

# International Panel on Exiting Violence

CHAPTER 5

PUBLIC POLICIES AGAINST VIOLENCE

 fondation  
maison des  
sciences  
de l'homme

 Carnegie  
CORPORATION  
OF NEW YORK

## CHAPTER 5

### Public Policies against Violence

**Leader:** Sandrine Lefranc

**Contributors:** Nathalie Duclos, Véronique Dudouet, Sarah Gensburger, Eduardo Pizarro, Ricardo Peñaranda

#### INTRODUCTION: PUBLIC POLICIES AGAINST VIOLENCE?

“Public policies against violence”—an expression proposed by the European Neighbourhood and Partnership Instrument (ENPI)—refers here to all policies, standards, programs, and operations put in place at different scales to put a lasting end to mass political violence (war, civil war, repression, genocide). “Mass political violence” can be defined as unilateral or bilateral violence, attributable to states or to other large groups with less defined outlines, committed against individuals and groups and defined as necessary on the basis of cultural, religious, or ethnic identities, or for political purposes, or during political competition processes. The expression “public policies against violence” is uncommon in the expert and scientific literature. It therefore needs to be clarified. Public action refers to “the action taken by a public authority (alone or in partnership) to address a situation perceived as problematic” (Lascoumes & Le Galès 2012: 5). It is therefore a question of working on *the very idea of a political action against political violence*, as well as on how violence is characterized as a problem, knowing that the characterization of this violence is an integral part of the conflict process (Hacking 1991; Sommier 2008). Is it possible, and if so, under what conditions, to pursue a proactive policy of voluntarist conflict resolution with a view to establishing a lasting peace? What is the “problem” to be solved, and to what extent is the characterization of this violence—which is inevitably political—conflictive? In addition to these two questions, there is a third issue: that of the public authority that drives the policy. In the part of political science that studies public policy, the state occupies a central place, although it never works alone, and the heterogeneity of public administrations is central to this type of analysis. This centrality of the state is less rigid when the policy direction is “against violence”, since open political conflicts pit violent states against their populations, other states or armed groups, and often weaken states. Violent or weakened states may not be the perpetrators but the targets of actions by international, public, and private authorities. This chapter argues for an “ordinary” sociological approach to policies aimed at resolving or preventing violent conflict—a critical approach, attentive to the actors involved and the historical contexts in which these policies are formulated.

#### STATUS OF PUBLIC POLICIES AGAINST VIOLENCE

Public policies against violence are numerous and diversified, even disparate. The table below gives an overview of the situation.

