to verbally support the peace agreement, particularly within the realm of human rights, but has also placed new obstacles in the path of the peace agreement, specifically via legislation. In January 2019, Duque broke off peace talks with the ELN that had also begun during Santos' administration due to a car bomb set off at a police academy in central Bogotá, with a faction of the ELN taking credit for the attack. In February 2019, he cut the Truth Commission's budget by 40%, eliminated a key agency responsible for the reintegration of former FARC combatants, and sent the war crimes tribunal bill (which allowed for the provision and creation of the JEP), back to Congress instead of signing it, as expected (Gillooly & Zvobogo, 2019). Approximately one year into Duque's presidency, certain parts of the FARC, led by commanders Ivan Márquez, Jesús Sandrich, and La Romaña, announced that they were reigniting FARC's part in armed conflict in light of a lack of government follow-through regarding processes made vis-a-vis the 2016 peace accords. A significant number of FARC combatants have re-militarized due to poor conditions in demilitarization zones, lack of vocational training, and government promises. Some have rejoined the FARC dissidents led by the commanders named above, while others joined up with the ELN or *bacrimines*[35] groups, which were offering "signing bonuses" for demobilized combatants.

[35] The term *bacrimines* refers to criminal groups in Colombia that have an apolitical nature. They are linked to organized crime and take advantage of state absence to conduct activities, but do so only for monetary gain.

Defining Colombia's Conflict

Looking back at the complex social, political, and historical processes which led to the current political moment in Colombia, it is clear that no one single peace process could undo these legacies of political violence that have been layered through decades of incomplete or negative peace processes. However, in the current moment, the risks of repeating previous mistakes are significant, and looming. Past cycles of mobilization and violence, in tandem with a consistent state absence in many parts of the country, have strengthened Colombia's civil society and its relationships and partnerships with the international community, but the perpetrators and spoilers of violence know that. Since the signing of the 2016 peace accords, over 800 human rights activists have been assassinated; many of them are members of the Afro-descendant and indigenous communities working for implementation of various parts of the peace accords, primarily land reparations and reclamation in territories that are rich in natural resources and have been some of the most contested territory throughout the conflict ("Al menos 555 líderes sociales han sido asesinados entre 2016 y 2019" n.d.). A recent report from the Colombian Commission of Jurists (CCJ) stated that the assassinations and threats against human rights leaders and defenders was occurring in a systemic and deliberate manner to prevent institutional change and challenges to the system of elites, designed to stop community organizing (Gillooly and Zvobgo 2019). The state continues to engage in illegitimate violence against civilians, and the lack of state control and services in areas rich in natural resources and most contested continues.

After decades of failure, the 2016 accords pointed to a potential path forward for Colombia. Five years later, that path seems significantly less clear, and filled with obstacles to meaningful implementation and change. However, this is not the first time, or the first country in which we see a significant gap in rhetoric and reality between peace accords, implementation

'goals,' and the lived experiences of members of a population. This dissertation project engages with the concepts of politics, accessibility, space, and local fragmentation to examine the ways in which peace processes are responded to in a variety of contexts, how they are resisted, and how the inconsistency of the implementation of peacebuilding from above forecloses possibilities of reimagining peacebuilding that truly centers concepts like the everyday, positive peace, and territorial peace. In this chapter, I examine the context of peace, violence, the state's past inconsistent attempts at peacebuilding throughout the national territory, and mobilizations that were created in response to some of those attempts. In the following chapter, I address the ways that existing peacebuilding and TJ literature does not sufficiently problematize the state, and the ways that this can have real impacts on the lived experiences of citizens *and* on the ways that peacebuilding "gets done."

Chapter 3: The State in Three: Contradictions in defining the state and responsibility for peacebuilding and transitional justice

Introduction

This chapter addresses *la primera mirada:* the view from the state. How does the state view itself as responsible for peacebuilding and transitional justice processes? Where does its responsibility begin and end? This chapter address a multiplicity of attitudes that encompass the state as we understand it today. Rather than focusing on achieving a definition of the state, this chapter focuses on the realities of how the state is represented to some civilians through individual bureaucratic attitudes. The manifestations of those attitudes are demonstrated through outcomes such as perpetrated inequalities and structural systems of oppression. In the midst of these often pressing and problematic attitudes which make up parts of the state apparatus, it is also responsible for processes of peacebuilding and transitional justice—in the eyes of the international community as well as in the eyes of its citizens, even those who continue to suffer due to its policies. How do we reconcile these contradictions to achieve real progress toward peace and justice? Can we? Here, I address theory that account for the state's inconsistent attempts at the implementation of peacebuilding and transitional justice, placing them in conversation with other perspectives on the state and autonomy vis-á-vis Black and Indigenous thought. I then discuss how the state's framing of responsibility for peacebuilding and transitional justice processes mean that oftentimes, most effective implementation of these processes is in fact done when there is collaboration between international and local communities, or relationships that skip the state. Oftentimes, state structures to not provide incentives for the state to comply with what it said it would do in formal processes, let alone apply that implementation consistently for already marginalized populations. This chapter provides further evidence for how looking only at the state as the central site for doing peacebuilding is insufficient.

This chapter addresses the conceptualization of the state in International Relations theory as it has come to be understood by canonical International Relations literature—that is, a rational, unitary, sovereign actor with a monopoly on the legitimate use of force within its national territory. It also questions the state as we conceive it, as it realistically exists in the lives of its citizens today, and if it can *ever* use violence legitimately through conceptualizations of the state as *un macho violador,* or a masculine violator. And if not, how can we expect that same state to simultaneously be both a wielder of illegitimate violence and the arbitrator, or driver, of peace and transitional justice? In sum, this chapter presents the state in three, aware of the contradictions of defining the state: as a sovereign, unitary, rational actor; as *un macho violador*; and as an apparatus made up of individuals, some of whom are working for their own interests, and some of whom are working toward what they conceive of as a greater good.

This chapter draws from interdisciplinary literature in anthropology, critical global studies, sociology, and political theory about what the "state" is; the consistent difficulties we have in defining it, where it stops and ends, how it is divided from civil society, and the ideal way it should exist—or if it should exist at all. I place mainstream literature in conversation with its critics to advance an understanding of how conceptualizations of what the state *is* are advanced through productions and reproductions of those divisions and disjunctures. I then turn to my data to present an alternative view of the reality of the state as the central site for peacebuilding. To address the first two conceptualizations, that of a traditional definition of the state in the arena of International Relations theory and the state as *un macho violador,* I place mainstream IR literature in conversation with critical global studies, postcolonial, and feminist literature to ask about what violence can be legitimately wielded, and the implications that this has for the state's responsibility for peacebuilding and TJ. To discuss the third categorization, that of the state as

many individuals, and with a focus of how those individual behaviors create the state in the lived realities of many civilians, I interviewed over 70 individuals responsible for some part of creating or driving processes of peacebuilding and transitional justice in Colombia. How do they, as those who make up "the state," view responsibility for peacebuilding and TJ?

What's in a Name? Difficulties of Defining the State

To address the first two conceptualizations of the state I present here, that of a state which has monopoly on the legitimate use of violence in a territory and that of *un macho violador.* I subsequently draw from literature in anthropology, critical global studies, and political theory that push back on how we arrived at this definition and centralization of the state in International Relations literature. In particular, I focus on scholars who caution against the reification of the state and discuss the ways in which defining the state have been obfuscated by the state itself, and how we arrived at present, but still nebulous, divisions between what is state and what is civil society. I then turn to the attributes assigned to the state in IR theory, with a particular focus on the Weberian idea that a state has, or should have, the monopoly on the legitimate use of force within its national territory.

Using this attribute as a focal point, I then turn to my second categorization of the state: the state as *un macho violador.* Drawing from Black, feminist, and Indigenous intellectual traditions, I discuss the state as a site of essentially gendered power relations and as "a vehicle of massive domination" (Brown 2006). This critical gaze of the undefinable state thus brings into question if the state can *ever* use force of violence in a legitimate fashion. In turn, this brings up serious implications for the ways that processes of peacebuilding and transitional justice are organized and measured as "successful" or not. How can the state be responsible for these processes of peace and justice, even as it continues to wield illegitimate violence against its

citizens? In this section, I argue for a radical restructuring of how responsibility for these processes is perceived.

Tracing the Modern Intellectual Origins of the Nation-State in International Relations

In the 1970s and 1980s, political scientists shifted their focus back toward the concept of the state from society-centered ways of explaining politics that dominated the pluralist and structure-functionalist perspectives in political science and sociology (Evans et al. 1985). Previously, during the formative years of political science as a discipline in the 1950s and 1960s, the concept of the state was seen as old-fashioned, and a poor approach to generalizable investigations (Skocpol, 1985). Studies of politics were mostly focused on two different paradigms: the first being the pluralist paradigm, which focused on determinants of public policy decisions, and government agencies were treated as the most prominent decision makers and policy drivers (Allison and Zelikow 1971; Dahl 1961; Wolfinger 1974). Structural functionalists attempted to apply grand theories on the state to different comparative cases, but often found that those theories did not fit well with actual historical patterns (Almond, Flanagan, and Mundt 1973; Binder 1971). Thus, grand structural theories of the state were abandoned in the field of *comparative politics* and refocused on international and domestic struggles surrounding state building and political development. However, the concept of the state took a different path in the field of International Relations.

Following World War II and simultaneously with the debates named above in what eventually became the field of comparative politics, the idea of the state had its own moment in international relations. The state began to take a central role in the burgeoning field of international relations, and this role was solidified by the work of Kenneth Waltz, particularly his books *Theory of International Politics* (1979) and *The Man, the State, and War*, published in

1959. From there, the newly reemerged paradigms of realism, liberalism, and constructivism focused on how states were likely to act as the central actor in International Relations and politics.

"Bringing the State Back In"

Following this intellectual trend of "bringing the state back in" in the fields of international relations and comparative politics, political scientists reached for a definition of the state that had become newly important. Contemporary, basic understanding of the state as an actor was mostly reintroduced to political scientists through the writings of Max Weber and Otto Hintz. In particular, the definition of the state as a rational actor, a sovereign, autonomous actor, and as that which has a monopoly on the legitimate use of force within its national territory, in Weberian terms (Dusza 1989). Beyond this definition of an ideal type of a state, Weber also argues that administrative, legal, extractive, and coercive organizations are the core of the state—it structures not only the relationships between civil society and the state, but also relationships between and within civil society itself (M. Weber 1994). Therefore, the state has both coercive and bureaucratic importance. In the rest of this chapter, I will be focusing on those two functions, respectively. In the following section, I discuss the state's coercive power, and how an aspect of its coercive power is how difficult it is to define what "the state" *is*.

El Estado como un Macho Violador

In this section, I firstly discuss how the state has thwarted our attempts at definition, and how that has created a modern state that works against its own citizenry. I draw primarily from critical anthropology to address the lack of definition the state has, even as a central actor in many political science analyses, and the implications that has for the role and behavior of the state. In this section, I discuss the Weberian notion of the state as that which has a monopoly over legitimate use of force in a national territory. I ask: what *is* legitimate force, and to whom is it

legitimate? Can a modern state ever actually be a wielder of legitimate force? I draw from critical perspectives to analyze the legitimate use of force, and its implications for a state simultaneously perpetrating of violence and responsible for peace and justice processes.

"The State Defies our Abilities to Unmask it"

In his article "Notes on the Difficulty of Studying the State," Abrams (2006) addresses *why* it seems so difficult to define the state.

> The state, then, is not an object akin to the human ear. Nor is it even an object akin to human marriage. It is a third-order object, an ideological project. It is first and foremost an exercise in legitimation – and what is being legitimated is, we may assume, something which if seen directly and as itself would be illegitimate, an unacceptable domination. Why else all the legitimation-work? The state, in sum, is a bid to elicit support for or tolerance of the insupportable and intolerable by presenting them as something other than themselves, namely, legitimate, disinterested domination. The study of the state, seen thus, would begin with the cardinal activity involved in the serious presentation of the state: the legitimating of the illegitimate (p. 45).

The modern state system, as we experience it today, has not been in existence for very long. Typically, International Relations points to the Peace of Westphalia as the advent of our current state system. However, in this relatively short timeframe, the state system has done significant legitimation work resulting in colonial and imperial projects, closed borders, and subjugation (Kayaoglu 2010). Abrams continues:

> The state for its part never emerges except as a claim to domination– a claim which has become so plausible that it is hardly ever challenged. Appropriately enough the commonest source of challenge is not Marxist theory or political sociology, but the specific exigency created when individual revolutionaries find themselves on trial for subversion, sedition or treason. It is in documents like Fidel Castro's courtroom speech – and almost uniquely in such documents – that the pretensions of regimes to be states are unmasked (p. 48).

It has become taken-for-granted that the current state system is the only way to govern, and alternative forms of governance and living are held up as impossible—even forms which existed

and were successful before the modern state system. Abrams in the end, defines the state not as political practice, but rather as the mask which prevents our seeing political practice *as is,* in part because of how successful it has been in its legitimation work. "We seem to have evidence that the state itself is the source of the state's ability to defy our efforts to unmask it" (Abrams 2006).

Mitchell engages directly with political scientists like Theda Skocpol who are a part of the movement to "bring the state back in" to political science analyses. He defines Skocpol's approach as one which is committed to the state as an entity standing apart from society, as a freestanding entity (Mitchell and Steinmetz 1999). Mitchell argues that we should not address the state as an entity which is freestanding from society or economy. He states that while it is necessary to acknowledge the division between state and society, we need to place this "historical question" in context to understand how the modern state has appeared. Mitchell argues that we should address the state as an effect of "mundane processes of spatial organization, temporal arrangement, functional specification, supervision and surveillance, and representation that create the appearance of a world fundamentally divided into state and society or state and economy" (Mitchell 2006, pg. 85). These divisions create the *effect* of a state as an entity set apart, as an abstraction of ideology. This idea of the state springing, fully formed in its ideology into power, in part, is reinforced by much of International Relations theory.

Thus, the state has done its legitimation work so fully that we take for granted our current political system. This taken-for-grantedness automatically places an onus on the state as the primary actor responsible for processes of peacebuilding and transitional justice, even when it continues to engage (in Weberian terms), in illegitimate forms of violence against its civilians. In the following section, I use critical Black, Indigenous, and feminist perspectives to demonstrate

that the state is *not* legitimate, its use of force is not legitimate, and that it is not the only avenue we have to achieve goals of peace and justice.

Legitimate Force: For Whom? Against Whom?

In this section, I discuss perspectives and traditions which consistently demonstrate the lack of legitimacy of the state. I weave my interviews with community leaders from Indigenous and Afro-Colombian communities in the Pacific region of Colombia into this section. State violence and state repression continue against civilians even as processes of peacebuilding and transitional justice are trumpeted by that same state. How do we reconcile these two realities? Here I discuss the simultaneous existence of the two, and address imaginings for alternative forms of governance. Rather than focusing on achieving a definition of the state, this chapter addresses the multiplicity of attitudes which make up the state and focuses on the lived experiences that some civilians have in their everyday interactions with the state, and the effects this has on the implementation of peacebuilding.

The State as a Gendered Vehicle for Domination

Feminist literature on the state and on international relations more broadly is a newer perspective in the field. Feminist scholars like MacKinnon and Pateman, some of the first to widely address feminist theory on the state and the social contract of governance, hold that the state and the state system are inherently patriarchal, based on the subjugation of women. In her seminal book, *The Sexual Contract,* Pateman discusses social contract theory. It is usually triumphed as a story of freedom, she states, but it is *only* the freedom of men that is received in the story of social contract and civil freedom (Hirschmann 1990). It is not just a story of freedom—it is also a story about dominance—men's dominance over women in receiving their civil freedom. That civil freedom is not a universal attribute, she states, it is a masculine attribute

(Pateman 2015). Thus, the origin story of liberalism and the social contract of liberal governance do not take women into account at all in civil governance, with the exception of the marriage contract. Marxism and its socialist contemporaries do not consider the private sphere as politically relevant, and do not address the exclusion of women in this social contract or civil governance either (Pateman 2015). MacKinnon is in agreement. Similar to liberal theorists, Marx shared the idea that women naturally belong where they are socially placed—the private sphere of the home (MacKinnon 1989). MacKinnon also offers us some potential insight on the state, and its seemly indefinable character.

> Perhaps the failure to consider gender as a determinant of state behavior has made the state's behavior appear indeterminate. Perhaps the objectivity of the liberal state has made it appear autonomous of class. Including, but beyond, the bourgeois in liberal legalism, lies what is male about it. However autonomous of class the liberal state may appear, it is not autonomous of sex. Male power is systemic. Coercive, legitimated, and epistemic, it is the regime (MacKinnon 1989).

This systemic nature of power continues when we look at how International Relations reifies the state as the key actor in the political system. Well-established feminist critiques of international relations, particularly of realists, is that the state is overvalued and there is not sufficient attention paid to how the state itself is internally structured (Ruiz 2005). Anne Runyon and V. Spike Peterson interrogate how the state system and the state itself are presented as a part of nature, and therefore, inherently neutral (Runyan and Peterson 1991). The state, and the laws that make it up, are not neutral—the law sees women the way men see women, and thus, the internal structure of the state is vital to understanding the way that law and the state functions, but it is not neutral (Runyan and Peterson 1991). The individual is often sexualized and gendered through notions of reason that exclude women (or differently gendered “others”) (C. Weber 2016). The regulation of family-making and intimacy, as V. Spike Peterson argues, is a tenant of successful state-making, and serves to create both gendered hierarchies (by regulating what is an

acceptable family unit—cis-presenting and heterosexual) and racialized hierarchies (non-European, not a part of the 'desirable' nation-state project) (Peterson 2020). Feminism, by interrogating the inherent neutrality with which the state and the state system present itself *and those hierarchies which it creates*, subverts both. In this dissertation, I look at the ways that these "neutral hierarchies" that the state creates in Colombia has tangible implications on how, where, and for whom peacebuilding and transitional justice is done.

Returning to a Weberian definition of the state—in which the four key components are monopoly, territory, legitimacy, and force—Hoffman finds that such an example of this definition does not exist (Hoffman 1998). The state claims a monopoly because it does not exist: the state relies on an "unruly other" which challenges its monopoly and institutions for its own identity (Hoffman 1998). Hoffman states that the sovereign state, unlike any other social organization, has the potential to have a hand in almost everything in a citizen's life, making it the everyday. So the universal character of patriarchal power, which the state embodies, is upheld by the "ideal type" of the Weberian definition of it, even if, such as the case in Colombia, it is "absent" in some places (Hoffman 1998; MacKinnon 1989).

While I will expand on this later in the chapter, I want to touch on feminist theories and characterizations of state bureaucracy here. Wendy Brown characterizes the state as a site of inherently gendered power relations and a vehicle of massive domination (Brown 2006). "The twin consequences are that much of what used to be women's work in the home is now women's work in the economy and that the state and economy, rather than husbands, now sustain many women at minimal levels when they are bearing and caring for children" (Brown 2006). In her analysis of state bureaucracy and legal structures, Ferguson (1984) affirms this:

> Beneath a thin exterior of transformed/reformed gender identity and concern for women, the state bears all the familiar elements of male dominance. Through its police and

> military, the state monopolizes the institutionalized physical power of society. Through its welfare function, the state wields economic power over indigent women, arbitrarily sets the terms of their economic survival, and keeps them dangling and submissive by providing neither dependable, adequate income level nor quality public daycare. Through age-of-consent laws on contraception, regulation of abortion and other reproductive technologies, and stipulating that mothers be heterosexual and free of substance abuse, the state controls and regulates the sexual and reproductive construction and condition of women. Yet like the so-called new man, the late modern state also represents itself as pervasively hamstrung, quasi-impotent, unable to come through on many of its commitments, because it is decentralizing (decentering) itself, because ''it is no longer the solution to social problems,'' because it is ''but one player on a global chessboard,'' or because it has forgone much of its power in order to become ''kinder, gentler.'' The central paradox of the late modern state thus resembles a central paradox of late modern masculinity: its power and privilege operate increasingly through disavowal of potency, repudiation of responsibility, and diffusion of sites and operations of control.

This description of the state is similar to bureaucracy as the politics of indifference or apathy, as characterized by scholars like Michael Barnett, as often times both state bureaucrats and global governance mechanisms offer lines like 'that's above my paygrade' and 'I'm sorry, those are the rules' in the face of such traumatic events like evictions or bulldozing homes (Interviews, Bogotá 2019 and 2020). When we again think about Weber's definition of the state, it becomes clear that the state often has vastly different priorities than those trumpeted by social contract theory. It is less concerned with the well-being of the population and more with the "prestige of domination" (Ferguson 1984). Thus, the state pursues the affirmation of its identity through displaces of power or prestige, not in protection or sustenance of human life (Ferguson 1984).

