

Colombia's relentless pursuit of justice: Wartime abuses, dynamics of violence, and justice outcomes

In this dissertation, I explore the origins and outcomes of Colombia's approach to addressing wartime abuses in the 2016 Final Peace Agreement. This peace agreement contains a justice policy on wartime abuses that is comprehensive, innovative, and arguably the most victim-centered framework globally, making it a policy that is likely to inspire and impact how wartime abuses are addressed elsewhere and in the future. Hence, unpacking the origins and outcomes of Colombia's 2016 justice institutions can offer new theoretical and policy-relevant insights into state responses to wartime abuses globally. I approach this topic from a foundation of conflict research concerned with links between dynamics of violence and justice institutions, and transitional justice scholars' interest in explaining justice outcomes. Hence, I ask the following main research question: How do dynamics of violence shape justice outcomes on an institutional and individual level? To guide my research, I develop the threat-opportunity framework centered on national-level actors and war-affected individuals' perceptions and actions vis-à-vis justice institutions. This actor-centric framework draws on theorizations of justice institutions as inherently political and contested and assumes that justice institutions can represent a threat for some people but an opportunity for others. Perceptions of threat or opportunity correspond with subsequent actions, including resistance/avoidance or support/engagement vis-à-vis justice institutions. The institutions of interest in this dissertation are trials (including tribunals), truth commissions, reparations, and amnesties.

I argue that key actors' perceptions of specific dynamics of violence lead to actions that shape justice outcomes. Hence, my key theoretical contribution is to demonstrate how perceptions and behavior vis-à-vis justice institutions can be explained in the context of specific dynamics of violence, for example violence committed by paramilitaries, conflict severity, renewed violence after a peace agreement, and large-scale and wide-ranging abuses. This research forms part of a growing interest in wartime legacies for post-conflict outcomes. For conflict research on justice institutions in particular, I theorize how dynamics of violence shape justice institutions, which scholars have examined less intensely than the reversed relationship, and I expand the analysis to the perceptions and actions of war-affected individuals. The dissertation also contributes to the transitional justice literature by exploring how accountability and victims' rights are pursued amid war, and how wartime legacies shape post-conflict justice outcomes, both in terms of justice institutions themselves and their contributions to war-affected individuals.

The dissertation is composed of four papers centered on Colombia, though paper 2 also includes a global analysis. The papers combine quantitative and qualitative methods, including in-depth fieldwork in one conflict-affected community, and provide different inroads to the overarching research question. In paper 1, I argue that national-level actors perceived paramilitary violence differently, leading to a tug of war dynamic between human rights proponents working to expose abuses and the government attempting to conceal abuses. In paper 2 (written with co-authors), we argue that justice institutions adopted during conflict help predict which institutions are established post-conflict, and we use the case of Colombia to elucidate mechanisms for explaining this relationship. In paper 3, I argue that renewed violence after 2016 led individuals to adopt risk-reducing behavior by showing restraint in providing testimonies. Finally, in paper 4, I argue that large-scale and wide-ranging abuses hamper the contributions of Colombia's reparation programs targeting individuals and communities.

Findings from this dissertation have research and policy implications. First, I theorize contestations about justice institutions during and after armed conflict, suggesting dynamics of violence play an important role in influencing whether key actors perceive justice institutions as a threat or an opportunity. I then argue that these perceptions lead to actions of resistance and avoidance or support and engagement with justice institutions, thereby influencing justice policies, institutional repertoires, and benefits for war-affected individuals. Part of this contribution is that unravelling the legacy of institutions adopted during conflict and the dynamics of violence in the post-conflict period can help explain under what conditions justice outcomes are reached. Second, I present an analytical framework that can be used in researching and assessing the construction and implementation of justice institutions. A strength of this threat-opportunity framework is that it enables researchers and policymakers to simultaneously consider the interests of national-level actors and war-affected individuals. Third, my dissertation advances our understanding of how and with what results justice institutions are contested in Colombia, including the role renewed violence and wide-ranging and large-scale abuse play in limiting implementation. This research has relevance for conflict researchers interested in conflict dynamics and their repercussions, and for scholars on transitional justice interested in factors that shape justice outcomes.