**Table 1.** — Overview of public policies against violence

Type	Possible forms	Examples
Armed means to ensure a truce		
Military intervention		NATO intervention in Kosovo (1999)
Military Interposition		UN Peacekeeping Operations (DPKO)
Peaceful means of securing a truce		
Peace agreement (with varying horizons and varying ambitions), with facilitation	<ul style="list-style-type: none"> <li>- Classical diplomacy</li> <li>- "Citizen" or "alternative" diplomacy (intervention of "private" persons, association representatives, former politicians, churchmen, etc.)</li> </ul>	<p>Arias Plan for Central America (1986); peace agreements in Mali and Colombia involving States (Algeria and Cuba respectively), NGOs (Intermediate, Centre for Humanitarian Dialogue, CMI, Bergnot Foundation, Sant'Egidio), and IOs (CEDAO) including the UN (DPA, Mediation Support Unit Standby team)</p> <p>Yemen, Tunisia, Central African Republic</p>
National dialogues		
Verification of truce/ceasefire	<ul style="list-style-type: none"> <li>- Civilian teams (local, governmental, international or mixed) to monitor ceasefire agreements</li> <li>- Inter-State</li> <li>- Non-governmental or mixed</li> </ul>	<p>Examples:</p> <ul style="list-style-type: none"> <li>- OSCE Mission in Ukraine, UN Mission in Georgia</li> <li>- International monitoring team in Mindanao, which includes international NGOs such as HDC or Conciliation Resources but also States (Malaysia, Norway) and IO (EU)</li> <li>- Role of civil intervention NGOs such as Nonviolent Peaceforce or Peace Bridges International</li> </ul>
Peaceful ways to stabilize a ("negative") peace, in the short term		
Organization of a governmental coalition, with facilitation	Negotiations, multi-party conferences	Transitions in South Africa (1993), Sudan, Nepal, Burundi
Organization of the first democratic elections	Temporary power-sharing mechanisms, first government of national unity	UN or International IDEA programmes
Demobilization, Disarmament, Reintegration (DDR) of armed groups	<ul style="list-style-type: none"> <li>- Government commissions for DDR</li> <li>- Technical support and international verification/monitoring</li> </ul>	<p>Mandates of the UN and other inter-governmental organizations (IOM, EU).</p> <p>Example: Aceh Monitoring Mission 2006-2008 (joint DDR mission between the UN and 5 ASEAN countries plus Norway and Switzerland)</p>
Judicial and legislative management of past violence	<ul style="list-style-type: none"> <li>- Judicial prosecution/amnesties</li> <li>- Alternative means of investigation (e.g. truth commissions)</li> <li>- Administrative purification (vetting, purges) or professional reintegration</li> </ul>	Establishment of national or international truth commissions (intervention in El Salvador and Guatemala by the UN or the International Center for Transitional Justice)
Non-violent ways to build a "positive", long-term peace		
1. At the national level		
Territorial reorganization	<ul style="list-style-type: none"> <li>- Decentralisation, federalism, separation</li> <li>- Electoral or constitutional reform</li> </ul>	Facilitation of the Dayton Agreements for the former Yugoslavia (1995), South Sudan (2005), Aceh (2006), Kosovo
Democratization, minority representation	Representation quotas (Bosnia, Northern Ireland)	
Structural reform of institutions, the judiciary, security forces ("governance")	<ul style="list-style-type: none"> <li>- Reform of the security sector (purification, right-sizing, professionalization, ethnic or gender quotas, integration of former irregular forces, human rights training...)</li> <li>- Law and judicial system reforms (integration of international human rights law, new criminal offences, military justice reform, etc.)</li> <li>- Institutionalization of international criminal justice and harmonization with national justice systems</li> </ul>	<p>UN and EU mandates in support security sector reform (SSR): Palestine, DRC, Afghanistan, Mali.</p> <p>Technical support from NGOs: DCAF or Saferworld for SSR, Max Planck, IDEA, Interpeace for Governance Reform</p>

<p>Other mechanisms for dealing with past violence</p>	<ul style="list-style-type: none"> <li>- Training of judicial and security forces in the «culture of human rights» (training, code of ethics, etc.)</li> <li>- Mechanisms for the professional retraining of categories of actors or victims (refugees, guerrillas, security forces)</li> <li>- Exhumation and re-inhumation policies, therapeutic and integration rituals</li> <li>- Commemorations, monuments</li> </ul>	<p>UN police training in Kosovo, programs integrating human rights into the education and vocational training of public officials.</p>
<p>Action on the causes of conflict through economic development</p>	<p>Prevention of the conflict consequences of development policies ("do no harm")</p> <p>Equitable development, which should indirectly promote coexistence between groups</p> <p>Cooperative development, which should directly promote coexistence between groups through exchanges within the framework of development programs</p>	<p>Reorientation of humanitarian and development NGO programs since the 1990s</p> <p>Role of IOs such as the World Bank or UNDP, and foreign states (German GIZ)</p> <p>Programmes of the American NGO Conflict Management Group Mercy Corps in former Yugoslavia</p>
<p>2. At the local level: reconciliation "from below"</p>	<p>Storytelling</p> <ul style="list-style-type: none"> <li>- Rewriting history</li> <li>- Dissemination of a historical account and analysis of current events (truth commissions and other forums, media, textbooks, etc.)</li> <li>- Valorisation of co-habitation of stories ("dissensus")</li> </ul> <p>Dialogues</p> <ul style="list-style-type: none"> <li>- Encouraging dialogue (on conflict; through arts and sports; between categories of actors and victims – women, youth, religious groups, ethnic groups, etc.)</li> <li>- Promotion of "pivotal groups" linking the warring groups: Multi-ethnic churches, women's groups, economic associations</li> <li>- Development of common areas and neutral spaces (e. g. daycare centres)</li> </ul>	<ul style="list-style-type: none"> <li>- National educational policies, programs of the international NGO Search for Common Ground, the Georg Eckhart Institute, the OSCE in Bosnia and Herzegovina</li> </ul> <p>Programmes of Search for Common Ground</p> <p>Civil Peace Service Teams funded by Germany<sup>1</sup></p>
<p>3. At the international level: prevention of mass political violence</p>	<p>Values</p> <ul style="list-style-type: none"> <li>- Valorisation of peaceful provisions and liberal (tolerance) values; e. g. funding of relevant civil society organizations, informative and leisure media, negotiations with extremists ("spoilers"), training of civil servants</li> <li>- Training in conflict resolution</li> <li>- Valorisation of democratic regulation of political conflicts</li> </ul> <p>Conventions against genocide, torture, enforced disappearances, war crimes; reparations</p> <p>Understanding of violent processes, both general (<i>war or genocide studies</i>) and local (anthropology and other social sciences)</p> <p>Early warning and quality measurement programs for political processes (e.g. quality indicators for democracies)</p>	<p>Programmes of the American government agency USAID, and the British NGO Conciliation Resource</p> <p>Jurisdictional and standard-setting organizations of IOs (UN, Inter-American Commission on Human Rights of the Organization of American States, etc.)</p> <p>Basic and applied research</p> <p>E.g.: <a href="http://Earlywarningproject.com">Earlywarningproject.com</a> criteria of George Stanton or UNHCHR</p>
<p>Adoption of international standards</p> <p>Research development</p>	<p>Conventions against genocide, torture, enforced disappearances, war crimes; reparations</p> <p>Understanding of violent processes, both general (<i>war or genocide studies</i>) and local (anthropology and other social sciences)</p> <p>Early warning and quality measurement programs for political processes (e.g. quality indicators for democracies)</p>	<p>Jurisdictional and standard-setting organizations of IOs (UN, Inter-American Commission on Human Rights of the Organization of American States, etc.)</p> <p>Basic and applied research</p> <p>E.g.: <a href="http://Earlywarningproject.com">Earlywarningproject.com</a> criteria of George Stanton or UNHCHR</p>