Following feminist intellectual traditions, my research asks the following questions: who defines power, who has it, and how is it used (Ruiz 2005)? The institution of the state bureaucracy, as I interrogate in this chapter, is a huge part of the answer to those questions. So, if the state, its laws, and its bureaucracy are inherently patriarchal and a site of unequal and unjust relations, should we give up on it? TJ continues to assume that with effort, law will work, and states will do the right thing by women (Scully 2009). International law continues to use the state

as the site of justice and solutions, but can the state actually provide those to women (and other citizens, as I address in the following sections)? Both empirical and theoretical feminist research tells us no, and that other avenues need to be utilized, at the very least in tandem with existing bureaucracy, laws, and institutions as we also advocate for dismantling of the harmful structures that exist in those same spaces (Ni Aolain 2012; MacKinnon 1989; Hirschmann 1990; Scully 2009; Parpart and Staudt 1989). Moving forward, this chapter traces the intellectual traditions of citizens historically dominated and othered and provides evidence for different avenues for peace and justice. This includes working beyond formal legal structures: this will be particular to each country dependent on their history, colonial legacies, and the particular patterns of violence that have impacted a place.

Black Intellectual Traditions from the Colombian Pacific

In this section, I draw from Black intellectual thought from and about the Colombian Pacific region. These thinkers draw from lived experiences surrounding the state, state bureaucracy, uneven administration of services, and movements for ethnic autonomy in the Pacific. For a historical perspective, I draw primarily from the writings of Sophonias Yacup, who wrote about the history and then-present of the Colombian Pacific in terms of immigration, colonialization, and participatory politics. This part of Colombia was initially populated by enslaved African peoples who were brought to the region to work in the mines and fields which proliferate the coastal region and remains primarily populated by Afro-Colombians in the present day. His writings also touch on the needs for Black territorial autonomy while the port of Buenaventura was being constructed in the 1920s. I then turn to the history of *ley 70*, which gives Black and Indigenous communities territorial autonomy and control over the natural resources of their ancestral lands. I interrogate different conceptualizations of territorial autonomy through the

interventions of my collaborators supplemented by some secondary ethnographic material and share their visions for a Black territorial autonomy in the Pacific.

Sophonias Yacup was a jurist, politician, and writer who was born in 1895 in the town of Guapí, which is a part of the department of Cauca. He was the first prominent political leader from the Pacific coast in Colombia. He was known as a powerful orator and a politician devoted to the improvement of his home region ("SOFONÍAS YACUP - Archivo Digital de Noticias de Colombia y El Mundo Desde 1.990 - Eltiempo.Com" n.d.). His most prominent book, written toward the end of his life, is titled *Litoral Recóndito,* which translates to *Coastal Recondite*[36]*,* outlines the Colombian Pacific region—its division into territories by the new Colombian state in the 1800s, its natural beauty and resources, and the problems that it faced due in part to a lack of care by the Colombian government and because of extraction industries which had already begun in the 1920s and 1930s. From the *Litoral Recóndito* I trace initial calls for Black territorial autonomy as the Colombian state began to conduct "development projects" in the Pacific.

[36] Recondite meaning hidden or largely unknown.

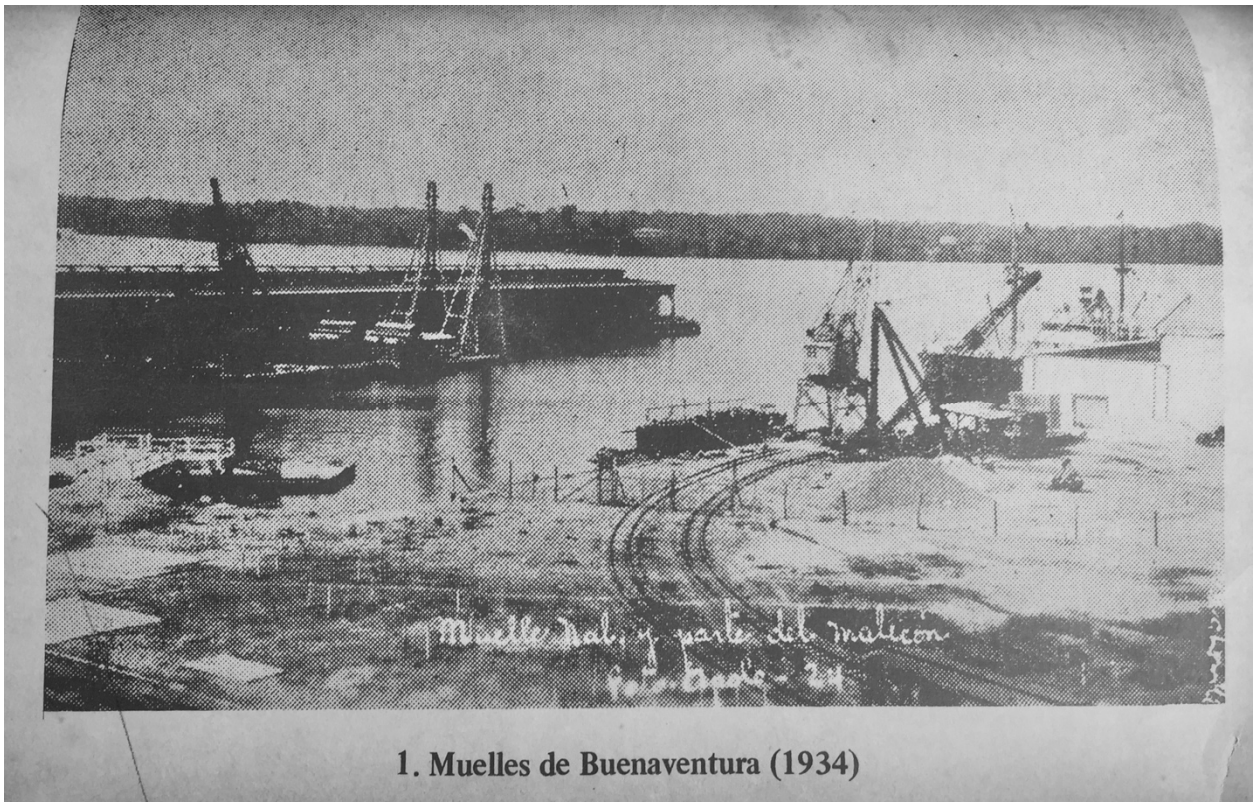


Figure 3.1 Picture of construction of the Port of Buenaventura in 1934, picture from Litoral Recóndito- Banco de la República in Buenaventura, Colombia

In *Litoral Recóndito,* Yacup discusses how the Pacific Coast of Colombia, even the interior sections of the Pacific region, is vastly different than any other part of the country, (Yacup 1934, p. 17). He argues that the complete political and social domination of the capital city Bogotá over the rest of the country has resulted in a categorical lack of understanding on how to help the Pacific coast thrive, particularly by the regional leaders often hand-picked by the central government. These leaders preferred to pass their time in Bogotá and understood little about the history, cultural traditions, and frustrations of the people who lived in the Pacific region (Yacup 1934, p. 34, 44).[37][38] Yacup stresses steady employment and dignified labor for the local

[37] My own translation from Spanish.
[38] Yacup details the general level and scope of talent for art and music in the region, and discusses the need for increased and improved opportunities for young people in particular to further develop these talents. I will discuss this in later chapters, as it is a call echoed in present conversations.

populations of the Pacific as a form of social justice, particularly as foreign extraction companies arriving in the region even before the 1920s. These companies are subject to little oversight by the Colombian government, which is worsening with the construction of the port of Buenaventura, which has opened up the "dark, mysterious, and wild" Pacific coast to the rest of the world (Yacup 1934, p. 35-37).[39]

At the time of writing, Yacup was a representative for the Liberal Party in the Colombian House of Representatives. In *Litoral Recóndito,* he presents a solution for the already notoriously difficult administration of the region to the national government. He posits the idea of municipal self-governance: arguing that more freedom and power for the municipal government is actually a form of local knowledge. From his perspective, this local knowledge has a deeper understanding of the region's needs as a whole as well as the specific needs of each community within the region, as they are varied in their concerns (Yacup 1934). I read this argument as a legislative beginning of the call for an ethnic territorial autonomy which is not legally manifested until the establishment of *Ley 70* in 1993. Yacup ends his book by quoting poets Martínez Muiz and Jorge Matéus about the Pacific:

La Perla del Pacífico te llaman	*They call you Pearl of the Pacific*
Los que sacian en ti plácido anhelo	*That which satifies in you the placid longing*
Y los que en fuego celestial se inflaman	*And that which ignites celestial fire*
Llamarte deberán trozo del cielo.	*They should call you a piece of heaven.*
Todo es divino en ti, todo respira	*All of you is divine, all breathes*

[39] My own translation from Spanish.

encanto espiritual, plácida calma.	*a spiritual enchantment, a placid calm.*
Quien tu esplendor magnífico	*He who does not admire your*
no admira	*splendid magnificence*
No tiene corazón ni tiene alma."	*Does not have heart nor soul.*

Ley 70

Ley 70 was established in 1993 and gave Black and Indigenous communities legal protection to claims of their ancestral lands and the resources that foreign companies had been extracting from those lands since colonial times. The law was a result of intense negotiations between Black leaders and the national government to recognize ethnic territorial claims, in light of the new Colombian constitution of 1991 establishing Afro-Colombians as a recognized minority group for the first time in the country's history (Oslender 2008). *Ley 70* allowed Black communities to petition for collective land titles for their ancestral lands, which previously were viewed as empty and state-owned lands. This allowed foreign and national companies to exploit natural resources from the mines and rainforests in the region without considering the concerns and desires of local communities (Oslender 2008). Several Black social movements emerged around this time period to link long-standing land struggles in Colombia to calls for ethnic territorial autonomy (Restrepo 2004). Mounting pressure from civil society and Black movements in the Pacific basin areas and in the cities, in addition to a global discourse around sustainable development and biodiversity conservation, led to the Colombian state's interests aligning to implement *Ley 70* (Escobar 2002; Grueso, Rosero, and Escobar 2003; Oslender 2004; Rivas 2001). The first collective land titles were awarded to Black communities in Northern Chocó in 1996, but it soon became clear that there were other interests at work within the state which were

opposed to being cut off from the natural resources on Black ancestral land (Oslender 2008; Hoffmann 1998).

Realities of Black Territorial Autonomy and Displacement

Soon after the collective land titles were given in Riosucio, the Colombian Armed Forces and paramilitaries conducted joint operations against local populations, particularly targeting local leaders who had advocated and organized to receive the collective land titles in a military action known as Operation Genesis (Interview, Bogotá, August 2018). From this period onward, Afro-Colombians faced massive levels of displacement as their communities were threatened by paramilitaries and guerrilla groups. These groups sometimes worked in conjunction with foreign or national extractive companies to get communities off the land so that they could exploit it, and gave armed groups a cut of their profits (Interview, Cali, June 2019).

Beyond massive displacements as a result of massacres and other violence perpetrated by armed groups which impact more rural Black communities, there has been "a total perversion of *Ley 70* in the Colombian Pacific" (Arboleda 2004, p. 38). "It pretends to guarantee sustainability, conservation of biodiversity in the región, and the protection of Afro-Colombian culture. Instead, in front of inactivity and a total paralysis of the Colombian state, we see evidence of a constant re-mapping of the territories of the Pacific, divided by armed groups" (Arboleda 2004, p. 39). Black communities are not only threatened by armed groups (and the insidious ties that the Colombian government may or may not have to those groups), but also face a direct threat of their collective and territorial rights from the state itself. The port of Buenaventura, for example, operates against *ley 70.* Local communities had no say in its construction, operations, and receive no profit from it because it is a private port (Focus group with community leaders, Buenaventura, February 2020). Communities near the port of Buenaventura have also been threatened by large-scale development

projects by the national government, which seek to "relocate" all the communities further inland to create a "cleaner" and "more profitable" urban center (Interview, Buenaventura, January 2020).

The reality of Black territoral autonomy is that when they finally received their first collective land titles, they were pushed off their lands via systematic violence. What is happening since then, and continues to the present day "is a state- and para-state-generated violence visited upon rural black communities, and, ironically and cynically, directed against the state's own laws. In other words, the state and the paramilitary forces are at the service of a national and transational capital…" (Oslender 2008, p. 92). This demonstrates a prioritization of some laws over others which ties into the idea of a state which is fluid and complex, but continues to perpetrate violence through biases. Thus we see the state participating in the de-nationalization of Black people in Colombia—they are seen as non-national due to their supposed lack of claims or ties to ancestral land, even as the conditions which create that conext is manufactured by the state (Ng'Weno 2007).

Indigenous Ties to Land and Issues of Displacement

Indigenous culture and language, particularly that of the Nasa, is deeply tied to the land. Indigenous groups in Colombia, similar to others around the world, identify themselves as a part of the natural system, rather than above or apart from it, as Western cosmovisions tend to posit via anthropocentrism (Alméciga and Lobatón 2009). This makes the issue of displacement from their ancestral lands a unique and difficult issue, one which has ramifications generations on, as is the case in Colombia. "I am the third generation of displaced people in my family. I have never been to our territory. And my children, who are adults now, never have either. I don't speak our language fluently either. I'm 40 years old and I'm learning our language still, about our connection to the earth, really basic things. It's very easy to feel like this makes me less than other

Nasa people who are still on their lands [in other parts of Cauca]" (Interview with Doña Luz Marina, Cali, January 2020). Displaced Indigenous peoples in Colombia have still created ways to frame processes of historical and collective memory, and preserve some autonomy, such as the expansion of the Nasa Indigenous Guard to displaced communities as well, like those living in the city of Cali (Chaves, Aarts, and Bommel 2018).

And so, Indigenous communities, both those that remain on their ancestral lands as well as those who have been displaced, have complex relationships with the local and national bureaucracy such as requirements for state recognition of cultural practices and lands which characterizes, and has historically characterized, their relationship with the state. The route to an ethno-political autonomy has been fraught and complicated in Colombia, with unevenly produced results for Indigenous autonomy, even as multi-culturalism and calls for Indigenous autonomy are acknowledged in Colombian law (Velasco 2018). Indigenous autonomy continues to be complicated by the encroachment of armed actors and extractive enterprises, both of which sometimes receive support from the state. Indigenous leaders who engage in both *cabildo* and Colombian state governance often find themselves in complicated positions as they straddle two different notions of sovereignty, autonomy, and governance and how those notions are carried out by separate bureaucratic structures (Rappaport 2004).

The History of State-Centric Peacebuilding in Colombia

In the section above, I discuss the implications that the way the state is conceptualized has implications for how peacebuilding gets done, and for whom it is done. In the case of Colombia, we have the example of a state that has never really "arrived" in parts of its national territory that arguably have most need of social welfare services. In addition to that, we have different notions of sovereignty, autonomy, and governance that Black and Indigenous populations in Colombia

have constructed for themselves—some of these notions which predate the state itself. While it may appear that the state is not the best tool to utilize in our attempts at consistent implementation of peacebuilding and transitional justice processes within this particular context, it is the one that has been returned to time and time again in Colombia. As a result, there exists an enormous apparatus of "peacebuilding" in Colombia that does not begin with the 2016 peace accords and the subsequent structures that were created to engage in attempts at these newer peacebuilding processes. Here I demonstrate the histories of past attempts state-centric peacebuilding implementation (or lack thereof) in Colombia. These histories of state inconsistency have also created attitudes toward the state and state attempts at peacebuilding which are disbelieving and apathetic at best, and openly hostile at worst. The story of what the state *has not done* in the past has implications for what it is doing now, and what it may do in the future.

The First Attempt: Betancur's "Democratic Opening"

The first administration to shift strategy from repression or only military offensive measures in dealing with the guerrillas towards attempts at peace negotiations was that of Belasio Betancur (1982-1986). At the time in which Betancur took office, previous administrations' policies in dealing with the insurgency (in particular, the policies of Turbáy), had led to a widely recognized failure of democratic guarantees of personal liberties and the maintenance of public order (Chernick, 1988). Betancur shifted these policies through his ideas of a democratic opening, which followed a regional shift, begun by policies instated in Argentina, Brazil, and Uruguay after regime changes at the time. The language of democratic openings within the Colombian case referred to amnesty for political prisoners and armed insurgents, negotiations rather than uncompromising military strategies, and the "establishment of ground rules for participation and democratic opposition" (Chernick, 1988, p. 54). During the subsequent

negotiation process, Betancur was successful in signing separate ceasefire agreements with four different guerilla groups, including the FARC and the M-19. In fact, during his presidential campaign, Betancur integrated the political strategy developed by Jamie Bateman, the leader of the M-19: repealing repressive policies instated under Turbáy, a broad amnesty agreement, and initiation of a national dialogue which included the guerrillas (Behar 1985).

However, the definition and conditions of amnesty were contested, and eventually devolved as Betancur negotiated with the Armed Forces for their acceptance of the negotiation and amnesty processes. During initial ceasefire and negotiations, the guerrillas made clear that amnesty was not to be equated with surrender, and that they had *not* been militarily defeated. It was after Betancur's political maneuvering with the Armed Forces to get them to agree to amnesty that this concept was contested, and the negotiations ran into trouble. The military refused to give their support of the negotiation processes unless penalties were raised on the possession of arms, which the Colombian constitution reserves exclusively for the use of the Armed Forces. In addition, they were able to obtain a significantly increased budget for new weapons and facilities, and the Army Civic-Military Action Program was given a central role in the National Rehabilitation Plan for areas most impacted by political violence (Reyes 1985). Most significantly, the Armed Forces insisted on their own definition of the amnesty agreement. The amnesty agreement was used by the military to divide guerrillas between those who had accepted the benefits of amnesty, and those who remained outside of the law. Therefore, in their eyes, the amnesty agreement allowed for a continued use of repressive force against insurgents. Predictably, the guerrillas did not react well to this repositioning of the concept of amnesty. The swiftly declared that amnesty was only the "first step" in approaching broader negotiations and a more "comprehensive" peace. The M-19, despite being the group which had the most to gain

from the amnesty agreement, was also the most outspoken against it after the repositioning of amnesty by the political machinations of the Armed Forces. Alvaro Fayad, one of the leaders, and eventual top commander of the M-19, stated:

> They tried to convert the amnesty into a trap for us. The guerrilla movement and the democratic movement had stated that the amnesty was the first step towards peace, but that no guerrilla organization was fighting to free some prisoners. Just because certain activities were pardoned does not mean that [the guerrillas] would then become legal, especially when they are expanding and achieving military and political victory.
>
> They wanted to make us surrender and to humiliate the guerrilla movement... They wanted to fool the nation into believing that amnesty meant total peace, that the amnesty was the only prerequisite for the guerrilla movement to surrender its arms and to become legal ("Interview with Alvaro Fayad," p. 481-82 in Alape, 1985).

Meanwhile, FARC used this period of time to reposition themselves and attempt to mobilize new support for the positions of the guerrillas through propaganda rather than violence, particularly amongst more urban populations, where FARC historically had significantly less support than groups like the M-19 and even the ELN. On the part of Betancur, if amnesty did not translate to peace, which is how it had been presented to the Colombian citizenry, he was prepared to negotiate further ceasefires with the guerrillas, overriding Congress for the sake of a democratic opening that was shrinking rapidly (Tokatlian, 2000). In doing so, he ended up giving the insurgent groups more negotiating power than their relatively small numbers warranted, and significantly weakened his own position and influence in relationship to other political actors and factions, particularly with the Armed Forces. About three months after the amnesty agreement was finalized, the M-19 leaders declared that amnesty did not equal peace, and that they planned to continue to try to achieve their goals through insurgent warfare, citing their distrust of the Colombian oligarchy (Chernick, 1988). The success of the Salvadorian guerrillas, the Sandinista revolution, and Cuba's stance against the United States' imperialist activities—the regional and

international environment—also influenced their decision to return to or continue war. *This period in history unintentionally set the precedent that an amnesty agreement does not equal peace for or with insurgent groups in Colombia.*

The FARC, M-19, EPL, and ADO were the four groups that ended up signing a ceasefire agreement and entering into negotiations with the government at this time. Each of the groups were addressed differently by the government during negotiations. The M-19 had a direct dialogue with Betancur: they understood that this direct line gave them legitimacy in the international arena as a "belligerent force," and they also understood that Betancur was the most focused on them in particular during these negotiations, despite government communications with three other groups (Chernick, 2008). While the M-19 was communicating directly with Betancur, FARC was negotiating with the Peace Commission, which was an independent body Betancur had set up for the purposes of negotiations. This in part had to do with the very different goals of the two organizations, but it also had the effect of the government being able to strategically divide and isolate the two groups depending on how their respective negotiations were going. After M-19 declared that amnesty did not equal peace, Betancur decided that their demands were too inconsistent. Shortly after, in 1984, a successful agreement between FARC and the government was announced. M-19 responded with a denunciation of FARC as a group that had betrayed the revolutionary cause. Eventually, the M-19 was successful in convincing the government to create a National Dialogue Forum. The National Dialogue Forum was supposed to be forum where guerrillas, political parties, labor unions, the military, and other stakeholders could discuss creating changes in political participation and the political system itself (Chernick, 2008). However, there was no way for either the guerrillas or the executive branch to force other political actors to participate in it, and Betancur had already used up the majority of his political

goodwill in the negotiations with the M-19: most leadership from the traditional parties, the Armed Forces, and Congress boycotted the Forum from the start as a protest against an unpopular negotiation process, which left an essentially useless Forum that the M-19 had wasted their bargaining chips on.