Table source: from Lefranc in S. Lefranc (2006), Introduction, "Créer du lien social", *Après le conflit, la réconciliation?*, Paris, M. Houdiard, adapted by Véronique Dudouet.

1. <https://www.zivilier-friedensdienst.org/en>.

## AN INTERNATIONAL MECHANISM AGAINST VIOLENCE

All of the mechanisms and policies listed in the preceding table are now based on international standards—conventions, customary law, decisions of judicial organizations, reports of the United Nations Secretary-General, declarations, and agendas, but also on the abundant and sometimes influential sources prepared by experts and endorsed by international organizations (e.g., the series “Rule-of-law tools for post-conflict States” of the Office of the United Nations High Commissioner for Human Rights)<sup>1</sup>. Standards can be found for all the “moments” presented in the table above<sup>2</sup>. The chosen wordings change and may cause variations in practice (for example, when the right of interference is replaced by the “responsibility to protect”, or when justice is described as “transitional”). But these norms are generally formulated after the elaboration of policies. For example, states implemented memory policies relating to the Holocaust before international organizations ordered them to do so (in 2005 for the United Nations and the European Parliament, 2007 for UNESCO, 2014 for the African Union, compared to the interest of states and societies in the “memory” of the Second World War, which dates back to the 1970s). Transitional justice was codified by the United Nations only in the early 2000s, whereas the term had been used since the 1980s.

International organizations do not simply give names to situations and policies, albeit tardily. They intervene on a massive scale, and at different times, through observation missions following a peace agreement or more active intervention between belligerents (*peacekeeping*), facilitation of peace agreements (*peacemaking*), or even operations on a larger or smaller scale to build peace (*peacebuilding*) (see Cases 2 and 3 below). Globally, 39 percent of conflicts have been “ended” by negotiations supported by the international community (Wallensteen 2012). Since 1948, a total of 71 peacekeeping operations have been deployed by the United Nations. They have increased significantly since the 1990s. From the 1990s to the early 2000s, peacekeeping expenditures increased from 23 percent of the UN budget (\$3.6 billion) to 77 percent (\$12.1 billion/year) (Colletta & Cullen 2000: 2). Nearly 1,500 mediations were recorded between 1945 and 1995—and saw a fivefold increase between 1980 and 1990, including about 100 at the initiative of the United Nations Secretary-General alone over the period (Tenenbaum 2010: 106-108), as well as 13 times more sanctions and nine times more DDR operations between 1991 and 2008. Almost two-thirds of post-1989 conflicts have been the subject of at least one mediation attempt. The same is true for peacekeeping operations, which saw a threefold increase between 1988 and 2008. The UN deploys more than 90,000 soldiers from 114 countries in 15 missions on 4 continents, forces that can use force only in self-defence (Hatto 2015).

### Case 1. The United Nations Against Violence: Peace Missions

Since the end of the Cold War, the role of the United Nations has been rethought. Peace missions under UN authority have been able to increase in this post-bipolar context. While there were only 13 peacekeeping operations (PKOs) between 1945 and 1987, there were 20 between 1988 and 1994 (Bonnaure 1993; Tardy 2000). Between 1989 and 2000, 38 missions were deployed, of which only five were inter-state conflicts. The UN is involved in peace missions in half of the civil wars that exist today. This development is part of a more regular use of Chapter VII of the Charter.

1. [https://www.ohchr.org/Documents/Publications/Amnesties\\_en.pdf](https://www.ohchr.org/Documents/Publications/Amnesties_en.pdf).

2. Partial inventories such as <https://www.un.org/en/ecosoc/about/peacebuilding.shtml> are provided by a number of international organizations.

The modalities of peace mission operations (PMOs) have also evolved, reflecting an adaptation to armed conflicts that have become almost exclusively intra-state. Classically, there are several “generations” of PMOs (David 2006: 308-309):

(1) During the Cold War (1948-1988), traditional peace operations were conducted by peacekeepers to reduce the risk of a resumption of hostilities, without a coercive mandate and with the consent of the protagonists. They were limited to a military component and aimed only at a negative peace, in the sense used by Johan Galtung.

(2) After 1989, missions, both military and civilian, became more ambitious, taking on political and economic dimensions in addition to security. For example, they may have a mandate to supervise elections, as in Namibia and Nicaragua in 1989, and may endeavour to provide humanitarian assistance. They sometimes deploy without the prior consent of the government or rival factions.

(3) Since 1994, a third generation of PMOs has emerged that fall under the category of peace enforcement in response to the challenge of “failed states”, such as Haiti in 1994 or East Timor and Kosovo in 1999.

This increase in power cannot hide the existence of obstacles such as the lack of a military capability of its own and therefore the dependence of the United Nations on troop-contributing countries, and an inability to react quickly. This leads to a trend toward the devolution of military operations to defence organizations such as NATO, and to major powers such as the United States.

The abundant literature (especially in the field of international relations) dedicated to these numerous “glocal” policies generally postulates that the need for proactive action against political violence is self-evident. However, to assume that it is “naturally” incumbent on a power (and its co-producers) to fight (ex ante, during, ex post) against political violence is tantamount to neglecting the fact that inaction is very frequent in history, with actors simply “turning the page”. Why would a political power, for whom violence is one of its main “instruments”, act against violence when it is the user? Amnesty for one or both sides has always been, and remains, the preferred option of the public authorities. Why would a winner want to report on its past and current uses of violence against its opponents? Why would a government and the historical actors in a conflict allocate time and resources to the costly evocation of past confrontations? How can a weak government prevent conflict? It is only recently that the injunction to act has taken the form of a compelling norm, to which the morality born of the Second World War is no stranger. Concern for the “memory” of violent conflicts is recent (Rousso 2016; Gensburger & Lefranc 2017), while pleas for forgetting are increasing (Rieff 2018).

#### MAKING PEACE: ADVANCES AND LIMITATIONS

Even those organizations that appear to have been born to serve peace, such as international organizations (the United Nations, the European Union, or the African Union), may not have the “vocation” of preventing or resolving violent conflicts. The principles of action of the international community are not very clear. Amnesty, which is said to have become unacceptable, is still a possibility under international law. We also know to what extent international action results in failure, with its legitimacy highly debated; many specialists in international relations who are nevertheless keen on peace and democracy have come to affirm that it is better to “let the conflict continue” than to fight violence ineffectively or often with perverse effects (Snyder & Vinjamuri 2003-2004; Westendorf 2015). Roland Paris and others have pointed to the ability of international peace operations to fuel or generate new conflicts (Paris 2004; Westendorf 2015: 4-5).