The negotiations between the government and FARC at this time were primarily conducted through letters exchanged by Peace Commission member and head negotiatior Alberto Puyos Rojas and one of FARC's top officials, Jacobo Arenas. The FARC had five major demands, which called for what was essentially a complete restructuring of the Colombian political and economic system as it existed at that time. Firstly, the vice president of all legislative assembly bodies was to be reserved for the leading majority party, not one of the two parties of the National Front; 2) governors and mayors would be elected directly rather than be selected by either the Conservatives or the Liberals; 3) an agrarian reform was to be implemented which gave free land to peasants who did not have any, and the state would be required to increase spending in rural parts of the country for provision of services; 4) an urban reform would center a housing construction program with mortgage payments limited to less than fifteen percent of the worker's salary; and 5) the state would nationalize the banking system and the foreign businesses active in the country (Arenas, 1985 in Chernick, 1987). These demands nearly stopped the negotiation process before it started; Rojas spent much of his correspondence attempting to talk down the FARC from these proposed structural overhauls (Steven 2006). During this period of time (a technical ceasefire), FARC and the Armed Forces were in a truce, and the army therefore focused its attention on the M-19. Six months after the ceasefire with both the M-19 and the FARC was signed, the army surrounded M-19's principal camp in Cauca. Four months after, the attempted assassination of Antonio Navarro Wolf, the M-19's principal negotiator with the government led

to the M-19 completely abandoning any attempt of a truce or ceasefire with the government, claiming that the government had violated the terms of their agreement.

Post-Democratic Opening: The Negotiations of Virgilio Barco and the Assassination of Luis Carlos Galán

The administration of president Virgilio Barco (1986-1990) was characterized by the war against the then-powerful Medellín cartel, and rampant police corruption and political influence of the Cali cartel (F. Gutiérrez 2003). Against the backdrop of a losing war against the narcotraffickers/narcoterrorists, the human rights abuses which had escalated during the presidency of Betancur continued to increase unchecked. The presence of right-wing paramilitary groups continued to increase, and were responsible for some of the worst human rights violations, including massacres of entire villages (Dudley, 2006). Oftentimes, the paramilitaries were contracted by the narcotraffickers for protection of territory and trafficking routes. In an attempt to virtue signal Colombia's willingness to address the situation to a concerned international community, particularly the European Union, he created the Presidential Office for Human Rights (Tokatlian, 2000). This signaling, in combination with Cuba's advocacy for Colombia on the international level and intense counternarcotic policy, led to preferential trade policies between the European Union and Colombia, although the United States continued to refuse to offer the same trade policies (342). What the United States *did* offer was a huge amount of anti-drug and military aid. The United States gave Colombia a 1-billion-dollar (USD) loan in 1987 and 1988, and then again in 1989 and 1990 (the *Concorde* and *Challenger* loans, respectively) (342).

Barco was successful in negotiating with some groups: a much-weakened M-19 finally signed a peace treaty, but the FARC, EPL, and ELN remained unwilling to negotiate at this period after the disastrous and politically-complicated ceasefire and amnesty agreements during the Betancur administration. In general, political focus on the guerrillas during this period decreased,

as the politicians and public were primarily concerned with the increasing impunity and power of narco-mandated violence in the country. This concern reached a peak in August 1989, when the front-runner candidate for president, Luis Carlos Galán, was assassinated by a hitman from the Medellín cartel (Bagley, 1990, 154).[40] Galán had been an anti-negotiation hardliner when it came to organized crime. This assassination points back to a pattern in history of high-profile political assassinations that are met with impunity in the Colombian context. Minutes after, President Barco reacted to the assassination forcefully; "Invoking the extraordinary presidential decree powers available to him under the state-of-siege provisions of the constitution, he announced that his government would immediately renew summary extradition of Colombian traffickers wanted abroad (thereby circumventing Colombian courts),[41] begin confiscating major drug dealers' bank accounts, properties, and other assets, and authorize the national police to hold suspects incommunicado for up to seven days. To implement these emergency measures, he ordered the police and military to conduct countrywide raids against the traffickers" (155).

In spite of Barco's bold declarations, it almost immediately became clear that the Colombian central government did not have the ability, state presence, or legitimacy to follow through on its assault against the narcotraffickers. Barco appealed to the international community for help—the Bush Sr. administration granted a 65-million-dollar (USD) emergency aid package which primarily consisted of military aid, and both the United Kingdom and France pledged additional aid (Bagley, 1990, 156). Despite the extra support from international allies, the narcos

[40] This occurred simultaneously with the success of the UP party in local and regional elections, as well as the subsequent assassinations of UP members. These threats were carried out by a variety of actors, including drug cartels, the Colombian armed forces, and paramilitary groups. For more on the UP, see pgs. 21-24.

[41] The day before, Colombian jurists had gone on strike, protesting the lack of protections provided to them in light of narco threats and assassinations. The narcotraffickers had done a very good job of intimidating and making the Colombian court system ineffective at this period of history. Previous to this time, Colombian public opinion had largely been anti-extradition. This changed after the assassination of Galán, with 77% of Colombians favoring extradition after his murder (*El Tiempo*, 1989).

conducted a vicious, no holds barred attack on Colombian government installations, officials, their families, and citizens. Between August and October 1989, they had conducted over 200 attacks throughout the country (158). While the violence between the narcotraffickers and the Colombian state is not the purpose of this dissertation, it is important to note the ways in which this period, the relationships between Colombian government officials and drug traffickers continued to damage the institutional legitimacy of the state, which it never fully recovered from.

Two-Pronged Approach: Negotiations and Counterinsurgency Under Gaviria

With the murder of presidential frontrunner Galán, César Gaviria was elected president (1990-1994). Gaviria, unlike Galán, was open to negotiations with the cartels to end the violence, a viewpoint which closely aligned with Colombian public opinion at the moment, who were fed up with the indiscroriminate violence perpetrated by the cartels in retribution. Gaviria attempted to appease both the United States and the cartels, with the backdrop of the Colombian Constitutional Reform underway. To that end, Gaviria suspended the 1979 extradition treaty with the United States, which the US accepted in the spirit of "liberal modernization" Gaviria was supposedly ushering into Colombia with his policy of *revolcón*, or "the shake up" (Gutiérrez, 2003, 139). This, in part, satisfied cartel demands. Later on in his presidency, Gaviria attempted negotiations with the Cali cartel, which was not received well by United States officials at the peak of their "war on drugs."

Gaviria also attempted to negotiate with the guerrillas once again. He kept the same negotiation team that worked under Barco, and was successful in getting smaller groups such as el Movimiento Revolucionario Quintín Lame (MRQL),[42] and a faction of el Ejército Popular de Liberación (EPL) to disarm with the promise of participation in the constitutional assembly (M.

[42] Quintín Lame was the only indigenous guerrilla group throughout the history of the Colombian conflict.

Chernick 2015). His negotiations with larger and more powerful guerrilla groups, primarily the FARC and ELN, failed miserably. At this point, the FARC controlled more territory than they ever had before, at times including the territory immediately surrounding Bogotá, and the roads which led in and out of the capital. Gaviria claimed at this point that the guerrillas no longer acted from a place of ideology, but rather as common criminals (F. Gutiérrez, 140). This claim, however, did not stop FARC from continuing to expand their territorial influence.

Gaviria attempted to continue with Barco's attempts to institutionalize human rights and improve the continually deteriorating situation to appease the international community, but to no avail. In fact, the situation worsened under Gaviria, in part because of his abysmal record with the paramilitaries. During the four years of his presidency, there was not a single paramilitary casualty, and they acted with total impunity even after their proven responsibility for massacres, systematic sexual assault, and torture (F. Gutiérrez, 2003, 140). In spite of Gaviria's attempts at massive reform of the police and military institutions, he was unable to separate the alliances and entanglements between the army, police, and paramilitaries as a part of his counterinsurgency technique. From this point onward, this relationship would continue: the armed forces establishments and paramilitaries continued to work conjointly and in direct communication. They would often co-coordinate attacks on civilians directly, or the police and army installed in an area would clear out before a paramilitary attack to facilitate political cleansing. This behavior remained constant throughout the conflict, as paramilitaries aligned themselves with powerful landowners and politicians.

The Constitutional Reform of 1991

Convened by Barco and Gaviria, the Constitutional Reform of 1991 had huge implications for the future of politics in Colombia, including conceptualizations of the role of religion in

government, peacemaking, and political equity. A significant change that resulted from the 1991 reform dealt with political equity and land rights, which had real implications for the ways in which attempts at peace were made, and the way that war was waged in Colombia. After the murder of Galán in 1989, the National Commission for the creation of a constitutional assembly suggested a referendum be conducted along with the March 1990 elections to determine whether a constitutional assembly should be held. This initiative became known as the séptima papelita (the seventh ballot) and was primarily headed by a student movement which vowed to protect human rights and democratic institutions. Through the actions of the student-led movement, an unofficial seventh ballot was cast overwhelmingly, and Barco used the wide powers given to the president during state of emergency to create "working tables" for the purpose of reforming the constitution. His decision was upheld by the Supreme Court due to the overwhelming popular support for the measure (over 5 million informal ballots were cast in favor of the reform). Approximately eighty-eight percent of the population supported a constitutional assembly (F. Gutiérrez, 2003). The result of the constitutional reform was as follows: for the first time, voting would be private, and voting booths were to be provided for that purpose; public, not private, finances would fund political campaigns, and indigenous and Afro-Colombians were for the first time ever, officially given territorial rights to their ancestral lands by the state, as I discuss at length in chapter 2.

Pastrana's Attempt at International Peace Diplomacy

By 1998, the first year of Pastrana's presidency, levels of violence were three times higher than they had been in 1982, and guerrillas had control of more of the national territory than they ever had before, increasing a sense of urgency around negotiations (Chernick 2008, 88). By 1995, the guerrillas were active in almost 60% of Colombian municipalities (Véase Ríos and García-

Peña Jaramillo 1997). Simultaneously with the fall of the Soviet Union and Cuba stepping back from its material support of the Latin American guerrilla movements, FARC and the ELN began kidnapping for ransom, extorting businesses (called the "revolutionary tax"), and shifting from solely taxing the production and sale of coca in their territory to producing cocaine themselves, along with heroin (Chernick 2008, 98). These actions cost them the support amongst many of the campesinos and farmers that were their primary base, and the continued use of indiscriminate kidnapping decreased their popularity among the Colombian citizenry as a whole. President Andrés Pastrana Arango (1998-2002) was the first Colombian president to integrate the international community into the internal process of peacemaking. He attempted to repair the damage created during Samper's presidency by combining strong pro-US and pro-peace sentiments (Gutíerrez 2003).

> I consider the international community's participation in all of the stages of the process of crucial importance: as facilitators of pre-negotiation conditions, as proponents of formulae for reaching mutual agreements on the way to formal negotiations, as witnesses of the accords reached, and as monitors of the compliance of commitments achieved. However, this cooperation with the international community, which should be autonomous and sovereign in nature, must be the result of an accord reached among the disputants, that which presupposes a clear willingness to come to terms since only the conflicting parties can make peace, not the international community . . . As elected president, I will visit the heads of state of the industrialized nations who have indicated their willingness to come to our aid, especially the United States, to establish with them the way in which they are going to cooperate with us towards initiating the economic and social redemption of those zones most affected by the conflict . . . Intimately tied to the social problem and to that of violence is the illicit crops issue . . . Developed countries should help us to execute a type of 'Marshall Plan' for Colombia, which should allow us to carry out large investments in the social and agrarian sectors, and in regional infrastructure . . . (Pastrana 1998 quoted in Tolktien 2000).

Pastana linked peace to drugs here, and actively sought to include the international community in the process—an international community which was centered around the United States and proposed a "de-narcotization" of the Colombia-U.S. relationship. He wanted to use international

actors as funders and negotiators in the peace processes with the ELN and the FARC, departing from past administrations' tightly internalized attempts at negotiations.

Pastrana's negotiations attempts radically departed from all others that came before it. Firstly, there was no ceasefire negotiated prior to the beginning of negotiations—the government and FARC would negotiate while war was ongoing. This was not unprecedented, as the negotiations in El Salvador had been successful without an established ceasefire (Chernick 2008, 128). A temporary "safe zone" was set up across five municipalities, created by the Pastrana administration for FARC to facilitate the exchange of hostages FARC was holding. In this space, no police or military were allowed. Additionally, FARC and the government settled on a twelve-point agenda for negotiations: economic reform, agrarian policies, illicit cultivation, human rights, international humanitarian rights, natural resources, judicial reform, political reform, state reform, the armed forces, and international relations. The first point on the agenda to be discussed would be economic reform. Also, in contrast to the negotiation policies of Barco and Gaviria, Pastrana did not discuss disarmament—it was not even on the negotiation agenda. He also opened the door to international participation: there would be a representative from the United Nations and representatives from the "Group of Friends" which was composed of ten members in total; Venezuela, Mexico, Cuba, Canada, and six European countries. Lastly, there would be public forums for the opinions and participation of civil society, particularly on the points of economic reform and illicit cultivation.

At first, Pastrana's unique approach was supported with the optimism of the public, both nationally and internationally. However, it quickly became clear that neither party had the political capital or the ability to compromise in order to truly make progress in negotiations. During the first three years of Pastrana's presidency, the AUC doubled in size, and the United

States continued to provide anti-narco and counter-insurgent aid to the Colombian military under the purview of Plan Colombia, which continued to militarize the war on drugs, while the executive branch continued to claim that its central focus was peace. The FARC was not innocent in its activities during the negotiations either. They continued to increase their military activity throughout the national territory and carry out kidnappings and other criminal activities (Chernick 2008, 131). The negotiations began to lose public support over the fact that violence continued to increase while the government and FARC were at the negotiation table. Why was violence increasing if they were supposed to be negotiating peace? The twelve-point agenda for negotiation was much too broad and overreaching for the position that FARC was in. In 2002, the two parties were finally posed to reach a bilateral ceasefire and were in the processes of creating new ceasefire zones in the country. Presidental frontrunner Álvaro Uribe denounced the plan to create the new zones, stating that it was an unacceptable compromise for the country (132). Tensions began to heighten. FARC subsequently hijacked an airplane with a very important senator on board, and Pastrana ordered the military to retake the zones that had been set aside for FARC. By 2002, the majority of the public no longer supported attempts at peace negotiations. At this juncture of yet another failed negotiation that led to increased levels of violence, the next president essentially had three strategic options: 1) to intensify the conflict until there was a better window for negotiations, under conditions more favorable to the government; 2) to intensify the war to its previous levels and try to increase the capacity of the state and its institutions during war; or 3) to begin a new negotiation right away (136).

Inconsistent State Attempts at Peacebuilding

So here we see a summary of attempts at peacebuilding bureaucracy from above that have been inconsistent at best, and disastrous at worst. Since initial attempts at negotiations with the

FARC during Betancur's presidency, there have been: four different Truth Commissions, three Congressional Forums, at least 10 known attempts at negotiation, five different ceasefire or demobilization zones, a constitutional reform, and Uribe's Peace and Justice Law.[43] As I discussed in chapter 2, when one group demobilized, some former combatants truly did demobilize and reintegrate into society, but still others rejoined a different group. Five years out from the Havana Accords, we see that the same thing has happened with some members of the FARC: some re-mobilized into dissident groups, and others joined the ELN instead of demobilizing and reintegrating. Bureaucratic attempts at peacebuilding are oftentimes usurped by party politics and presidential decree in Colombia, rendering all the above largely ineffectual.

And so, in this history of state-centric attempts at peacebuilding, we see a continual inconsistency in these processes being implemented by the state or reaching parts of the country that have the direst need. As a result of this, different communities throughout the country have created their own institutions and practices to work toward their own visions of peacebuilding, in some cases, with the aid of the international community, and in other cases, on their own, which I discuss in chapters 4 and 5. In the rest of this chapter, I interrogate the ways that members of the state apparatus (technocrats, bureaucrats, and politicians) in Colombia frame the implementation of peacebuilding and transitional justice processes that they are responsible for, and how these frames partially construct the everyday interactions that many citizens have with the state as they move toward different visions for peace.

State Peacebuilding as One Vehicle for Inconsistent Peace in Colombia

Weber defines bureaucratic agency in the sphere of the state with the three following characteristics:

[43] The widely criticized demobilization of the AUC paramilitaries (see Chapter 2 for more on this).

> 1) The regular activities required for the purposes of the bureaucratically governed structure are assigned as official duties.
> (2) The authority to give the commands required for the discharge of these duties is distributed in a stable way and is strictly delimited by rules concerning the coercive means, physical, sacerdotal, or otherwise, which may be placed at the disposal of officials.
> (3) Methodical provision is made for the regular and continuous fulfillment of these duties and for the exercise of the corresponding rights; only persons who qualify under general rules are employed.

Weber presents an "ideal type" of bureaucracy here—a rational, matter-of-fact, bureaucracy without personal delineations (M. Weber 1978b). However, the reality of bureaucracy is far more complex and messier than Weber's definitions and characteristics.[44] Bourdieu discusses how the quotidian practices of bureaucrats speak to the effect that the state has in the everyday and how this contributes to the discursive construction of the state in public culture (Bourdieu and Farage 1994). As Weber discusses, bureaucracy is a part of the process that rationalizes the state, which in turn creates bureaucratic routines. From these practices and routines, we also see the mechanisms which reproduce power and power relations as a disciplinary function (Foucault 1977). In his ethnography of local bureaucrats and local discourses of public corruption in India, Gupta discusses how the state is realized vis-à-vis bureaucracy and discourse: "Together, they enable a certain construction of the state that meshes the imagined translocal institution with its localized embodiments. The government, in other words, is being constructed here in the imagination and everyday practices of ordinary people" (Gupta 2006, p. 277). Thus, the state, and definitions of the state as we can reach them are non-homogenous—they should be constructed based on the experiences of specific populations and their everyday interactions with the "state."

[44] Weber presents these characteristics of state bureaucracy as an ideal type, so this is not to say Weber himself does not acknowledge the potential "messiness" of bureaucracy, as his ideal types were based on shifting contexts.

Good and Bad Bureaucrats?

The state is made up of individuals with different motivations: some are self-interested, some are working toward what they believe to be a common good or improvement, and some lay somewhere in between. However, the larger character of bureaucracy creating the conditions for bureaucrats to act in self-interested and indifferent manners toward some citizens outweighs the motivations of individual bureaucrats who work as one part in larger system. Barnett (1996) sums this up in the following passage:

> Yet bureaucrats will also feign concern and use the rhetorical device of the common good and the community's needs to cover their unwillingness to act and to further their own self-interest. In other words, they will frequently argue that their inability to act is not due to the limits of their bureaucratic responsibility and organizational rules but rather because these rules and practices are designed to protect the community's interests and aspirations. Sometimes this is simply a rhetorical device designed to allow state officials to excuse their personal indifference and to pursue their own self-interest. Yet, at another level, it allows them to live with themselves while acting indifferent and permitting injustices; they begin to effect the understanding that they are representatives of organizations that are, in turn, representative of the common good, allowing them to become indifferent to the individual under the discursive cloak of community. Such indifference is a testimony to the dominance of the needs of the organization over those of the individual, a testimony to the primacy of the universal over the particular (134-5).

Barnett is discussing the bureaucratization of peacekeeping in the context of the United Nations, but extends that here to how *peacebuilding* has been bureaucratized vis-à-vis the state and the international community (Barnett 1996). Oftentimes, bureaucratic reactions to peacebuilding and continued violence during peacebuilding and TJ measures are met with a primary consideration for the organizational need, whether that organization is an individual agency or the state apparatus as a whole, rather than oftentimes immediate and desperate need of a specific context. Bureaucracies are not just instruments of state domination in the everyday, but they are also markers of boundaries. Bureaucracies separate citizens from non-citizens, but even between citizens, or a same community, are all treated equally or receive the same privileges. Some

citizens are determined to be "core" members of a community, and more likely to be given more care and consideration by the state (Barnett 1996; Herzfeld 1993). Bureaucrats, as core members of the nation-state, use their identity "to determine who will receive their attention and who will not" (Barnett 1996, 128). So then, it comes as perhaps no surprise that citizens who make up a part of the peripheral rather than the core group, who are most in need of intervention, receive assistance at a slower rate or might not ever receive it at all. The structure of this newest state attempt at peacebuilding remains problematic and even contradictory to the concept of territorial peace that was presented as the central concept of the 2016 peace accords. While the reforms presented as a part of the accords were supposed to prioritize the 'periphery' of the country, the structure of peacebuilding was built off of already existing structures or government agencies that center and prioritize the state as it exists in Bogotá, not throughout the country. Since the structure of this attempt at peacebuilding was subsumed into pre-existing government structures that exist in part due to past attempts at peacebuilding, it is difficult to imagine this attempt being much different from the others, in spite of the way territorial peace was presented as the center of the accords themselves.

The State Apparatus of Peacebuilding

In this section, I engage with the interviews I conducted with Colombian bureaucrats between 2017 and 2021. While I do conduct interviews with some elected members of Congress, like those on the High Commission for Peace, the remainder of the analysis in the chapter focuses on interviews with bureaucrats and technocrats who are involved in the massive state apparatus that is responsible for peacebuilding and transitional justice in Colombia. The state apparatus of peacebuilding in Colombia is an enormous one: in addition to the presidential, judicial, and

legislative branches and the government agencies linked to each branch, there are even more bureaucratic and governmental agencies involved in the peacebuilding process.

Under the presidential branch, the current president is constitutionally bound to fulfill the conditions of the peace agreement, but also has la Consejería de Derechos Humanos (President's Advisory on Human Rights) and la Consejería de Estabilización y Consolidación (President's Advisory on Consolidation and Stabilization), both of which are directly involved with coordinating aspects of peacebuilding. In the judicial branch, the Constitutional Court of Colombia has been key in the establishment of the peace accords into constitutional law, making the current and next presidential administration legally required to honor the terms of and work toward fulfilling the accords. In addition to the Constitutional Court, the Jurisdicción Especial para la Paz (Special Jurisdiction for Peace, JEP), is a transitional justice court established by the accords with a fifteen-year mandate to investigate and hear cases related to the conflict by all actors involved: guerrilla, paramilitary, and state forces alike. The legislative branch has a Commission for Peace, which is a multi-party group of Congresspeople who evaluate laws and the passage of laws related to the accords.

However, the largest part of this apparatus is made up by a multitude of government agencies who are responsible for different aspects of peacebuilding; transitional justice, truth-telling, reincorporation of former combatants, creating official narratives of history and memory of the conflict, and providing services to officially recognized victims. This ABC of agencies involved includes: the JEP, Comision de la Verdad (Truth Commission), Unidad de Busqueda (Search Unit- responsible for investigating disappearances related to the armed conflict); Agencia de Renovación del Territorio (Territorial Renovation Agency- responsible for increasing the provision of infrastructure and services to rural Colombia, where the majority of violence during

the conflict occurred); Agencia para la Reincorporacion y la Normalización (Agency for Reincorporation and Normalization- responsible for the reincorporation of former FARC combatants into society); Centro Nacional de Memoria Historica (National Center for Historical Memory- responsible for constructing national narratives of memory of the conflict); Defensoría del Pueblo (Ombudsman's Office- responsible for oversight of human rights in Colombia); Departamento Nacional de Planeación (National Planning Department- monitoring statistics about the conflict, presence of armed groups, etc. from different government agencies); Fiscalia general de la nación (Public Prosecutor's Office); Ministry of Defense; Ministry of the Interior; Procuraduría general de la Nacion (Attorney General's Office); and Unidad para las Victimas (Victim's Unit- responsible for overseeing reparations for victims of the conflict). All of these agencies have regional offices or representatives throughout the country and interact very closely with one another often. I interviewed at least one person from each agency listed above, and the division of my interviews is listed in the table below. I did this because each of these agencies or organizations have been given a mandate directly related to peacebuilding following the 2016 peace accords. Therefore, I wanted to ensure that I had spoken to at least one person at each organization charged with a peacebuilding-related mandate, though some agencies were more accessible than others. Other interviews that I do not include in this count were conducted as information gathering interviews and were not included in this analysis but provided key background information and context.

Agency/Department	Number of Interviews
President's Advisory on Human Rights	2

President's Advisory on Stabilization and Consolidation	2
JEP	15
Truth Commission	3
Search Unit	2
Territorial Renovation Agency	5
Agency for Reincorporation and Normalization	4
National Center for Historical Memory	3
Defensoría del Pueblo (Ombudsman)	4
National Planning Department	2
Public Prosecutor's Office	1
Attorney General's Office	8
Ministry of Defense	1
Ministry of the Interior	2
Victim's Unit	3
Congress- High Commission for Peace	12
Interview Total	69

Table 3.1: Government interviews

In my interviews, I focused on questions surrounding the theme of responsibility. If this state apparatus continues to be the primary mechanism through which peacebuilding "gets done" in Colombia despite the claim that this process will focus on the 'periphery' vis-à-vis territorial peace, how to bureaucrats and agencies view their responsibility for the consistency and

implementation of TJ and peacebuilding. In particular, where does responsibility for the peacebuilding and TJ processes begin and end? Who do they view as responsible for these processes? Where does the mandate of their particular agency begin and end? In my analysis of these responses, interesting themes on perspectives for the responsibility of peacebuilding from the state apparatus emerged, which I detail in the following section.

State Attitudes Toward Responsibility and Peacebuilding

In this section, I discuss attitudes toward the state's responsibility for peacebuilding processes, and how they have changed over time. A distinct advantage I have in this analysis is the ability to analyze and identify shifting attitudes over time. I began these interviews in June 2017, at the beginning of the implementation of the 2016 peace accords, and end them in June 2021, approximately four years after implementation has begun, and through two different presidential administrations (Santos and Duque). I discuss five different themes here which emerged in my interview analysis: *política pública,* state avoidance over time, mechanisms to justify agency mandates and responsibility, "not my problem," and civilian blaming.

Política Pública

One of the most obvious themes in my interviews was that of *política pública*—it was mentioned at least twice in every single interview. In an academic sense, *política pública* refers to public policy, and is discussed as a sort of civic platform for state programs and projects that many technocrats and bureaucrats are involved with (Alzate 2011). However, I asked every interviewee "how do you define *política pública*?" and received an aggregate response vastly different than what the academic definition along with the literal translation of the phrase implies, one which aligns very closely with a discussion about responsibility for peacebuilding and a larger idea of civic duty. My interviewees found it difficult to define, often taking long pauses and

even longer responses involving lengthy explications. In general, they defined it as this larger idea of responsibility: that everyone in a society is responsible for what happens politically. It is "the concept that in order to make this [the peace process] work, everyone needs to take a part of it. It's not only on the state, or government agencies, although a lot *is* on them. The people need to do the work too" (Interview with Congressperson on the High Commission for Peace, July 2017, Bogotá).

This general idea of "the people" needing to be a part of this process was echoed in responses to later questions such as "who do you think is responsible for the implementation for the peace process, or who is *most* responsible for peacebuilding?" Some interviewees responded that while the state was primarily responsible for peacebuilding and its implementation, they also mentioned other sectors of society that needed to put in an effort. "The government has an enormous responsibility, this is on them. However, all the different agencies also have things that they are responsible for. Civil society is another—they have a key role in this. It won't work without them [civil society]" (Interview with the delegate for human rights in the Attorney General's Office, April 2020, Bogotá). Other interviewees placed all responsibility for these processes on the state, or national government, but I could not determine any sort of pattern between those who thought the responsibility was shared and those who did not.

I asked those who responded that "the people" or "civil society" in general did have an important role to play in these processes how they defined who that was, and they were hard pressed to respond. "You know, there's a lot of civil organizations, lots of peacebuilding organizations doing good work. They need to continue to do what they're doing" (Interview, sub-director at the National Planning Department, April 2020, Bogotá). Although many bureaucrats, technocrats, and members of Congress did agree that civil society organizations and social leaders

were doing important work, many did not seem to not link the importance of that work to the idea that those same people and organizations may need more resources and protection to continue to be able to work. This lack of connection was an interesting commentary about the value of local knowledge—in that it is seen as valuable and important by many working in the central government, but not to the extent that they should be provided more support and resources, in spite of the central mandate of territorial peace surrounding these peace accords.

State Avoidance over Time

Another theme which has emerged, particularly when I compare earlier interviews to later ones, is the shift in allocation of responsibility. The shift, which occurs for some interviewees, is fairly neatly divided between 2018 and 2019. This is when I begin to see more avoidance of responsibility by state officials. This seems to align well with implementation context in Colombia for the following reasons: conservative president Ivan Duque takes office in August 2018, taking over from the Santos administration, which brokered the peace deal, and specific forms violence in Colombia such as assassinations of community leaders and demobilized FARC combatants, begin to increase notably. I see a shift in the state's willingness to take responsibility for the implementation of the peace accord solidify approximately six months into Duque's administration. In 2017 and 2018, state officials, even those in the executive branch or cabinet positions, are very vocal and adamant about the government's responsibility to see the peace process through, and to avoid a backslide into violence that has happened so many times before in Colombia.[45] However, approximately six months into the Duque administration, that tendency changes. Responses from executive appointed positions changed. For example, in an interview with an official at the Ministry of the Interior during the Duque administration, an answer to "who

[45] See Chapter 2 for more on this.

is responsible for the implementation of the peace accord?" is as follows: "Well, legally the next two administrations are required by the Constitution to continue to see the peace process through. Which we are doing. However, there's another party involved here—FARC isn't exactly doing their part. So obviously, that makes things more difficult for us" (Interview with official from the Ministry of Defense, June 2019, Bogotá). So, from positions that have direct links to the executive branch during the Duque administration softened their positions on state responsibility, beginning to assign blame rather than responsibility.

Beyond positions appointed by the executive branch, I also saw a change in responses from interviewees who are members of the Colombian Congress. Elected officials, rather than discuss *their* responsibilities in *política pública,* tended to assign blame instead. Left and moderate Congresspeople, from early 2019 onward, tend to blame President Duque for the slowness and violence that has accompanied implementation. Right-wing Congresspeople tend to blame the FARC. In sum, elected officials assign blame in line with their political party's views, appointed officials assign blame in line with the president's party's views, but bureaucrats and technocrats tended to not change their responses over time. They continued to assign responsibility based on legal mandates, and this does not change from 2017 to 202.

Mechanisms to Justify Agency Mandates and Responsibilities

Bureaucrats and technocrats I interviewed tend to point to specific mechanisms which justified both the extents as well as the limits to either their individual positions, or their agency as a whole. JEP magistrates and officials in particular, point to legal mandates and the fact that the peace accord has become a part of Colombian Constitutional law when discussing concepts of their mandate and agency responsibility. The JEP in particular stands out as a part of the state which consistently pointed to the Constitution to justify their mandate. Pointing to the peace

accords as Constitutional law is a way of continuing to legitimize the existence of the court in a hostile political environment. "None of us [JEP magistrates] are transitional justice lawyers or judges. We're all ordinary justice judges. So we are developing these procedures as we go, as best as we can, according to the law. There's a lot of debate between us about how to judge some of these cases because we don't have a blueprint to follow" (Interview with JEP magistrate, May 2020, Bogotá). In contrast to the JEP, elected and appointed officials do not tend to point to any particular mechanism to justify the extent of their agency responsibility. Non-appointed bureaucrats and technocrats are somewhere in the middle.

While some bureaucrats and technocrats pointed to the constitution as well to justify their mandate, most have to look at other sorts of mechanisms, as their particular agency's role is not necessarily discussed in the constitution itself. Many pointed to the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition (SIVJRNR). The SIVJRNR is a set of mechanisms to guarantee truth, justice, reparation, and non-repetition to victims of the conflict, as stipulated by the 2016 Peace Accords. These mechanisms in particular are the Truth Commission, the JEP, and the Search Unit, but other government agencies frequently reference it in justifying the extent of their mandates, such as the Victim's Unit and the Agency for Reincorporation and Normalization. Essentially, the SIVJRNR is functioning as intended—it gives bureaucrats and technocrats a clear mandate to point to and to follow as they work toward implementation.

"Not My Problem"

Moving to the flip side of the SIVJRNR, which gives clear and concrete mechanisms for bureaucrats to reference the extent of their mandates, it also gives those same bureaucrats an excuse to not look beyond it, despite what else might be happening. For example, in reference to

processes of reincorporation for former FARC combatants, an official from the ARN gave me the following numbers:

2014	2015	2016	2017	2018	2019	2020*
18605	13760	10543	10234	6578	5754	5647

Table 3.2: Number of former combatants active in reintegration processes, disaggregated by years. Personal correspondence, May 2020. Data courtesy of the ARN.[46] [47]

The official from the ARN explained to me that the numbers going down every year demonstrates the successful reintegration of former combatants who then leave the program. When I asked her about the increasing threats against and assassinations of former FARC combatants throughout the country, she responded, "That's not my responsibility" (Interview, May 2020, Bogotá). While that may be the case, it should be concerning that those former combatants who are in the process of reintegrating or those who have completed the program are being threatened, as it is indicative of a larger pattern of violence.

This theme aligns closely with Barnett's (1996) discussions on the politics of indifference—bureaucratic structures and mandates often give bureaucrats the opportunity to determine which citizens are more likely to receive the benefits, care, and protection of the state, and offers little incentive to go beyond mandates, even in cases of severe human suffering. In the case of Colombia, this is determined from the top down: perspectives change based on who is in power, as opposed to remaining consistent and impartial. Others may suffer from empathy fatigue. When discussing the issue of increasing assassinations of former FARC combatants and

[46] The 2020 disaggregate number accounts for January through April.
[47] These numbers include paramilitary members reintegrating under the Peace and Justice Law.

community leaders, an official in the President's Advisory for Consolidation and Stabilizations told me: "We really are doing our best. There's a lot of people being threatened, and we can't protect everyone. We can't protect people in rural areas well. We have to prioritize people who have a higher national or international profile—we can't protect every former FARC who's a mechanic or whatever. We can create a schema of protection for multiple people if they live near each other, which works well for community leaders. But at the same time, if many of them live together or around each other, that also makes them a more attractive target because they [hitmen] can take out a few at the same time" (Interview, June 2020, Bogotá).

Here we have two different issues: that of an issue being outside of agency mandate, and a very real lack of state resources. However, the ideas of elite actors within the state apparatus of who is "deserving" of resources plays a role in state decision making, which bureaucrats are responsible for deciding—in part they do so through making judgements about in-group and out-group citizens (Barnett and Finnemore 1999; Barnett 1996).

Civilian Blaming

The final theme which emerged from my interviews is that of civilian blaming. This phenomenon is the most recent one; I began to record attitudes of placing blame on civilians in my interviews with state officials toward the end of 2019. This theme really emphasizes organizational power to make in-group out-group judgements about which citizens deserve help. Unsurprisingly, some of these judgements are formed through racism and a continued stigmatization of poverty in the parts of Colombia that have been heavily impacted by the civil conflict.

In an interview with the director of the Agency for Territorial Renovation, I asked if he felt that projects (known as PDETs) which have been developed as a part of the peace deal and

through a partnership process between local communities and the national government, might change some feelings toward the state due to its historic absence in places like Buenaventura and Puerte Colombia. (I named both of these places explicitly as they are two of my primary field sites.) Both areas are a majority Black demographic. His response was: "Well, don't misunderstand me, but people there do not have the right attitude, in general. I think it will change attitudes in other parts of the country, like Bolívar[48] but not in the Pacific. They don't have the right attitude toward their own empowerment, they don't have the culture for it." Here, not only do we have a clear example of a racist state attitude, but we also see a process of state decision-making based on who is seen to have "helped themselves," regardless of the veracity of those assumptions. Others, rather than making such direct statements, refer to majority Black- and Indigenous- parts of the country as "maybe beyond help," and "going backward [yet] again" (Interview with officials at National Center for Historical Memory and the Presidential Advisory of Human Rights, January 2020 and December 2019, Bogotá).

This attitude is dangerous, as it perpetrates a sense of apathy toward some civilians, many of which continue to be in danger as parts of the country *do* backslide, in part because of the current administration's signaling that they are not committed to seeing through the peace process implementation, regardless of constitutional mandate, and also because the state continues to fail to provide services in parts of the country that it continues to ignore. This thus creates the incitement for armed groups to take advantage of parts of the country where the state continues to refuse to take responsibility or implement peacebuilding processes as an aspect of that

[48] Bolívar is a part of the country with a largely mestizo campesino population, as opposed to majority Black or Indigenous population. The neoliberal of *mestizaje* in reference to racial hierarchy is one that I discuss in Chapter 2 while engaging with the work of Paschel (2016).

responsibility, exposing citizens to re-victimization even as they participate in processes like JEP trials and reparation requests.

Conclusion

In this chapter, I analyze different attitudes toward the state and its use as a central tool of analysis in International Relations theory and political science more broadly. I trace the intellectual origins of the state as a central figure of analysis in Euro-American traditions of political sciences, which in turn has an impact on how peace and transitional justice processes are constructed; with the state at the center, responsible for the oversight of those processes, even when it violated or continues to violate members of its citizenry participating in peacebuilding. I address critical Black, feminist, and Indigenous views, as well as those of my collaborators, of the state as a concept, placing them in conversation with the intellectual traditions of the Euro-American conceptualization of the state. Placing these different conceptualizations of the state in conversation with one another offers a valuable critique of the state as the center of peacebuilding and TJ processes as well as that of the way the state is used as a unit of analysis in positivist social science.

Rather than seeking to *define* the state, I posit that the state in part, is undefinable due to its legitimation work, in agreement with critical anthropologists like Abrams, Mitchell, and Gupta. I engage with Weber's ideas about the state to engage with the conceptualization of the state that is often utilized in International Relations theory, but I interrogate the ways in which state attitudes and the construction of them have real implications for citizens and a tangible impact on the everyday. It is in the everyday that the reality of the state exists, particularly when we are engaging with experiences of violence, whether they are violences perpetrated by the state itself or other actors. These violences are most often committed against those who do not fit the

characteristics of who is a protagonist in the liberal social contract: white, male, and property-owning (in the Western sense of the word, as ancestral claims to land so often go unrecognized in Western property law).

To examine one part of the reality of the state in the everyday during peacebuilding and TJ processes, I conducted over 70 interviews with bureaucrats, technocrats, and elected and appointed officials in Colombia from 2017 to 2021, beginning at the same time as the implementation of the 2016 peace accords with FARC. I then analyzed these interviews, which centered around themes of state responsibility for peacebuilding, and five overarching themes emerged over the first four years of implementation. These themes, which changed and emerged over time, are política pública, state avoidance over time, mechanisms to justify agency mandates and responsibility, "not my problem," and civilian blaming. Another aspect I found interesting here is that despite the mandate of territorial peace as a concept (which I discuss in chapter 1), very few bureaucrats explicitly mentioned territorial peace in our interviews. Instead, they continued to place these peace accords in context of one that is top down, and continues to be centralized from Bogotá. As these attitudes make up a significant part of the state in the everyday, these themes have significant implications for how processes of peacebuilding and transitional justice are actually carried out (or not), particularly as patterns of violence simultaneously re-emerge. In this chapter, I offer further evidence for how state-centered processes and examinations into peacebuilding are insufficient to understanding how peacebuilding gets done, particularly when we consider the contrast between the concept of territorial peace and the reality of how state-centered implementation has moved forward following the 2016 peace accords. In the next two chapters, I focus on how different local communities engage in mechanisms of self-help, be it through engaging with the international or national communities, or a refusal to engage

with the state at all. These cases focus on community agency as well as connections or relationships between the international and local rather than the state.

Chapter 4: Community-Built Institutions as a Response to State Abandonment

Introduction

As I have already established in Chapters 2 and 3, state attempts at peacebuilding implementation often do not serve or consistently engage with populations that need the most help. In this chapter, I use the cases of the sovereign Indigenous government of the displaced Nasa community in Santiago de Cali and community leaders in urban and rural areas of a zone in the Pacific region, which I will refer to as Puerte Colombia[49] to illustrate the ways in which communities create their own peacebuilding institutions to advocate for themselves when state apparatuses do not serve them. I discuss how these institutions, both formal and casual, are created and honed by the community, and the ways that the community chooses to interact, or not, with state institutions once it has been established. Each of my cases establishes one of these points: the Nasa cabildo in Cali is a more formalized institution, one which chooses to engage with state and regional institutions or forms of government. The case of Puerte Colombia is an example of an "informal whisper network," created by community leaders as a security mechanism to protect themselves from armed actors, including state forces. This community institution intentionally chooses to not engage with or participate in interactions with the state at any level. Here, I draw from a variety of interviews, participant observation, and focus groups in Cali and Puerte Colombia from 2018-2020 to illustrate my cases.

It is clear to the populations represented within these case studies, as well as the other communities I discuss in this dissertation, that the government cannot or will not help them, so they must help themselves. The case studies I discuss here are two examples of many different

[49] I anonymize the name of the city to protect my collaborators, and as per discussions giving their consent for me to write on this subject.

strategies taking place throughout the country that they use to do that. The communities that I discuss in this chapter have been historically abandoned and marginalized by the state: they have little or no access to healthcare and educational services or basic needs like potable water and sanitation services. The areas that they live in continue to be territories contested by multiple armed actors, and members of the community are often regarded with suspicion or abused by state forces in the region (Burnyeat 2018). The case of the cabildo Nasa de Santiago de Cali is an example of a mediating social welfare institution between community members and the state: economic, education, health, and safety- they intervene as a mediator in all these categories. The case of Puerte Colombia is an example of personal protection and security: community members have intervened amongst themselves to create up-to-date mappings of security forces, armed actors, and cocaine production in the region to protect themselves from violence, including from state forces and state institutions.