## Case 2: Liberal Peace and its Critiques

### A. Building liberal peace

In the wake of Kant's introductory reflection on democratic peace and the empirical work of Michael Doyle, adviser to Kofi Annan, showing that democracies, among themselves, do not wage war against each other, the UN has worked to establish liberal regimes and a market economy (Paris 2004). In addition to the UN, there is a plethora of actors promoting liberal peace:

- The United Nations Development Program (UNDP) promotes good governance, understood as the exercise of political, economic, and administrative authority in a participatory, transparent, and accountable manner, considering that “democracy, human rights and good governance are inseparable”. At the end of the 1990s, UNDP allocated 46 percent of its budget to promoting good governance.
- While the Organization for Security and Co-operation in Europe (OSCE) granted the same legitimacy to all regimes during the Cold War, whether democratic or not, the organization has considered since June 1990 that it is necessary to promote the development of pluralist democracies. In particular, it encourages the development of powers accountable to voters and an independent judiciary.
- The Bretton Woods institutions, in accordance with the Washington Consensus, promote economic policies of liberalization, deregulation, and privatization.

### B. Critiques of liberal peace missions

While supporting liberal peace, Roland Paris (2004) highlighted the destabilizing effects of liberalization that have begun very soon after the end of conflicts. The organization of elections, based on a principle of competition, and the liberalization of the economy, which erodes protective state mechanisms, seem unsuitable for countries that have just emerged from armed conflict and suffer from a lack of a tradition of peaceful conflict resolution. Moreover, these policies risk rekindling tensions and aggravating the precariousness of those who are most vulnerable to conflict. This is why Paris has recommended that, before liberalization, an institution-building strategy be implemented—in other words, that an effective administration be implemented throughout the country that will guarantee political stability. It is only after a certain period of time that liberalization can be undertaken. His recommendations include the following:

1. postponing elections until the creation of moderate political parties
2. adopting electoral procedures that promote moderation rather than extremism
3. encouraging the development of civil society organizations that transcend conflict divides and prohibiting those who advocate violence
4. regulating hate speech
5. promoting equitable development policies that moderate social tensions
6. developing security institutions and a professional and neutral bureaucracy

### C. Critiques of state-building (SB) efforts

Several studies have shown that the main objective of PKOs, in response to a supposed “state failure”, has been to restore the monopoly of legitimate physical violence challenged by combatants. These interventions are thus based on the misconception that the institutional models and practices of Weberian states—which have evolved in developed economies—can be transferred to a post-conflict country. This approach is therefore *ethnocentric* (Bøås & Jennings 2005). Moreover, while *peacebuilding* policies are part of a liberal tradition, contemporary peace agreements are often highly illiberal in their content, intentions, and objectives (Selby 2013).

Moreover, “state failure” is taken into account only when states have the potential to have an impact on the security of Western countries. Consequently, the discourse on failed states cannot be divorced from the military doctrines of Western powers or their foreign policies and economic choices; rather, it legitimizes a form of political interference (Bøås & Jennings 2005). Indeed, the argument that international threats to peace and security are associated mainly with state fragility has a weak empirical basis. For example, transnational terrorist networks do not flourish only in unstable states.

Finally, state-building policies neglect the cultural and social differences that are so essential to the identity of states, nations, and their peoples, and do not take into account the different possible meanings of the state. This leads to seeing local appropriations of these policies only as the expression of obstacles, diversion, or sabotage by local actors. In short, the state’s historicity in the South is completely neglected (Bayart 1996).

The question of international voluntarism deserves to be raised all the more since our contemporaries are pushing this “proactive” logic very far. Of course, peacebuilding action is not new. But today, it is at the same time globalized, systematized, and even established as an expertise, a science taught in the political science and law curricula of universities on the east coast of the United States. “Transitional justice” is today one of the most fully developed translations of this formalization of putatively universal expertise in the prevention and resolution of political conflicts. Created recently as a pragmatic response to the dilemmas of transitions to peace and democracy, it has in some 30 years brought together under its label disparate practices, which experts present as complementary tools for a “holistic” policy. The definitions preferred by international organizations are indeed global and holistic, according to Thoms, Ron, and Paris, referring to UN preferences (2008: 17). They include as many “tools” as possible (criminal and administrative justice—both national and international—and its suspension, including through amnesties, commissions establishing a historical “truth” on human rights violations, reparations to victims in all their forms, “memory policies”, reforms of the institutions most involved in violent repression, including those linked to development policies, etc.).