In this chapter, I interrogate the creation of both community-built and community-led institutions—what vision of need led to their creation, and how their policies and practices have been refined over time. I also discuss why the cabildo and the whisper network of Puerte Colombia made their respective decisions to engage with state institutions or not. These are two examples of vantage points and struggles toward peacebuilding that lie outside the formal peace process, which gives us perspectives as to what gets done in contexts where the state is not centered in peacebuilding. To do this, I draw from a series of 32 semi-structured interviews with members of the cabildo in Cali, including members of the governing council, attendance at three of their monthly tribe assemblies, and attendance at the larger Nasa New Year gathering from 2019-2021. For the case of Puente Colombia, I use 21 semi-structured interviews with members of community councils and social leaders from the urban and rural areas surrounding Puente

Colombia, as well as two focus groups from 2020. As I describe later on the chapter, these focus groups allowed me to discuss the processes of triangulating information that was provided from the whisper network and figure out how much consensus existed between different community leaders as to how those processes functioned.

"If there's a need": Constructing Community Institutions

In this section, I conceptually engage with these two very different institutions and their origins. First, I engage with existing literature on whisper networks to discuss the case of Puente Colombia. Secondly, I draw from the rich literature on Indigenous governments and their interactions with the state. However, the case of the Nasa cabildo in Cali is different, as it is an Indigenous government without a sovereign territory.[50] I discuss the unique ways that it interacts with state resources and serves as a way for their members to know which of those resources are available to them. Both of these cases are examples of communities filling the gaps of inconsistent attempts or implementations at peacebuilding and TJ processes on the part of the state.

Whisper Networks

Existing literature on whisper networks in the social sciences made a resurgence after the #MeToo movement went viral in 2016. Previous to this resurgence, there was a long gap in research on informal whisper networks. I survey older literature on rumor and gossip from the 1950s and 1960s, linking it to newer work which is focused almost exclusively on networks

[50] This is a unique arrangement that has resulted from patterns of displacement during Colombia's conflict. While most sovereign Indigenous governments govern their own land, like the resguardos that I discuss in chapters 2 and 3, violence on Indigenous territory in Colombia has forced significant numbers of their population to flee their ancestral territory and live in larger cities, like Cali. The Colombian government recognizes the urban cabildos as a sovereign government with their own laws that govern members, but without claims to land where they have been displaced to and are living.

between women as an unofficial mechanism to combat sexual harassment and/or assault in the workplace or their communities. To my knowledge, there is little to no recent work that has been done on whisper networks that are community security mechanisms, and one that includes members of all genders within a community, as is the case with Puente Colombia.

Earlier social science literature posits that rumors and gossip serve as a form of information gathering in the wake of damaging events such as earthquakes, particularly in rural areas and when reliable news media is unavailable (Prasad 1950). Rumors served as preliminary reports on what roads were passable, how bad damage was to particular properties, and where resources such as food, water, or rebuilding materials were available. Passing information through the grapevine either served to made it more reliable, as different sources triangulated and corrected the information as they passed it along to new people, or to exaggerate it more, as those who did not have actual information exaggerated damage to properties before they passed it along (Prasad 1950, 135). In this context, rumor and whisper networks were actually assigned to men, as it was their responsibility to determine what was safe and what resources were available to provide for the family. However, in general, and in more modern conceptualizations, whisper networks, rumor, and gossip have been labeled as "what women do" (Cole 2019; Donovan 2007). Fine argues that rumor is a way for communities to build a collective memory, and it is only somewhere between truth and rumor that civil society can flourish (Fine 2007). Previous to the resurgence of literature on whisper networks following the #MeToo movement, Blee writes about the whisper networks used by the women of the KKK, which were termed "poison squads of whispering women" and were organized campaigns to destroy political campaigns of anti-Klan candidates by insinuating they were Catholic or Jewish, and used the same to boycott businesses of ethnic minorities, Catholics, Jews, or generally anyone who was not a part of the Klan, using

their buying power as women to arguably greater effect than the overt violence of Klan men (Blee 1991, 71).

Following the viral #MeToo campaign in 2016 and 2017, a number of academic articles on whisper networks were published. These whisper networks are inherently gendered with a focus on women, as they were networks established between women to protect one another from rumored sexual harassers, abusers, and rapists in the workplace, in schools, and in universities (Gajjala 2018; Peters 2020). Famous cases included an anonymous Google doc of rumored sexual harassers and abusers in the Indian university circuit, university students writing the names of rapists or particular fraternities on the walls of women's restrooms with warnings, as well as smaller, quieter circles; for example, women already in a particular graduate program warning 'new' woman from the incoming cohort of the professors and male graduate students in that same program to stay away from. Large public social media accounts, like @shitmodelmanagement on Instagram, has published a list of photographers, stylists, designers, and modeling agencies that models should stay away from due to multiple accusations of sexual harassment, sexual abuse, rape, drugging, or other inappropriate behavior such as taking and sharing nude photos that models did not consent to or felt pressured into taking.

I posit that the case of Puente Colombia is a unique one that combines elements of the whisper networks I discuss above. It is a community security mechanism, like women's whisper networks in regard to sexual harassment and abuse, but all members of the community participate in and add to it. Unlike those rumors that become exaggerated due to people sharing information they do not know about as was the case with these networks in India following natural disasters; these networks tend to have accurate information as members of the community triangulate information and correct one another based on changing security and threat contexts in their

region. In my empirical section below, I document this real-time triangulation and correction process during conversations between community leaders.

Whisper Networks as Community Protection Mechanisms in Puerte Colombia

As I discuss above, existing literature on whisper networks are focused on the ways that women talk amongst one another to protect against sexual harassers and abusers in the workplace, university, and elsewhere. Here, I expand investigations of whisper networks to include one that is a community protection mechanism for all members of a community, regardless of gender, in the case of Puerte Colombia.

Puerte Colombia is a coastal city in the Pacific region of Colombia. It has an urban center which opens up to the Pacific Ocean, and rural waterways that are brackish swamps, rivers, and bays. It is a city that is now home to many people who have been displaced from different parts of the region, and still others are frequently displaced from Puerte Colombia itself due to threats and violence there. Like many other parts of the Pacific, it has a majority Afro-descendant population, and suffers from habitual and perpetuated lack of non-violent state presence. The largest state institution present in the region is the armed forces: there is an entire battalion stationed there that specializes in narcotics, and in the city center, there are fully armed and armored military personnel stationed every block. In spite of the overwhelming military presence, narcotrafficking, paramilitary, and guerrilla groups battle for control of territory that surrounds the city, and urban paramilitary/narco gangs carve up the city itself into spheres of influence. Travel in the region outside of the city is complex, as who is in charge of what roads, waterways, and other territory changes weekly if not daily.

Within this context, community leaders from communities in both the urban and rural zones have created a whisper network via encrypted social media messaging applications such as

Whatsapp and Signal. When members have access to data and cell service (which for some, is not consistent), they also have access to these messages, which gives them real-time updates as to what armed groups are controlling what zones, who has control of the roads in and out of the city, if there are checkpoints, where the coca is being grown, and where the cocaine processing labs are—and who is in charge of them. However, this process continues to pose a risk to community members and social leaders. In particular, since lockdowns to combat the COVID-19 outbreak began, there have been reports of armed actors going through people's phones to access this type of information.[51] In this section, I will recount a real-time experience of this network and the way that the community triangulated information face to face.

In March 2020, I co-facilitated a workshop with community leaders from the urban and rural zones of Puerte Colombia with a European organization. This European organization funded the workshop, including cost of transportation for all of the community members for the three days, some of whom had to travel considerable distances and through the same complex networks of territorial control I describe above. The workshop was held in the top floor of that city's small Center for Historical Memory—its windows faced the bay, not the street, so no one could see who was inside, and community members as well as the director of the center took turns sitting at the entrance to the stairs to make sure that the only people entering the space were those who had been invited to attend the workshop and were a part of the community. The European organization had asked a Colombian researcher who had spent a lot of time in and around Puerte Colombia to help lead the workshop, as this individual had established a lot of good will and trust with the community collectively. Numbers varied slightly each day, but on average there were between 25-35 social leaders at the workshop every day.

[51] Personal communications with social leaders, April-September 2020.

At the beginning of the three-day workshop, we began with an assurance that nothing discussed during the workshop would be shared with the Colombian government. We also established a no social media rule for the workshop due to potential security issues for the community members as well as for the researchers and facilitators (myself, the Colombian researcher familiar with the community, and two other staff members from the European aid organization who were Colombian, based in their Bogotá office). Most emphasized was the fact that this information would not be shared with the Colombian government in any capacity. I received permission from community members to discuss this particular exercise under conditions of anonymity.

On the afternoon of the second day of the workshop after lunch, we split the community members into two different groups, approximately 12-15 people each. Each group was given a blown-up map: one was of the urban center of Puerte Colombia, and the other showed the more rural areas immediately outside of the city as well as the urban center.[52] Community members who lived in the urban part of Puerte Colombia were assigned to the city center map, and leaders from rural areas were assigned to the other one. This exercise was intended to help strengthen the whisper network, and community members could take back this information to their families. In less than an hour, both groups had fully mapped out the spheres of influences armed groups had in the area, including the Colombian armed forces. Both groups color coordinated the five different armed groups in the region and identified who controlled what roads and who controlled what parts of the coasts, including the swamps and rivers. They also identified areas where coca crops were growing and where the cocaine processing labs were located, including two on a nearby Indigenous *resguardo*.

[52] I am not showing the maps here out of an overabundance of caution for anonymity and community safety.

I listened to the triangulation of this mapping in real time. When someone started to draw the signifier of a coca lab at one point, someone else interrupted; "No, no, that one actually burned down last week, it's not there anymore." In particular, there was a lot of conversation surrounding how had control of the roads in the more rural zones. "X group used to control that area, but now the Y's set up a checkpoint there." Someone else interrupted: "Wait, my brother just passed through there the other day. Let me call him to see." Within both groups of community leaders, men, women, and the youth activists present participated equally. After the exercise, I interviewed ten people from each group, twenty in total. From the urban group, seven were women, three were men, and two of the women identified as youth activists (one was sixteen years old, and the other was seventeen). From the rural group, six were men, four were women, and one of the men was a youth activist (also seventeen years of age). I asked each of them to describe how the beginning of this network began. One of the women from the urban group told me:

> Well, of course it started off as something smaller. Something would happen and we [the community] know about it first—because it happens to us. And maybe eventually the news learns about it, but only because we post about the things that happen on Twitter and Facebook, to try and get someone to care. And even then, they only really care if it's something really big and bad, like a massacre. There are so many things that happen that no one outside really hears about or cares about.

While members of the community continue to try to bring outside attention to what is happening, (even just national attention from different parts of Colombia), this whisper network works better than anything else has. A man from the rural group mentioned:

> We know this land better than anyone else, especially because this is [my family's] ancestral land. I know that my family came here after they escaped slavery and have been here ever since. But these [armed] groups make it impossible to live. And the army doesn't help. Every time they pass through, the other groups think that you're helping them, so they threaten you. The army, as you know, has also done horrible things here. We keep away from them too. They're the same as the other groups, basically.

In my interviews with community leaders, we also discussed the purposeful decision that the community has made to not collaborate with the Colombian government in regard to the whisper network they've established amongst themselves. "We tried that in the past," one of the women from the rural group told me. "We put our lives at risk [to share this information] and then nothing happened. No real help came." A man from the urban group added, "They've got a whole battalion [here]. They don't help. It's just another [armed] group that makes our lives harder."

In addition to mapping the armed actors, community leaders also identified a list of risk factors.

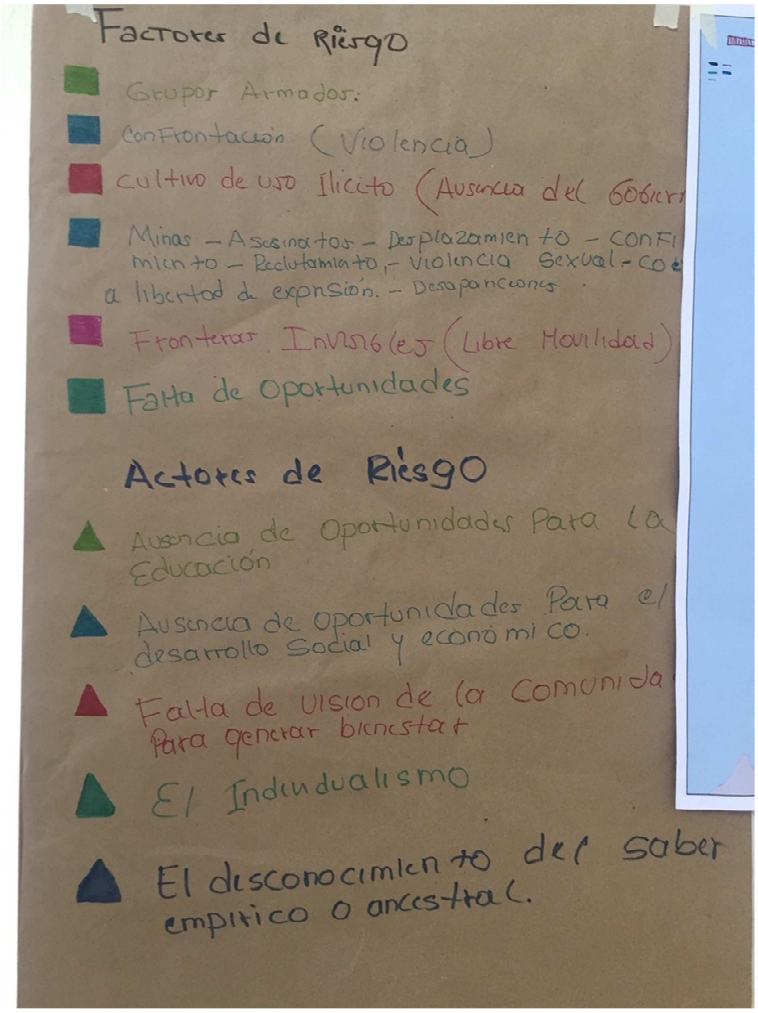


Figure 4.1 List of risk factors put together by social leaders in Puerte Colombia.

Here, they discussed not only the immediate issues of direct violence facing their communities, but the long-term impacts of those. Under immediate issues, they identified armed groups, confrontations or violence, illicit coca cultivation allowed by pervasive government absence in the region, land mines, assassinations, displacement, confinement (not being able to move freely for fear of violence/armed group check points), sexual violence, and forced recruitment. The long-term impacts they listed were lack of opportunity for education as well as social and economic development opportunity, lack of vision (on the part of the community) for general wellbeing/ quality of life, individualism, and lack of knowledge (both empirical and ancestral).[53]

The case of Puerte Colombia is one which shows us the ways that communities living with and through state abandonment and continued violence utilize their own networks and tools in order to create institutions and structures that protect themselves. Community members have used the technology they have to create a whisper network as a protection mechanism, one that is constantly triangulated by other members of the community. While it began as a small, informal network, it has grown to include people from both the urban and rural zones and is a sophisticated mapping of armed groups and their territorial control in the region. "This is our life," a woman from the rural zone told me. "It is clear no one else is going to protect us, so we have to do what we can to protect ourselves." While many of the community leaders themselves are actively engaged in a variety of peacebuilding projects, some of which are facilitated through state institutions, concerns surrounding direct violent are most urgent in the region and have significantly increased since the COVID-19 outbreak.

[53] While certainly true that ancestral knowledge can also be empirical, community leaders delineated the two as separate forms of knowledge.

Indigenous Governance as Social Welfare Institutions

Here I survey what types of relationships different Indigenous governments typically have with the Colombian government, i.e., co-management of ecological resources, discussions over land and mineral rights. I posit that the Nasa cabildo in Santiago de Cali is different than most Indigenous structures of governance in Colombia and in other parts of the world, and functions more as a social welfare institution for the generations of displaced Nasa persons in the city.

There is a strong history of Indigenous mobilization throughout Colombia. Organizations like CRIC and ONIC have led the charge for Indigenous rights in the country for decades. Particular communities have been successful in stopping extractive and speculative projects on their lands, others have created co management forms of governance in tandem with the Colombian government. In Colombia, *cabildos,* or Indigenous councils, are seen as the primary form of governance. There are different cabildos within the same Indigenous ethnic group, as is the case of the Nasa, and these cabildos are organized by region. Almost all of the cabildos are located on and charged with the management of sovereign Indigenous land, called *resguardos* in Colombia, much of which is protected land. While, thanks to Indigenous mobilization throughout Colombia, there are unique forms of environmental co-governance, for example in places where the Colombian National Parks Service overlaps with Indigenous territory (Premauer 2013), the case of the Nasa cabildo in Santiago de Cali is different.

The cabildo Nasa de Santiago de Cali has been active in the city of Cali since the 1970s, when significant numbers of Nasa persons were displaced from their ancestral territories in different parts of Cauca due to an increase in violence and the presence of multiple armed groups, particularly guerrillas, throughout the region (Núñez Basante and Talaga Castro 2017). It wasn't until 2003 when the cabildo was officially recognized by the regional government in Valle del

Cauca and the city of Cali as *un Entidad de Derecho Público Especial Indígena* (an Indigenous Special Public Rights Entity) and received recognition both nationally and internationally as an Indigenous council (Campo 2016). This recognition was only achieved through significant mobilization on the part of the members and official council members of the cabildo.

> It was very frustrating to have to apply to the [Colombian] government to be recognized. Obviously, we are not a traditional cabildo in the sense that we are here [in Cali] and not on ancestral lands. But we are here because we were driven off by violence that they [the government] have perpetrated. It was offensive to have to petition to be recognized as properly Indigenous by them. Who are they to say? But we did it because it meant more resources for our people.[54]

The cabildo has chosen to engage with state institutions, not because they think those institutions are legitimate, but because they feel it gives them potentially more leverage and more resources. In particular, having the community recognized as a cabildo means that the community is constitutionally protected as an ethnic minority group with particular rights (legally speaking), even if a group of persons has been displaced from their ancestral lands (Campo 2016, 11).[55]

To that end, the Nasa cabildo was officially recognized as an urban cabildo in 2003 after the community organized and petitioned the municipal government for recognition. Today, the cabildo has a relationship with the Mayor's Office and other municipal government institutions, albeit a strained one. The difference between the Nasa cabildo in Cali and other Indigenous, even other Nasa cabildos, is the way that it serves as a sort of mediator between the Nasa population in Cali and the municipal government. At their monthly meetings, the cabildo covers a myriad of topics that are of concern to their members—everything from an economic report on productive projects in the community to how to register as a victim with the Victim's Unit of the Colombian

[54] Interview with Nasa council member, November 2019, Cali, Colombia.
[55] Here we see law as a site to bring forward claims. However, as I describe at length in this chapter, there are substantive differences between a community being legally protected and the reality of that same community's lived experiences.

government to potentially receive reparations. In the following section, I describe the ways that the Nasa cabildo serves as a social welfare institution for its members, the impact of displacement on generations of Nasa persons, and the strained relationship between the cabildo and municipal governance institutions.

The Nasa cabildo of Cali is unique in part because of the makeup of its members. Because this cabildo in particular is made up of displaced persons, there is a combination of histories and traditions—typically cabildos, even within the same ethnic group, are made up of members whose families come from the same resguardo or territory.[56] This is because there are differences not just between different Indigenous groups, but also between members of the same Indigenous group that live in different regions of the country. In Cali, the members are from many different zones of Cauca, Valle del Cauca, Nariño, and less commonly, Chocó. Membership in this cabildo is open to any and all Nasa persons. Each assembly begins with the *instalación de tierra* (territorial installation/declaration) where the *gobernadora*, the head of the council of the cabildo, declares the land that the assembly is taking place on to be Indigenous land and thus, a sovereign state separate from Colombia.[57] The gobernadora begins each assembly with the reminder that this cabildo exists *"para fortalacer nuestra identidad"* (to strengthen and fortify our identity), and that before this cabildo was officially installed in 2003, the Nasa community "had no rights" and that they must continue to fight for them every day.[58] In particular, an aspect of this identity strengthening is relying on other members of Nasa who still live on ancestral lands. Some always make the trip to Cali to run workshops or give presentations about traditional practices or

[56] Interview with cabildo members, November 2019.
[57] Fieldnotes, October 2019 assembly.
[58] Fieldnotes, October and November 2019; February 2020 assemblies.

language at the monthly meetings. The rest of the assembly generally moves through issues of economy, education, health, and census that are of import to the community.

As a part of the *informe economica,* the council members present the finances of the cabildo to all community members present. They give a presentation of the treasury and savings of the cabildo, as well as expenses going in and out every month for the few productive projects that the cabildo has. Members are expected to contribute 2,000 pesos (approximately 55 cents in USD) a month per a family to the cabildo in order to contribute to projects that benefit the community. These productive projects that in part, are funded by the community include: a stand of juices in the city center that use mixes of fruit unique to Colombia and Nasa territories, a cultural education program for Nasa youth, and saving for a sacred healing ritual once a year done at a site 40 minutes outside of Cali called Laguna de la Estrella, which is done to continue to preserve the culture and traditions of the Nasa while they remain outside of their ancestral lands.[59] The "pot" of contributions that each family gives to each month essentially saves money for the expenses of these projects.

There was also an educational intervention at each assembly I attended, and there is one at every assembly, according to members of the community. Typically, this involves someone from the territories (usually a younger community member who can make the trip more easily) coming into the city and giving a short lesson about some aspect of Nasa tradition or language that many displaced persons may not have access to. For example, at one assembly, it was essentially Simon Says but using basic commands in Nasa Yuwe.[60] "Sometimes, it makes me feel ashamed, that I don't speak Nasa, it makes me feel less Indigenous, but it's because I'm third generation

[59] Fieldnotes, February 2020 assembly.
[60] Fieldnotes, February 2019 assembly.

displaced. I've never been to my family's ancestral lands. But I'm learning, little by little as an adult, and things like this [cultural/language interventions done by the cabildo] are helpful."[61]

There is also a health intervention. As one of the members of the council explained to me,

> Western health is not something Indigenous. But there are things, resources that can help our community within that system so it's important they know how to use it. The bureaucracy of healthcare is also difficult to understand, for everyone, I think. So, we explain it to them here and hope that they take this understanding to benefit their families.[62]

This intervention included descriptions of health subsidies and health insurance benefits that Indigenous persons are privy to in Colombia, an explanation of who the Secretary of Health in Cali was and the different municipal health agencies that might be beneficial are and where they are located, and how to get there, as well as what type of requirements and documentation are required for members of the community to have access to different programs and benefits.

Next, there is an update on the census of the cabildo. Here, members of the council explained the different last names and typical place of origin for them, particularly the most common Nasa names. They also explained that some people might have Indigenous last names that are not Nasa, and offered to put those present that this applied to in touch with the closest proper cabildo. Then, they moved to the theme of victims of the conflict and processes of applying for reparations with respective Colombian government agencies. This part of the assembly took up the most time, with many community members asking how to receive an official declaration of victimhood from the government, what documentation was required, and what they had to do after that.

> It's about being crushed by the bureaucracy of it all. Most people don't have documentation--- their families fled with only what they had on their back. They don't have birth certificates, they don't even necessarily know which group forced their families to leave, if they're second- or third generation displaced. The government makes this

[61] Interview with community member, January 2019.
[62] Interview with Indigenous council member, November 2019.

> impossible because the reality is this is difficult to document, difficult to understand. We do our best to give our community as much information as possible. Because they have a right to this, we have a right to this until we are rightfully on our land again.[63]

This section of the assembly concluded with warnings to the community about threats against the Nasa people in Cali (as did every assembly I attended). Council members warned about increased presence of paramilitary and narcotrafficking groups in the city of Cali itself.[64] In an attempt to provide a form of security against mounting threats, the council urged members of the community to register officially with cabildo their families, home addresses, workplaces, and a phone number they could be reached at, so that the cabildo would have that information if something went wrong. They also urged members of the community to put the cabildo's emergency phone number in their address books or to write it down and have it somewhere in their homes or on their person to call if they were in danger or under threat. This process is not dissimilar to the one I discuss in the case of Puerte Colombia—here, community members are also trying to construct a sort of protection network in a context where state protection networks cannot or will not extend to them.

Concluding every assembly were announcements from various members of the community regarding different opportunities and activities. These announcements ranged from participation in the juice business I talked about as a part of the informe economica, invitations to participate in regular soccer matches, and opportunities for vocational training programs in everything from hairdressing to environmental science at SENA.[65]

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[63] Interview with Indigenous council member, January 2020.

[64] This is a pattern I have noticed myself in the city of Cali. Between 2017 and 2020, the city got more dangerous and insecure, with more paramilitary and narcotrafficking groups present. Many have noted to me that they feel the city returning to levels of violence and insecurity that it faced in the late 1990s and early 2000s. Most notably, and concerning, was the news from my interlocuters throughout the region that in early 2019 the Mexican cartels finally (after decades of trying) had their own foothold and physical presence in the city of Cali and other parts of the Pacific region.

[65] SENA stands for *Servicio nacional de Aprendizaje,* and it is a national program that offers different vocational and apprenticeship opportunities for adults in Colombia, with centers all around the country. Indigenous persons are eligible to learn and participate in SENA programs at no cost, receiving vocational training and certifications.

The Nasa cabildo of Santiago de Cali functions in many ways as an intermediator between displaced members of the community and local Colombian government entities in a way that is different than other cabildos on resguardos or ancestral territory. "We don't get any help from the Mayor's office, or anyone else, really. The Ministry of Culture [of Cali] loves to talk about the cultural diversity here with us, other Indigenous groups, and with things like Petronio,[66] but it's really just talk."[67] The cabildo fights to preserve the traditions and language of the Nasa while helping their members navigate governmental bureaucracy as well as the threats and violence that the Nasa community in Cali continues to face. "No one else will help us, so we help one another."[68] The security network that the Nasa cabildo has constructed is less sophisticated and structured than that of Puerte Colombia. While in the past it has worked to get some community members out of immediate trouble in the city,[69] the rising threats associated with the consequences of COVID-19 lockdowns and massive protests in Colombia that began in April 2021 have also impacted the Nasa community in Cali. *Loma del Cruz*, which is in the historical center of Cali and is where many of my interlocutors live, has also been a consistent meeting point for the 2021 protests. As a result, many workshops that Nasa community members work in have been badly damaged from violence and vandalism. The mayor's office in Cali refuses to repair the damage until the protests are over, which does not seem to be happening anytime soon.[70] Members of the community who have participated in the protests have also been directly threatened: in June 2021, rich citizens of Cali shot at Nasa community members participating in a

[66] Petronio happens every June in Cali—it is a festival that celebrates Afro-Colombian food, music, culture, art, and history in the Pacific region of Colombia and Cali, and is referred to as the "Pride of Cali."
[67] Interview with former council member, June 2019.
[68] Interview with community member, October 2019.
[69] Community members will often go to another Nasa's house and stay there as a sort of improvised "safe house."
[70] Personal communication with community member, June 2021.

minga in Cali. That same month, the current gobernadora's nephew was murdered by still-unidentified members of state security forces.[71]

Conclusion

In this chapter, I address two different types of institutions that communities which experience continual state abandonment and violence have established in attempts to mitigate those harms in the face of incomplete attempts at peacebuilding and TJ processes. In the case of Puente Nayero, the community has utilized messaging applications like Whatsapp and Signal to map the spheres of influence and control of all armed groups in the region. This whisper network is the community's response to the failure of the Colombian state in the past to provide meaningful protection from direct violence, despite the community's attempts to cooperate with state institutions in this manner in the past. Now, due to these past failures, as well as other harms perpetuated against the community by state institutions such as the Colombian armed forces, they choose to not interact with or share this informational network with the state in any way. Unlike previous work on whisper networks, the case of Puerte Colombia is different *in the sense that* all members of the community participate in the sharing of and triangulation of spheres of influence and territorial control of armed groups in the region. Under continued threat of violence, this community protection mechanism is Puerte Colombia's attempt to mitigate harm in a demoralizing and dangerous context.

The second case I discuss here is the displaced Nasa cabildo in Santiago de Cali. The Nasa cabildo is an example of a more formalized community institution that chooses to engage with state institutions for potential access to resources. It is formalized in that the cabildo is recognized by both the national community of Nasa people as well as the municipal, regional, and national

[71] Personal communications with community members, May and June 2021.

government of Colombia, as of 2003. The cabildo is unique within the Nasa tradition in that as a cabildo made up of displaced persons from different communities, there is a mix of traditions from within Nasa culture present. Since it is a cabildo of displaced persons that live in the city of Cali, the cabildo does not operate on or have access to ancestral or sovereign Indigenous land, like the majority of other cabildos located on Indigenous resguardos throughout Colombia. Thus, it operates as mediator between the members of the community and the Colombian government. The cabildo provides information and resources to its members on how to interact with the everyday apparatuses of the state. It provides this mediation and also serves to fortify the identity of its displaced community members as Indigenous and as Nasa. And so, it provides a form of psycho-social support to its members that is consistently cited as one of the most dire necessities for displaced persons (Adaku et al. 2016; Adesina, Oladele, and Olufadewa 2020; Eloul et al. 2013; Humayun et al. 2016; Lawrence 2020).

In this empirical chapter, I provide these two examples of local responses to state implementation of peacebuilding that at best, does not serve the members of these communities, and at worst, actively perpetuates violence against them. These are concrete examples of mitigation that communities have constructed, but in order to create structures of governance that provide true peace under Galtung's definition, we need to reimagine our approaches to peace through liberation. In both examples here, community members do not live within structures that provide positive peace or territorial peace, let alone consistent relief from direct violence. In this empirical chapter, I examine the ways that specific communities in Colombia attempt to deal with the inconsistent approach to peacebuilding and implementation that the state engages with, which provides perspectives on peacebuilding that do not center the state.

Chapter 5: Colombian Peacebuilding Communities and Networks of International and Transnational Solidarity

Introduction

Why do transnational and international communities support the causes of particular communities which are located at great geographical and material distances? How do these relationships help "fill in the gaps" of inconsistent state-centered peacebuilding processes? In this chapter, I explore this question through an examination of the relationships between the international peacebuilding community and specific conflict-effected communities in Colombia that exclude the state, or national government.

Both cases are examples of relationships that circumvent the state in some form. In both the case of Puente Nayero and AFRODES, community members lobbied the national government over a period of years. While they both found some allies in national or local government, it became clear to them that the national government was not particularly interested in engaging with direct action to help them (Interviews, Bogotá 2019 and Buenaventura 2020). As a result, community leaders in both cases turned to members of the international community for help. "We understand the power that countries like the United States, or the Inter-American Commission for Human Rights has in getting the attention of the [Colombian] government. The reality is that the government is much more likely to listen to them than to us. So, we needed ways to get that leverage" (Interview with AFRODES Board Member, Cali 2019). In both cases I discuss in this chapter, local communities created international and transnational networks to leverage the state, (the Colombian government), to obtain resources or protection networks that they would not and could not access.

This chapter examines the relationships between local and international actors, interrogating the ways that local communities are able to mobilize international or transnational support, and the ways that peacebuilding and transitional justice implementation are also *inherently an international and transnational project,* not just a state-based one. While both of these cases are quite different, they both illustrate some of the issues involved in relationships between the local and the international that circumvent the state in some way. Here, I look at two different ways that the concept of peacebuilding implementation as an international project exists on the ground—one of these ways being more effective than the other. I also explore differences between these international or transnational relationships that are based on a shared identity or solidarity versus those that are purely donor/recipient ones. What type of support to these international networks provide? (I.e., fiscal or material resources, international lobbying or pressure on the Colombian government, or other forms of aid.) To provide evidence for my conclusions here, I draw from a collection of 25 semi-structured interviews between 2018 and 2021 with community leaders, international NGO staff who collaborated with the communities I name above, focus groups with community leaders, and participatory observation from field trips to communities in 2018-2020.

International Humanitarian Peacebuilding Aid: A Fraught Process

Oftentimes, NGOs prioritize sustainable projects; those that can move to self-funded projects relatively quickly. This creates a culture of measurement and metrics to demonstrate results, even when those results do not necessarily measure decreases in poverty or violence. Scherz shows how "sustainability" can have negative effects on local communities. Donors, who drive the "market" of who/what types of projects receive funding, expect NGOs and communities to become financially self-sufficient as quickly as possible. However, sometimes this goes against

communal and local understandings of patronage (Scherz 2018). Emphasis on this specific understanding of sustainability and transparency via metrics and reports pressures recipients to conform to market-based neoliberal approaches, and can harm projects and communities (Pelkmans 2009). I argue that when an international relationship is not necessarily based on a shared identity that creates some sentiment of solidarity, this neoliberal drive toward sustainability and metrics can create a cycle of harmful aid-giving: because communities do not become self-sufficient in the ways international donors expect, they lose interest in continued contributions and support for a particular project or community. Or international donors are unwilling to support the most urgent projects in a community to begin with because they are not trendy. This means that NGOs and communities must continually search for new sources of funding and support. With each new source of support, there are different expectations of metrics and sustainability. This "marketization" of NGO activities means that communities and NGOs waste precious time and resources by having to readjust to each new donors' expectations. Oftentimes, this creates outcomes that are not in line with the goals of organizations, communities, or civil society overall (Cooley and Ron 2002). This means that communities and organizations are less able to work toward the goals that could actually serve them in the long-term. "Ultimately, donor proselytism, like Christian or other religious forms of proselytism, begins with the assumption that the giver knows best. The giver intends to benefit the recipient by offering a new way to achieve particular goals, usually without much attention to the recipient's wishes" (Lynch and Schwarz 2016). The audit culture of humanitarian aid-giving and NGOs needing to meet specific goals or metrics without an investigation of consulting how realistic those goals are for local communities and their partners can contribute to long-term harm, and prevent them from making meaningful progress (Bernal and Grewal 2014; Grewal 2005; Harvey

2005; Lynch and Schwarz 2016; Sending and Neumann 2006; Strathern 2003). Here, the issues of marketization and the structure of NGO and INGO aid in the sphere of international development contribute to issues of consistency in peacebuilding actually "getting done." Donors searching for "trendy" projects means that oftentimes projects that are desperately needed by communities, like trash collection or sanitation services, are never funded; or projects that are deeply meaningful to communities, like memory projects, never get done. In this context, we have yet another imposition of peacebuilding from above: local communities often never see their most urgent or desired peacebuilding projects funded unless it falls along the lines of international donor trends of the moment. This creates uneven implementation in the communities that do receive the attention of international funders and organizations as communities ask why certain groups of people are getting aid and others are not.

International Peacebuilding Aid and Shared Identity Relationships

The second type of international or transnational relationship I investigate in this chapter is one based on some sort of shared identity and solidarity or resistance network. I argue that international or transnational relationships that are based on some sort of shared identity, whether it be a gendered identity, ethnic or racialized identity, or a solidarity-based identity (i.e., being part of the international peacebuilding community) leads to better working relationships between international entities and their local partners and more successful long-term projects.

Here, I discuss how solidarity-based relationships between local and international/transnational actors may provide better aid. In the case I introduce here, this solidarity comes from shared identities: either a shared ethnic or racial identity, shared gender identity, or solidarity which comes from being a part of the identified international peacebuilding movement. These relationships can be based on shared experiences of oppression in different

contexts, and serves as a basis to connect geographically distant spaces of activism (Davis 2017). In this case, we can see the ways that transnational solidarity is constructed in the international peacebuilding movement and anti-war movements. Oftentimes, these relationships are developed through personal nodes, creating a sense of shared personal responsibilities. These relationships are more easily created today through the level of access to the internet and thus, individual stories from around the world (Olesen 2004). Solidarity movements are different from other types of social movements in that those activists participating in solidarity movements are seeking social change *for the benefit of others,* rather than mobilizing on their own behalf (Sundberg 2007). In this sense, transnational activism is not transnational only because it crosses national boundaries, but because it "unsettle[s] those boundaries, moving goods, information and ideas that cannot be quantified or easily mapped onto a foreign/domestic dichotomy" like the concept of a shared oppression in different political or geographical contexts (Seidel 2016). This malleability of interests and identities unsettles ideas of foreign and domestic political divides with the goal to change the behavior of states and international organizations (Keck and Sikkink 1998). When local progress is blocked by a state's domestic policies (or lack thereof, in the case of Colombia), people use transnational strategies to overcome obstacles (Seidel 2016). Local actors turn to the international to gain attention for their issues—they bypass their state and engage international allies in an attempt to pressure their state from the outside (Keck and Sikkink 1998; Seidel 2016). And so, this conceptualization of the global and the local goes deeper than a transnational economic focus on globalization, as initial mainstream conversations in the Euro-American academic traditions began (Harvey 2005; Sundberg 2007). A global perspective requires that we recognize that the local and the global exist in the same geopolitical and analytical space together, and like the case studies I discuss in this chapter, it transcends the

notion of the nation-state to address our present moment (Darian-Smith and McCarty 2017). These types of transnational or international relationships therefore develop around: a) a shared sense of oppression based on a shared identity, either racial, ethnic, or gender based; b) as a part of an international movement; and c) often develop through a personal relationship node of some kind. Relationships of support and aid that develop from these circumstances, while not without their own tensions and misunderstandings, may provide more long-term benefit to local communities as they are based in some sort of shared understanding and commonality.

Methods and Case Studies

To interrogate these two different types of relationships, I utilize two case studies. The first, which typifies a more typical international donor/recipient relationship, is the case of Urban Humanitarian Space Puente Nayero in Buenaventura, Colombia. The neighborhood of Puente Nayero in the urban center of port city Buenaventura was originally designed to be a safe house for social leaders not only in Buenaventura itself, but for social leaders threatened throughout the entire Pacific Coast of Colombia. Due to the type of aid that Puente Nayero has received; I argue that it has only partially achieved this goal. While Puente Nayero has also been successful to a certain extent in their fundraising, they have not received support for projects that are important to leaders in the community, and frequently must search for new sources of funding, rather than having consistent support. The second is that of the National Association of Displaced Afro-Colombians (AFRODES). I posit that AFRODES has very successfully developed a network of international support based on transnational networks of shared identity, based on both a shared racial identity as well as solidarity as a part of the international peacebuilding community. This network means that AFRODES has been extraordinarily successful in their attempts at lobbying

the Colombian government, particularly in their fight to include an ethnic commission and Afro-Colombian representatives at the Havana peace negotiations.

To inform my argument, I draw from interviews and focus groups I conducted with social leaders from Puente Nayero in 2019 and 2020. I did some follow up interviews in 2021 virtually, as continued fieldwork was rendered impossible due to the COVID19 outbreak, as well as by increased levels of violence in Buenaventura due to turf wars between narcotraffickers trying to control the port city. I also conducted virtual interviews with international partners of Puente Nayero in early 2021. These interviews included the British and Irish Christian Aid organizations, Spanish aid organization Mundubat, and the Church of Sweden.

For the AFRODES case, I draw from interviews with board members and leaders within the organization which took place between 2018 and 2021. I also draw observations from AFRODES board/organizational meetings I sat in on in 2019 and 2020, as well as meetings between AFRODES and international partners. Additionally, I conducted interviews with some members of the United States Congress which have been staunch allies of AFRODES and their causes over the years. I use within and between case comparison to interrogate different types of relationships and support that the leaders in both cases receive from their international counterparts.

While at first glance, the cases appear to be quite different, they both illustrate issues involved as well as different outcomes because of relationships between the local and the international in peacebuilding contexts. Relatively speaking, the case of AFRODES demonstrates a local/international relationship that is much more egalitarian than that of Puente Nayero. AFRODES and its board members are internationally recognized for their human rights work and have built relationships with powerful networks of international allies and advocates. In contrast,

Puente Nayero has had less success in building these types of international relationships. As a result, Puente Nayero relies on inconsistent and piecemeal contributions from international affiliates, despite its status as the first urban humanitarian space in the world.

In spite of these differences, both cases use the international community in attempts to leverage or circumvent the state, which provides us with yet another vantage point of peacebuilding that we would not consider if we solely focused on the state. For the state to "do" what it said it would do for these communities in the formal peace process, it takes international leverage and support, as we see in both cases here. Each one illustrates different types of relationships between the local and international, and as a result, different outcomes.

The Case of Puente Nayero, Buenaventura

In this section, I discuss the history of Puente Nayero and the city of Buenaventura, and the ways in which community leaders mobilized around a particular event to get international support for the creation of Colombia's first urban Humanitarian Zone. This case lies somewhere in the middle of the spectrum of "success"—in that movement leaders were successful in receiving some support from the international peacebuilding community, primarily through the Catholic Church, but that international support waned over time, and community leaders struggle to get the material support for projects they need or want to see done in the neighborhood.