#### TRANSITIONAL JUSTICE BETWEEN WAR AND PEACE

“Transitional justice” is defined by the United Nations as “the full range of processes and mechanisms associated with a society’s attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation” (United Nations Security Council, 2004: para. 8). Academic definitions, as well as those proposed by specialist think tanks such as the International Center for Transitional Justice, and those adopted by the United Nations are in line with the same approach. While these definitions comprise what appear to be complementary political choices, these elements can also be contradictory.

It is therefore up to transitional justice, during the “extraordinary” and “hyper-politicized” periods (Teitel 2002) that open after a dictatorship or civil war, to manage the consequences of political crimes in such a way as to perpetuate peace, stabilize a government that is preferably democratic, and repair the damage suffered by the victims, but also to calm them down, prevent the recurrence of violence, and even promote a just order. In the eyes of experts, the urgency and acuity of this issue justify a political and moral rethinking aimed at immediate public action. The particularity of a twofold transition, toward democracy and peace at the same time, gives these specialists a unique opportunity to participate in the rewriting of the “social contract” of a society “torn apart” by political violence. Transitional justice seems to them to have a “revolutionary” potential, for recreating a social bond at the same time as inventing an alternative justice. This desire of scientists and



experts to participate in the rebuilding of “torn” societies is certainly commendable. But it needs to be questioned. The urgency to act can take precedence over observation and careful description of practices. Many international action programs have thus been based on inaccurate descriptions of conflicts, both locally and globally.

The paradigm of “new wars”, associated in particular with the name of Mary Kaldor (2001) but very widely welcomed in the field of international relations, is a good example. It suggests that battles between organized armies and soldiers that respect their enemy have supposedly given way to terrorist raids and massacres, with no clear beginning or end. The duration of these wars has thus become indefinite, and their perpetuation inevitable. At the same time, these “new wars” have become “savage”: led by “warlords” supported by lost souls (such as child soldiers), taking civilians as their main target rather than a territory to be conquered or an army to defeat. The “new wars” are deinstitutionalized (Holsti 1990; 1996), or “privatized” for the benefit of warlords and failed or “collapsed” states (Zartman 1995). Politics have been replaced by culture, ethnicity, and religion (Kaldor 2004); old hatreds have re-emerged. The major ideological conflicts of the Cold War, with universal scope, have given way to community, religious, or clan-based mobilizations. Economic globalization and the withdrawal of the major powers have driven economic recession and increased competition for rents from, for example, mining resources (Doyle & Sambanis 2006; Berdal & Malone 2000).

This hypothesis of war’s transformation is questionable and even erroneous (Kalyvas 2001; Marchal & Messiant 2003; Malesevic 2008). Civil wars (including during the Cold War) have always been, and remain, local (Derriennic 2012). The actors who clash were often already clashing when they joined in the Cold War; they simply did so with different resources. The “savages” sometimes speak politically and even wield the weapons of universalist ideologies, while the guerrillas of yesterday also knew how to serve their clienteles and clans. The Soviets armed anti-communist Arab governments against Israel, while the United States armed radical Islamists in Afghanistan. Civilians have already been the targets of organized state wars. Even the idea that they have increased in number is questionable, since the number of wars has been reduced by a factor of six since the 1950s, as have the annual number of victims caused by these conflicts (from 20,000 deaths to 6,000 in the 1990s, and half as many in the 21st century). Perceptions of “new wars” are wrong; what they think is new (globalization, violence against civilians, “identity politics” (Kaldor 2001: 6), war chaos, etc.) is not; what they see happening does not happen (the weakening of the state by an allegedly wrongly deregulatory liberalism, the end of state nationalism). It is important to achieve a better understanding of the historical dimension of conceptions of peace and war that are undergoing change under the pressure of new doctrines and security measures at the turn of the 21st century.