Puente Nayero is a collection of a few streets in the Pacific port city of Buenaventura, a part of a neighborhood known as La Playita, which is near the bay and the massive port of Buenaventura. The street is named Puente Nayero because it was first settled by displaced persons who came to the ocean from the Naya River area in the late 1960s. This identity was further solidified in 2001, when a new group of people from the Naya region came to Buenaventura following a massacre by paramilitary groups in their former community. Puente Nayero became

known for artisanal fishing from the rich Pacific waters that the stilt wood houses of the community are built upon.[72] The Pacific port city of Buenaventura is an important one for Colombia: approximately 60% of the country's legal total trade passes through the port, drawing billions of dollars a year (NRC 2014). Buenaventura also sees an unknown amount of illegal product pass through its port every year, as it is an important venue for narcotrafficking groups to move primarily cocaine out of Colombia and into Central America, where it eventually reaches the big money market in the United States.[73] Because of its strategic and economic importance, the people of Buenaventura, who are approximately 80% Afro-Colombian, have experienced extreme levels of violence in Colombia's armed conflict. Increases in violence began in 2000, when stand offs between FARC and paramilitary groups over contested territory began in force. Paramilitary groups took control of the urban part of Buenaventura, including Puente Nayero, and used a variety of techniques to terrorize the population (ADVÍNCULA et al., 2018). This back-and-forth between guerrilla and paramilitary groups is directly related to the ability to move product out of the port of Buenaventura as well as the smaller coastal waterways that surround the port city and the neighboring rural regions. Partially as a result of these earlier struggles, the urban zone of the city is now divided up by invisible borders, as smaller narcotrafficking/paramilitary groups have carved up the urban space into spheres of influence. This makes movement in the city difficult, as territorial control in the city center can change every five to ten blocks. Aside from the port and a few blocks immediately next to the port, and with the notable exception of Puente Nayero, there is very little police or security force presence in the city. Further away from the port, there are multiple neighborhoods where the police cannot enter

[72] Author's interview with community elder, Buenaventura, Colombia, February 2020.
[73] The majority of cocaine that is shipped to Western Europe moves through the Northeast border region or the Caribbean coast of Colombia.

at all due to the monopoly of control that narcotrafficking groups have in those particular zones. As a result, the violent techniques used to control and terrorize the population by armed groups persist throughout the urban and rural zones of Buenaventura.

Leveraging Community Trauma for International Support

It was one of these episodes of violence which created the impetus for community leaders in Puente Nayero to mobilize and create Colombia's first urban Humanitarian Space.[74] In the early 2000s, a paramilitary group established a *casa de pique* in Puente Nayero. Casa de pique translates to "slaughterhouse" or "chophouse." The paramilitary would torture one person, primarily through dismemberment, in the casa de pique, but this form of torture also served as a warning to the whole community. Houses in Buenaventura are primarily constructed of wood, so the entire street or neighborhood could hear the torture day and night. Like lynchings of Black Americans by white mobs, casas de pique serve as a way to psychologically terrorize and control an entire community or population of people.[75] And so, community leaders in Puente Nayero mobilized to push all armed actors out of the street and create the first ever urban Humanitarian Space in 2014. To first clarify their goals and figure out how to make the humanitarian space a possibility, they consulted with leaders from rural humanitarian spaces nearby such as Espacios Humanitarianos del Naya y las Zonas Humanitaria de Curvaradó y Jiguamiandó, which some of the community had direct ties with due to Puente Nayero's history of displaced persons from the Naya River arriving in Buenaventura. Following this establishment and consultation within the community itself, leaders then reached outside of the community to get support. This support came from the Catholic Church via the advocacy of then-Bishop of Buenaventura, Héctor Epalza

[74] Puente Nayero was also the world's first Urban Humanitarian Space.
[75] While there is no longer a casa de pique in Puente Nayero, they still exist in other neighborhoods of Buenaventura controlled by paramilitary groups.

Quintero. Bishop Quintero successfully lobbied la Comisión Intereclesial de Justicia y Paz of the Catholic Church (Intereclesiastical Commission for Peace and Justice), and on April 13, 2014, the Espacio Humanitariano del Puente Nayero was officially created, the armed groups were expelled from the street, and the community took apart the house that had previously been the casa de pique.[76] Of course, the armed groups did not just leave quietly. The first response to the humanitarian space by paramilitary groups was the torture and assassination of a sixteen-year-old boy less than 100 meters away from the entrance of the new humanitarian space. This was interpreted as a direct threat against the community for going against the rules that the paramilitary groups had established in the urban center of Buenaventura (ADVÍNCULA et al., 2018, p. 66). The community, with support from the Interecleiastical Commission, Christian Aid, and solidarity network Comunidades Construyendo Paz en Colombia (Communities Building Peace in Colombia-CONPAZ), lobbied the Colombian government to get military and police personnel assigned to the humanitarian space as threats against the space and community leaders continued throughout 2014 and 2015. The case of Puente Nayero is interesting in that via the Catholic Church, the community was successful in obtaining some powerful international support, but it was very difficult to convince their own government that they required some sort of aid. "We need the presence of the public forces so that the armed groups don't come back"("Puente Nayero Sin Espacio Para Los Violentos" n.d.). Eventually, again primarily through the lobbying of the Catholic Church, local authorities agreed to provide Puente Nayero with members of the armed forces to protect the community against the continued threats of paramilitary groups.[77] Today, members of the police and military are stationed at the entrance of the humanitarian space and throughout the streets that make it up—Puente Nayero is one of the only neighborhoods in

[76] Focus group with community leaders in Buenaventura, January 2020.
[77] Focus group with community leaders in Buenaventura, February 2020.

Buenaventura to have this sort of protection. The only other spaces that receive this sort of physical protection are the port and the three fancy hotels immediately near the port. By 2017, the community was a relatively well-established fortress in midst of the violence that continues to impact the urban center of Buenaventura as a whole. In contrast to the case of AFRODES, where through the mobilization of stories of trauma of particular persons there was successful recognition and support from parts of the international community, in the case of Puente Nayero the traumatic story of a community, leveraged primarily through the outrage expressed over the *casa de pique*, created opportunities for international support which was used to pressure the national and local government authorities to provide necessary aid. According to J, a social leader in Puente Nayero, threats against the community are ongoing, and international support and the leverage it provided with the Colombian government has waned.

> I am a social leader, a human rights defender. Originally, we were about twenty-five leaders. Now there's seven or eight of us. The rest have left, some have been killed. We are all afraid. The paramilitaries intimidate you, scare you. Mostly I receive death threats face-to-face, like the last time in March (2018) when I was in a bus going to the market and a stranger approached me, saying he knew where I lived and that we, the leaders, are being killed because we stick our noses into things.
> …They are over by the bridge, in the alley downtown—Los Urabeños, La Empresa, or other paramilitary groups, informants. If I cross that bridge, they will take me for sure. They chopped off the head of an old man just for selling street food without permission.
> We didn't have anyone defending us, so I became a leader to fight against the suffering of my community. We are vulnerable people, very poor, with very few resources. Around here, almost everyone is displaced, and almost everyone is Afro-Colombian, who can't afford to buy land, so we have to build our houses on poles in the water. But we are also a very proud neighborhood.[78]

J's testimony shows the very real threats that Puente Nayero and its leaders continue to face, particularly as international support waivered and became less interested in the community following its successful establishment by 2016/2017. While the case of the establishment of

[78] Testimony of J, community leader in Puente Nayero, Buenaventura, February 2020.

Puente Nayero is a success, the community there still faces huge obstacles including the loss of interest by the international peacebuilding community as they continue to be threatened by paramilitary groups and narcotraffickers.

The Case of AFRODES

AFRODES was founded in 1999 in response to the surge of forced displacement of Afro-Colombians in their ancestral lands, primarily driven by rising paramilitary violence, the conditions for which I describe in chapter 2. The mission of the organization is twofold: to fight for the rights of a "dignified existence" for displaced Afro-Colombians during the "transitory condition of displacement," and to fight for the necessary conditions for them to return to their territory ("Historia de Afrodes Colombia Afrocolombianos Desplazados de Colombia" n.d.). AFRODES is a national organization, with headquarters in Bogotá and representatives throughout the country, primarily focused on the Colombian Pacific and Northwest Caribbean coasts, where the majority of the Afro-Colombian population is located, and where disproportionate levels of displacement have taken place. While Afro-Colombians only make up around 30% of Colombia's total population, they comprise up to 25% of the displaced population in Colombia (Rodríguez Garavito et al. 2008). Up to 80% of the total Afro-Colombian population have been directly impacted by the armed conflict. This disproportionate level of victimization in comparison to the percentage of the nation's population is in part due to the fact that Afro-Colombian ancestral lands are rich in natural resources (Cavallaro, Inter-American Commission on Human Rights, and Organization of American States 2015). Ley 70 (law 70), established with the revision of the Colombian Constitution in 1991, finally gave Afro-Colombian and Indigenous communities legal control over their ancestral territories, as well as the valuable natural resources that are part of that land. This meant that in legal terms, any sort of project on ancestral lands are required to get the

approval of that community, even if that project was going to be conducted by the Colombian government. This held huge implications for extractive industries like oil drilling and fracking, mining, and other projects like hydro-electric dams, as Afro-Colombian and Indigenous lands are rich with natural and strategic resources such as oil deposits, gold, and emerald mines. These lands are also significant for providing access to Pacific ports, and favorable environmental conditions for growing coca. Technically, the Colombian government along with multi-national and foreign companies cannot embark on land purchases or developing projects without the community's permission. However, this law has been subject to loopholes, and both foreign, multi-national companies and the Colombian government have taken advantage of them (*Colombia: Coronavirus in a Scenario of Humanitarian Crisis*, 2020). Companies in the corporate sector are not the only ones who find this ancestral land and its resources so appealing. Significant levels of displacement in Colombia's Pacific region are primarily attributed to armed groups fighting over territory and exploiting the natural resources of the region to bankroll their organizations (*Colombia's Armed Groups Battle for the Spoils of Peace | Crisis Group*, 2017). This includes both left-wing guerrillas like the FARC and the National Liberation Army (ELN), as well as right-wing paramilitary organizations. Many communities have been victimized numerous times as territory changes hands: at times the communities and their natural resources are controlled by FARC, a few months later, FARC loses that territory to a paramilitary group, which subsequently takes over.[79] This cycle of violence and exploitation by multiple armed actors, including Colombian state forces, has led to massive Afro-Colombian displacement which continues to the present day.

[79] Author interview with Luciana, a displaced community leader from the department of Chocó, January 2020.

AFRODES' Construction of Expertise and Transnational Solidarity

Drawing upon my interviews with AFRODES members, participant observation at AFRODES events and meetings, and the public biography and work of Marino Córdoba, AFRODES's founder and current president, I discuss how this organization obtained support from the international community which enabled them to leverage the Colombian government into some concessions for their community.

Marino Córdoba has long fought for the recognition of rights for his community in Riosucio, a town in the northwest of Colombia where he was born. Specifically, Marino fought for the recognition of territorial rights for Afro-Colombian communities that were eventually covered by ley 70. Shortly after the Colombian government recognized the first collective land titles that Afro-Colombian communities in the region had submitted as a part of ley 70 in 1996, which was in part organized by Marino, a joint operation between paramilitary groups and the Colombian army known as Operation Genesis was conducted in the region in 1996-1997. This operation began an intensive process of persecution, assassinations, and expulsion of Afro-Colombians from their territory, and their ancestral lands were taken back by paramilitary groups for the development of economic projects. The purpose of this operation can be contextualized in the following ways: firstly, the success of ley 70 in providing the community of Riosucio with an avenue to contest illegal land seizures and to have their claims to their ancestral land protected under the constitution was a threat to large landowners who historically dominated Colombian land holdings: and secondly, there was now the chance that those same land holders, in deals with multi-national corporations or the government, would not be able to access the valuable natural resources available near Riosucio. Marino, facing death threats, hid in the jungle for weeks, and eventually found his way to Bogotá. In 1999, Marino founded AFRODES to bring the struggle of

displaced Afro-Colombians throughout the country to the forefront of national conversations. However, this brought more visibility to his work. Following several assassination attempts in the early 2000s, Marino was given political asylum in the United State thanks to the support of members of the Black Caucus in the United States Congress.

During his time in the United States, Marino continued to lobby and work with members of the Black Caucus to block financial aid to palm oil projects controlled by paramilitary groups in his region, to designate economic assistance to ethnic communities, and to block aid to members of the Colombian military responsible for human rights violations. In 2012, under continued threat, Marino returned to Colombia. At first, the Colombian government would not assign him protection, but after several threats and an attack, the US intervened to ask that he be assigned protection, which he subsequently was. Since his return to Colombia, Marino and fellow AFRODES board members have been a part of the construction and negotiations of the "Ethnic Chapter" of the 2016 Peace Accords, and in 2019, he was a finalist for the Martin Ennals Award, which is considered the 'Nobel prize' of human rights work (*Entrevista Con Marino Córdoba, Finalista En "premio Nobel" de DD. HH. - Justicia - ELTIEMPO.COM*, 2019).

In large part through Marino's work, AFRODES has maintained a close relationship with the Black Caucus in the US Congress, as well as with other members of Congress. He and AFRODES have been internationally recognized, which has in turn increased his leverage in the national arena with a Colombian government that is slow to act on issues of human rights, particularly in predominantly Afro-Colombian regions of the country. As I discuss in chapter 3, government attitudes consistently point to the racialized other in Afro-Colombian peacebuilding networks. In this case, the public sharing of Marino's and his fellow activist's personal experiences of trauma and violence has successfully convinced the international peacebuilding

community of their expertise, but they still face staunch apathy from parts of the Colombian national government. In spite of Marino and his fellow activists' traumatic stories, stories which they recount time and time again in public settings in order to legitimate themselves as experts within these contexts of violence, racist attitudes about a backwards, racialized "other" continues to pervade the Colombian state's attitude toward peacebuilding in Afro-Colombian communities, as is well established in the literature on relationships between the state and Afro communities (Alves and Ravindran 2020; Asher 1999; Quiñonez 2016).

International and Transnational Relationships

In this section, I draw from interviews with international partners to both Puente Nayero and AFRODES to interrogate the types of relationships and support they have within the international and transnational community. I posit that AFRODES has largely mobilized international and transnational support via a shared identity and based to a certain extent in a type of solidarity, while Puente Nayero has historically had more directly donor/recipient-based support from international entities. These different relationships have significant implications for what types of projects local communities can get done and what kind of long-term success they have in their goals of mobilizing toward peacebuilding and TJ implementation.

Puente Nayero: Waxing and Waning Support

As stated earlier in the chapter, Puente Nayero was established as the first urban Humanitarian Space in April of 2014 and given military guard checkpoints via pressure from some members of the international community in tandem with the Catholic Church and Colombian human rights organizations. In the past, Puente Nayero has been financially or materially supported by international entities such as: British and Irish Christian Aid, Mundubat

(a Spanish aid organization based in the autonomous Basque region), the Church of Sweden, and the Inter-American Commission for Human Rights (IACHR). Through interviews I conducted with members of the Humanitarian Space, as well as these international partners, I find that support for the community, while at moments based on a conceptualization of solidarity as a part of the international peacebuilding community, is inconsistent and has hindered some long-term projects that the community wants.

The ways in which TJ and peacebuilding are influenced by the international community also significantly impact the ways that peacebuilding "gets done." Observer and guarantor nations are a key part of negotiation processes, and many different countries like Germany, Ireland, Norway, Sweden, the United Kingdom, and the United States provide millions of dollars in aid to peacebuilding projects in Colombia, either through the government itself, or via contributions to particular communities or projects, as discussed in this chapter. Oftentimes, the types of projects that are funded are driven by international donor "trends" in development, or by the specificwishes of specific donors. While it can be argued that some aid is better than no aid, the ways that immediate community needs are often ignored by the marketization of international aid also contribute to a lack of consistency in how peacebuilding gets done.

At the time of writing, neither Christian Aid nor Mundubat are actively funding projects in Puente Nayero directly, while their organization's names remain on the sign at the entrance of the Humanitarian Space.[80]

[80] Interview with Christian Aid liaison to Colombia, February 2021; personal email communication with Mundubat's administrator, February 2021.



Figure 5.1 Photo of entrance to Puente Nayero from the street, Buenaventura, Colombia, February 2020.

Christian Aid is still involved with projects in Puente Nayero, but they primarily serve as a middle point between the community and other organizations. In the past, both British and Irish aid funded projects in the community, and there was some sense of solidarity, particularly from the Irish community involved. “It was really interesting, because we would have questions about Puente

Nayero brought up in parliament that were asked by citizens, asking the Irish government to support that community by bringing it up to the Colombian government."[81] Irish citizens in particular felt a sort of solidarity with Colombian communities because of their own histories with uneven peacebuilding: while the Good Friday Agreement was signed in 1998, communities in Belfast and Derry still see legacies of violence that have only increased since Brexit. Catholic and Protestant neighborhoods are still divided up, and those same neighborhoods still close their gates at sunset.[82] "I think there is a solidarity here because some Irish and British citizens still experience the same thing as these Colombian communities, albeit in a very different context. Many of them understand that a signed peace treaty often doesn't mean much for lived realities for citizens living in these conflict zones, or regions where things remain very tense."[83]

Most recent financial support for projects in PN is through the Church of Sweden, which ended its financial commitments to Puente Nayero in December 2020. This particular financial support supported women and youth initiatives and was a short-term commitment. "Usually, we [the Church of Sweden] have long-term commitments with our community projects. However, support for this initiative was more of a one-off because the funding for the project was actually through the will of one of our recently deceased members. She had seen a documentary on women and children in Puente Nayero and was very specific about her wishes for the money to support something along those lines. But Valle de Cauca and Buenaventura are not geographic priorities for us."[84] Most recently, due to an increase in violence in Buenaventura and even more increased

[81] Interview with staff member at Christian Aid, January 2021.
[82] Interview with faculty at Queen's University Belfast, July 2021.
[83] Interview with staff member at British Christian Aid, February 2021.
[84] Interview with Church of Sweden staff, February 2021.

threats against the Humanitarian Space by armed actors, the community installed security cameras at the entrance to the community, and the feed is monitored by the IACHR (Contagioradio 2021).[85]

While the help and contributions from international organizations in Puente Nayero have undoubtedly been an aid to the community, there is an issue of consistency. "We've had people from all over the world here! I don't know, something like 18 different international commissions. It is something we are proud of. But we also need more help than what we've been given."[86] Projects apart from those that are "trendy" for international donors, or those that meet urgent and immediate security needs, have not been funded (Bishop and Green 2010; Lynch and Schwarz 2016). At times, immediate security needs are not met either. "We are all vulnerable when we leave our houses. There are probably about 22 community leaders here, only 5 or 6 of us have protection. We do our best to accompany others who don't have protection to lower their risk, but at times they [armed groups/BACRIMENS] do continue entering and threatening people in some way."[87] While leaders and residents are grateful for the respite from the way things were before, with some saying that "it was like a horror movie, they killed people all the time, for no reason"; and "we had bullets for breakfast, lunch, and dinner" basic and essential needs still have not been met.[88] "We've used the minga[89] to mobilize for things like moving the trash out of the streets, so that we can have trash services, fresh water to drink. It's a public health and environmental issue: we have insects during the day, more animals come at night, and there's sickness that happens when things aren't clean, of

[85] Personal communication with community member C., February 2021.
[86] Interview with PN community leader Sebastian, November 2019.
[87] Focus group with PN community leaders, February 2020.
[88] Focus group with PN community members, February 2020.
[89] A minga is a term in the Nasa language which refers to a collective struggle or mobilization. It is used frequently and synonymously with protest movements throughout Colombia, but most often applied to Afro- or Indigenous- led mobilizations.

course."[90] Even so, these services are not consistently provided to the residents of Puente Nayero, and many others in rural and urban Buenaventura.

Beyond immediate and basic needs that are not met, residents have other projects that they'd like to see happen. In particular, they want to see the development of social projects. "I think it's really important that we have a cultural house here [in Puente Nayero]. It should be a place where we can have a library of some kind, our community's memories, history, folklore, an archive of what has happened here."[91] Older social leaders stress the need for strategies of resistance and mobilization to be recorded and preserved for the next generation. "We need to pass on what we have done, what works. We are dying off, or being killed, and the next generation of leaders needs to know how to continue the struggle before there are none of us left to tell them directly."[92] Another community leader stressed the importance of moving forward beyond the basic tenet of an existence without *direct* violence. "Yes, we have some measure of peace here, but without social development. There's so much talent here, especially from the young people, in the arts, in music, in sports, but this is lost because there are no opportunities. It's easy for them to be recruited by armed groups because they are hungry and there are no other options. We want tranquility, education, economic stability, and healthcare services."[93]

Again, while the support and projects that *have* been supported by the international community in the past have certainly helped Puente Nayero, there continues to be a dearth of issues that are not supported by international donors. While lobbying from international entities such as the Catholic Church and the IACHR were successful in convincing the Colombian government to provide Puente Nayero with military checkpoints, it still has not been able to convince the central

[90] Interview with PN leader C.V., January 2020.
[91] Interview with PN leader J., February 2020.
[92] Focus group with community leaders, January 2020.
[93] Interview with PN leader J.A., November 2019.

government that services such as sanitary trash collection and drinkable water are immediate and urgent needs that must be addressed. Other social development projects important to the community have gone un-funded by international donors. Puente Nayero has received international recognition for being the first urban Humanitarian Space in the world and is a unique form of resistance against violence (pbicolombia 2019). "Puente Nayero is designed to be a safe house of sorts, a place where social leaders from all throughout the Pacific Coast can go in case of threat if necessary."[94] However, this can be difficult when those seeking safety cannot go to a market 5 blocks away for fear of direct violence against them, or that the community does not have consistent access to potable water. The concern surrounding running water, potable water, and healthcare services has only grown more urgent with the COVID-19 outbreak. However, community members say that these needs continue to go unmet, despite the scientific evidence demonstrating the effectiveness of handwashing against the virus.[95]

The waxing and waning support that the community of Puente Nayero has received since it was inaugurated as a Humanitarian Space from the international community has led to development projects that improve living conditions in fits and starts or go unfinished. Basic needs, as well as particular social development projects that the community sees as important, continue to go unfunded and underdeveloped while mounting security concerns continue to threaten its very existence, and that of those who have mobilized for decades within the community. While there has been an increase in academic literature regarding the shortcomings of the culture of international development, as well as language changes within the field of international development itself when it comes to creating long-term, collaborative relationships with local communities, the reality on the ground has not changed as much as we might like to see, as the case of Puente Nayero illustrates

[94] Interview with Christian Aid staff member, February 2021.
[95] Personal communication with community member, May 2021.

(Clemens and Moss 2007; Kanbur 2006; Menocal and Rogerson 2006; Turner 2006; Waisbord 2008).

AFRODES: Networks of Transnational Solidarity

I turn now to my second case study which illustrates the second type of relationship I discuss in this chapter. AFRODES has constructed an international and transnational network of solidarity based on a shared identity, which has enabled them to effectively lobby for their causes, primarily centered around greater political participation and representation of Afro-descendent people in Colombia, in both the international and national arenas. AFRODES has developed strong relationships with members of the United States Congress, especially Democrats and members of the Black Caucus, which have lobbied the Colombian government on their behalf in the past. In this section, I discuss how these relationships were created and maintained by AFRODES, and what types of lobbying have been successful via these relationships in the past. In this section, I draw from interviews with members of the AFRODES Board of Directors from 2017-2021 and over 200 pages of internal archives shared with me by AFRODES to demonstrate how AFRODES successfully created a network of transnational solidarity to lobby for Afro and Indigenous inclusion at the Havana negotiations between the Colombian government and FARC.

For this case, I trace AFRODES' process of leveraging the Colombian government and their development of international lobbying connections with members of the United States Congress for the following causes: 1) inclusion of ethnic minorities at the Havana negotiations; and 2) reduced financial aid or placing humanitarian restrictions on the aid the United States provides to Colombia until there are tangible results from the peace accord implementation or improvements in the human rights records of the Colombian police and military forces.

Historically, AFRODES has had strong support from the Black Caucus in US Congress, and frame their relationship with the Black Caucus and other Black US politicians in a sense of solidarity that comes from a shared racialized identity:

> When Barack Obama became the first Afro-descendent president of the United States, the Afro-Colombian community celebrated this victory as their own, as it was also received by the rest of the Afro world. Who could have thought that an Afro-descendent, a part of the African diaspora, would today be the commander of the most powerful nation in the world? But there is also much expectation that as an Afro-descendent president of a country that suffered the atrocities of slavery, racial segregation, and the fight of great civil rights leaders such as Dr. Martin Luther King, Jr., Malcom X., among others, that he would be a champion for social justice issues, particularly from the Afro-descendent communities in Colombia, communities that have also suffered the atrocities of slavery and today face a legacy of racial discrimination at all levels of society and continue to be disproportionately impacted, along with their Indigenous brothers, violence, conflict, and forced displacement.[96]

In this section, I interrogate how AFRODES has leveraged an identity-based solidarity to gather political accompaniment and lobbying power within US Congress for their causes. Most notably, AFRODES harnessed the power of their US allies to lobby the Colombian government for inclusion of ethnic minorities in the peace negotiations between the Colombian government and FARC. In October 2015, US Representative Hank Johnson (Georgia's 4th Congressional District) visited Colombia at the request of the Consejo Nacional de Paz Afrocolombiano (CONPA), a trip facilitated by AFRODES. During his trip, Representative Johnson visited Bogotá, Cali, and Quibdó, and publicly offered the following recommendations on the subject of Colombian-US relations at the conclusion of his visit:

- That the proposals and voices of the Afro Colombian community be included in the peace process.

[96] Excerpt from Consejo Nacional de Paz Afrocolombiano (CONPA) archives, written January 29, 2016. Author's own translation from Spanish.

- That the US Department of State should take energetic measures to ensure that the Labor Action Plan for worker's rights in Colombia is applied fully.
- That the US works with its Colombian counterparts on the issues of human rights, labor rights, collective land rights, and security issues that impact Afro and Indigenous communities. In particular, to guarantee that human rights conditions be a condition for Colombia to continue receiving military aid from the United States.[97]

This visit and Johnson's subsequent recommendations resulted in the beginning of a more serious international push toward ethnic inclusion during the Havana negotiations. In December 2015, then-president Santos visited Obama at the White House. Initially, the team that accompanied Santos included no Afro-Colombians. After Obama White House staff took note of this, the Colombian delegation was revised at the last minute to include some Black representation in the delegation. CONPA's archives note that this lack of representation ran counter to the priorities that both the United States and Colombia had established under their bilateral "Racial Action Plan," which was designed to combat racial discrimination and attach continued human rights conditions to US military aid to Colombia.[98] In this context, the Black Caucus and some other Democrats in Congress continued to pressure the Colombian government regarding the lack of Black leaders involved in the pre-negotiation processes with the FARC, and a continued lack of response to calls for the necessity of Black and Indigenous representation during the primary negotiation processes in Havana. This pressure included a letter signed by 50 Democratic congresspersons which questioned the lack of representation in the Colombian delegation, featuring signatures such as Representatives Gregory Meeks (New York's 5th Congressional

[97] Excerpt from CONPA archives, originally written October 30, 2015. Author's own translation.
[98] CONPA archives, "CONPA y Comision Etnica en Medios", December 2015.

District), Hank Johnson, and Barbara Lee (California's 13th Congressional District).[99] While their international allies from US Congress and labor unions, as well as organizations such as the Afro-Colombian Solidarity Network (which includes Global Rights, Chicago Religious Leadership Network, International Working Group of the Black Communities' Process, and the Washington Office on Latin America), organizations lobbied the Santos administration, members of AFRODES met with lead negotiators on the Colombian government team such as Humberto de la Calle and Sergio Jamarillo in order to present their case on an individual level (Góngora-Mera 2019). "We were trying to work on all levels. We knew that in order to get in the room, we had to approach every possible lead."[100] This pressure eventually led to international denouncements of the lack of ethnic representation at the negotiations. Then-senior ambassador of the United States to Colombia, Director of USAID, the High Commissioner for Human Rights at the United Nations, and over 50 US members of Congress requested that there be ethnic inclusion in the accords.[101]

After over 3 years of lobbying efforts spearheaded by AFRODES and CONPA, the Colombian government agreed to allow ethnic inclusion in the peace accords. Similarly to the gender subcommittee, an Ethnic subcommittee was added to the negotiating processes. The subcommittee was made up by Black and Indigenous leaders who put together Chapter 6 of the 2016 peace accords, known as the "Ethnic Chapter." This chapter is a 'blanket chapter' in that the recommendations and specifications offered in its text applies as an *extra* layer to the entire accords.[102] In particular, the text of the Ethnic Chapter covered the implementation of the

[99] CONPA archives, "Metida de patas de Santos con los afros en su viaje a Washington." February 2016.
[100] Author's interview with Marino Cordoba, November 2019.
[101] CONPA archives, June 2016.
[102] Author's interviews with members of the Colombian negotiation team and members of the Ethnic Commission 2018-2020.

agreement with a particular focus on territorial and ethnic perspectives, also known as "ethnic mainstreaming"; specific and tangible protections of rights and a priority for ethnic autonomy in their ancestral territories; and mechanisms for direct participation and prior consultation with ethnic communities throughout implementation (Góngora-Mera 2019).

In sum, AFRODES successfully mobilized transnational networks of solidarity based on shared ethnic identity to successfully lobby for their inclusion in the peace negotiations between the Colombian government and the FARC. "We reiterate the value in finding partners within the international community and the important alliances that have been established during the promotion of the cause of the [Ethnic] Commission."[103] AFRODES continues to use these networks as implementation of the 2016 peace accords, particularly the portions surrounding ethnic concerns lag and as human rights abuses increase in Colombia.

Who's an Expert? Legitimating Leaders

These processes required reaching around an apathetic state to receive some support. In both cases, some members of the international community recognized the expertise that community leaders had on "violence" through their lived experiences and provided different forms of aid. In Puente Nayero, the process of becoming a "community leader" is sometimes a generational one, since organizing within the community has been going on for so long. The first generation of leaders, now in their sixties and seventies are passing down techniques, strategies, and warnings to the new generations, in their twenties and thirties.

In the case of both AFRODES and Puente Nayero, community leaders leveraged either personal or community trauma to create support for themselves from the international community, considering a Colombian state that was at best, apathetic, or at worst, actively perpetrating

[103] CONPA archives, "Comisión Étnica para la Paz y la Defensa de los Derechos Territoriales Visita a Washington, D.C." March 23, 2016.

violence against them. For Córdoba, this meant moving to the United States due to risk of assassination attempts, learning another language (English), and reframing his experiences in the language of international human rights to get wider support from members of US Congress. This support has come from members of US Congress arguing and voting against no-strings-attached military aid to the Colombian military, requiring that the military make certain human rights thresholds before US aid will be distributed. These stipulations, in part came from the lobbying of AFRODES. In Puente Nayero, this meant sharing the community story repeatedly until they found those who were willing to help and reframing to match that. "They [organizations which support the community] weren't the first people we talked to. We had been trying to share this for years and years, honestly. The government didn't listen, so we did what we could on our own, and eventually got in touch with some international donors through the church."[104]

Conclusion

In this chapter, I explore relationships of transnational solidarity networks and international recipient/donor relationships, and the contrasts between these two types of contexts. I interrogate how two cases (that of AFRODES and of the first urban Humanitarian Space in the world, Puente Nayero), leveraged their personal and community traumas to initially receive recognition and support from the international community. I then investigate the differences between a purely international donor/recipient type of relationship versus one based on a transnational sense of identity, and the implications that these two different types of relationships may have on a community's or organization's long-term goals and health. Different sectors of the international community have a significant impact on the formation and implementation of peacebuilding and TJ. Sometimes, this impact is manifested via the millions of dollars that

[104] Interview with community leader O., February 2020.

different countries have contributed to different peacebuilding-related projects. Other times, this impact is manifested as a form of leverage, or pressure, that the international community places on a national government to implement aspects of a peace treaty. This is a chapter which interrogates both the substance of these relationships which "skip" the state, as well as the structures of support that these international partners provide, and how they may or may not align with the needs of communities on the ground.

The state is an unwilling or unable actor, which means that local communities turn to the international for material or network support that they cannot otherwise access from the state. However, the consistency that the international community engages in this is varied, which in turn has implications for the consistency of implementation of peacebuilding and TJ in already-uneven contexts. So, here we have a state that is already unevenly engaging in peacebuilding projects, either due to an inability or an unwillingness. Local communities turn to the international community; either soliciting funds for projects or communities or constructing networks of international and transnational solidarity to leverage the state to actually engage in the peacebuilding projects that should be ongoing already. But the international community itself is *also* inconsistent; regions where local communities are requesting aid may not be zones of strategic importance for other countries, or the interests of other countries may in fact be benefiting from inconsistent peacebuilding from the state. We have two different levels of inconsistency: some projects, regions, or communities may be included in the interests of the international community, but others continue to fall through the cracks. In this chapter, I demonstrate that those communities which establish international and transnational networks based on forms of shared identities are more likely to achieve their goals or have their needs met vis-á-vis their relationships with the international communities, while those who have more

traditional donor/recipient relationships are less likely to see consistent and long-term support for their needs and projects, which is vital for effective peacebuilding implementation in any context.

Chapter 6: Resistance, Resilience, and Reflections

In sum, this dissertation engages in cross-disciplinary research to interrogate how relationships between local communities, the state, and the international community both develop and respond to attempts at the implementation of peacebuilding and TJ processes and the realities of different types of violences that are continually overlooked in different contexts. Here, I discuss how state-centered formal approaches to peacebuilding have been delegitimized via the state's continued participation in direct and structural violence in the eyes of both the local and the international. When this happens time and time again, communities establish their own institutions as self-help and self-protection mechanisms in response, sometimes with aid from the international community. If communities do not get the support and help they need, they do it themselves. While these strategies of resistance, resilience, and survival are laudable, particularly considering the contexts in which they emerge, it is important to state clearly that these strategies should not be necessary. How can we imagine a world and larger communities where these sorts of strategies are not needed?

In this dissertation, I discuss the ways that peacebuilding and transitional justice processes do or do not get done. I argue that literature on peacebuilding and TJ does not sufficiently problematize the state as a concept and its historic inconsistency in implementing these processes. The state and its past and present attempts at peacebuilding, as I describe in chapters 2 and 3, is overall an inefficient vehicle for change and implementation in this case, particularly when we consider the differences between the rhetoric established in the 2016 peace accords via the concept of territorial peace, and the realities of how peacebuilding has been and is being done by the state apparatus. While there are some instances in the case of Colombia where we see effective implementation of peacebuilding and TJ processes, like the JEP tribunal court,

application of implementation is inconsistent and often viewed as illegitimate by different communities due to the state's history in different parts of the national territory. To see the complete picture of peacebuilding, we need to expand our definitions and vantage points of it beyond formal, state centered processes.

Lessons and Broader Implications

The largest implications that this project contributes to the discipline are: a) a unique, on-the-ground analysis of peace and justice conceptualizations versus the reality of their applications; b) a systematic analysis of the variety of relationships that "make up" peacebuilding; and c) how the lack of problematization of the state in existing peacebuilding and TJ literature has important implications for how peacebuilding gets done in light of the changing nature of war, violence, and peacebuilding.

I feel it is a grave error that all projects within political science *must* be generalizable, that they must offer wide-ranging lessons to a variety of contexts to be a true contribution to the field. Reflecting back on this project, the type of "problems" and questions that I explore in this dissertation project are deeply complex, far-reaching, and have roots. As a discipline, we need more support for the type of research that "goes deep" and systems of support that allow space for projects that engage in these types of questions with thorough ethnographic approaches, which takes years of research. This kind of work is important in its own right, as it reveals processes, mechanisms, social relations, and forms of power that potentially have some measure of, if not generalizability, portability, or applications across different contexts.

If we continue to refuse to support and allow space for methodological pluralism and only praise surface level state attempts at peace without going deeper, we as academics, practitioners, and a discipline also continue to uphold violent bureaucracies and inconsistent implementation of

peacebuilding that still does not solve the deeper issues. If we mean what we say around stopping exploitative approaches and practices in research between the Global North and the Global South, we need to change the larger academic systems and practices that reward those same approaches. This means giving PhD students and early-career researchers space and financial support to explore questions (and not just if they are lucky enough—because that's what it is, luck—to receive a prestigious fieldwork grant). It means changing our standards around what is academic practice. We are not just responsible for producing research. We should also be responsible for providing tangible aid, accompaniment, and support to those communities who are generous enough to share their time, knowledge, and in some contexts, risk their safety to share their stories with us. This goes far beyond the requirements of an IRB approval. If we do not do these things, we too uphold a violent bureaucratic system that comes down on us, yes, but at the end of the proverbial road of our larger and interconnected capitalist system, comes down on our collaborators and interlocutors even harder and more abusively.

In this dissertation, I analyze and interrogate the different types of relationships that make up the realities of peacebuilding implementation that go beyond the state. I investigate the differences between the rhetoric of territorial peace used in the 2016 peace accords versus the realities of how peacebuilding has been subsumed and so far carried out by the state apparatus. In turn, I examine the perspectives from the local and international communities. Transitional justice and peacebuilding are not just state projects, they are consistently (and increasingly) international projects as well. Here, I see a potential way forward, or a new vision of doing peacebuilding via collaboration between the local and international. While there is plenty of space for the international to harm the local in ways very similar to the state by inconsistent support and not placing the voices and actual needs of their local partners first, there is also a way for the

international to be a valuable partner to the local in creating conditions for a more consistent vision and implementation of peacebuilding. As I explain in chapter 5, international and transnational relationships that are based on a shared identity or solidarity are successful in a) leveraging the state into being more inclusive and consistent in peacebuilding implementation; and b) by placing the needs of "the local" first, these relationships contribute to the long-term goals and health of a community in a way that is truly collaborative. If we can create spaces where these types of collaborations between the local and the international are expected, rather than an exception to the norm, we may be able to move alternative visions of peacebuilding and transitional justice forward in meaningful ways. I am not sure if the state, with the history of de-legitimacy it has in Colombia as well as in other contexts around the world, can ever "arrive" in a way that is not inherently violent. However, with the types of relationships that I describe above, we have a way forward to potentially mitigate the harm of the state in these contexts.

This dissertation project demonstrates how oftentimes, literature on peacebuilding and transitional justice processes do not sufficiently problematize the state in their assessments of those same processes. The state continues to be centralized, even as in a variety of contexts, it demonstrates its inconsistency or inability to see these processes through. Of course, some of this is practical—the field of international development/international aid is enormous, slow to change, and has developed along the lines of norms in global governance, the most central of those norms being state sovereignty. However, the potential international/local relationships I discuss here would not necessarily infringe on sovereignty and may be more effective in building peace than existing standards in international development and international aid. The concept of the state has done the same thing to the field of peacebuilding and transitional justice as it has done to the discipline of International Relations. Through our reification and centralization of the state, we

have missed important contributions or alterative visions forward—something that is just beginning to shift in both areas of study.

This has particular implications for peacebuilding and transitional justice when we think about the changing nature of war, violence, and peacebuilding in recent decades. No longer do two different countries' armies battle each other directly in war. Peace treaties are often, no longer between two sovereign countries. Most contemporary conflicts, and the resulting peace accords, are intrastate (Bosetti and von Einsiedel, 2015). War is no longer delineated along territorial borders and fought between armies. Conflict is now more complex and protracted, involving non-state actors, regional, and international actors (Avis, 2019). Our conflicts are no longer state-centric, and as is the case in Colombia, the state is just another armed actor. Why should our solutions to conflict continue to be state centric then? Peace making and peacebuilding need to shift from the state-focused model to reflect these changes as well. On the side of transitional justice, we see similar changes. As I discuss in chapter 1, transitional justice was initially created to aid in moments of regime change from autocracy to democracy. In the case of Colombia, there is no regime change, as for the duration of the conflict, the Colombian state has been considered by the United States and the international community as a democracy. The same state (and individuals within the state) that perpetrated and continue to perpetrate violence are also those responsible for managing, driving, and organizing processes of peacebuilding and transitional justice. How can we realistically expect the same state apparatus which perpetrated this violence to also be largely responsible for remedying that violence and providing reparations to members of the population they continue to victimize? The solution is to prioritize local/international relationships like those of AFRODES; where local voices and projects are centered, and where the international can leverage an unwilling or unable state as they provide support for local

projects and voices, rather than perpetuating top-down processes which may or may not reach regions most in need of aid.

A Conclusion

While this chapter represents an ending, a conclusion, it is not the one I wanted or expected. I was cut off from my fieldwork in March 2020 with the outbreak of COVID-19 and its arrival in Colombia. While I elected to stay in Colombia through the course of the pandemic (which is nowhere near its end as I write this), it was an abrupt ending. I told my collaborators that I would be back in April to celebrate the commemoration and establishment of Puente Nayero. Over year later, I still have not seen them again. Plans to return have turned into a flurry of WhatsApp messages every time there is another raid, massacre, or outbreak of violence at one of my field sites over the past year. And so, this is a deeply unsatisfying ending of sorts, not dissimilar to what the 2016 peace accords have turned out to be. It is not the one I wanted, and it feels disingenuous to say that the questions and problems I address in this dissertation are settled. If anything, this project has just dug beneath the surface to reveal more questions.

This conclusion is being written in the middle of a giant contradiction. As I write this from my apartment in Bogotá, Colombia, widespread protests have rocked the country for months, with no end in sight. These protests are a response to rising poverty and unemployment, realizations that here is another peace process that has not "worked," and that yet another generation is facing sparse opportunities, unless they have been lucky enough to be born into the fold of the political elite. I expect these protests to continue in spurts through the next presidential elections in 2022. This deep frustration with a ruling class that continues to deny opportunity to those it is supposed to govern responsibly is happening not only in Colombia, but around the world. So, in writing this conclusion, the primary question in my mind has been: "How can we reimagine a world where we

do not have to be so resilient?" I think that a part of the answer to that question is by prioritizing the voices of those who historically have had to be the most resilient, and I hope that this project can be a small piece in working toward a larger, more complete answer to that question.

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