### Case 3:

#### Towards a New Military Doctrine for the Twenty-First Century

##### **A. “We won the war and lost the peace”**

This phrase is continuously heard in both the US press and in specialized magazines to refer to military interventions in Afghanistan, Iraq, and Libya (and other states) in recent years. In all three cases, military success was emphatic.

In 1996, two professors from the National Defense University, James Wade and Harlan Ullman, produced a document intended for the Pentagon, in which they argued that the United States should adopt a military strategy based on *rapid dominance* over an opponent by applying overwhelmingly superior force and firepower to paralyze, demoralize, and disorient (shock and awe) the adversary,

that is, to break their will to fight. Yet none of these military victories that adopted this strategy has led to peace. On the contrary, the wars were soon rekindled with enormous force in Afghanistan, Iraq, and Libya and similarly at a later date in Syria, reviving the nightmare of America's quagmire in Vietnam or of the Soviet Union in Afghanistan. This led to the fast collapse of the "rapid dominance" theory.

### **B. State-building**

In 2007, in the face of the deterioration of the Iraq and Afghanistan situation, America's post-Cold War triumphalism and full conviction of its military superiority began to fall apart. In January of that year, George W. Bush announced in a television address, under the provisional title of *The New Way Forward*, a new military strategy for Iraq called *the surge*, which rather than focusing on new troops and more sophisticated weapons, placed the emphasis on winning the hearts and minds of the civilian population. As Mary Kaldor shows (2001), the old current in the US military that proposed a special treatment for so-called small wars (Pareja 2009), whose voices were not listened to during the Vietnam War, had begun to play a role in the doctrinarian re-evaluation in the United States of how to tackle "new wars". The change began with the approval of the US Department of Defense Directive 3000-05 of 28 November 2005, which was inspired by General David Petraeus, former commander of the International Security Assistance Force. This rethink also occurred within NATO, whose military guidelines have started to focus on state building and gradual stabilization rather than on military confrontation.

### **C. From National Security to Multidimensional Security**

There are currently several different proposals for dealing with the "new wars" (the term coined by Mary Kaldor). Conservative sectors in the United States and Europe based on the old notion of *national security*, which is essentially aimed at ensuring a state's security and defense, have proposed changing the "global war on terror" expression that President George W. Bush proclaimed following the attacks of 11 September 2001), whereas Georgetown University professor Bruce Hoffman has formulated the expression "global counter-insurgency" to refer primarily to the fight against Jihadism (in particular Salafi Jihadism) (Hoffman 2016). In an intercommunicated world, there are no longer local insurgencies.

Moreover, since the 1990s, a school of thought has been developing that essentially places the onus on *human security* as the linchpin for dealing with uncertainty and conflict in today's world. This notion became widespread after the publication in 1994 of the Human Development Report (which proposed the famous "Human Development Index") devised by the United Nations Development Program (UNDP). According to this vision, the ultimate recipient of security is not the state but human beings. The report then distances itself from a concept of military-type security and identifies seven categories to ensure human security from a global perspective: economic, food, health, environmental, personal, community, and political security. Mary Kaldor, who adheres to this vision, has long held that global security conceived as human security and not as the fight against terrorism should be the central objective of world politics in the coming years. This entails the strengthening of multi-lateral institutions capable of developing conflict prevention policies and reducing violence combined with the ability to stabilize and rebuild nations at war, a strengthening of "citizen diplomacy" through specialized organizations and NGOs as well as a profound change in military doctrines in order to adapt strategies to the characteristics and challenges posed by the "new wars". Peacebuilding and stabilization and normalization policies should be their primary cornerstones.

Finally, a fourth current that seeks to creatively integrate notions of national security and human security is the concept of *multidimensional security*. This notion emerged on the occasion of the plenary assembly of the Organization of American States (OAS) held in Barbados in 2002, embodied

in the “Declaration of Bridgetown: The Multidimensional Approach to Hemispheric Security” (2002), which holds that threats to hemispheric security are diverse in nature and multidimensional in scope and that traditional concepts and approaches (such as national security and human security) should be expanded to encompass both traditional and new threats, which requires the inclusion of political, military, economic, social, health, and environmental aspects. The Canadian diplomat Adam Blackwell, a former secretary of the OAS multi-dimensional security office, has repeatedly argued that “responses to crime and violence must be long-term actions tending to address their underlying causes.”

Simply put, in order to “find a way out of violence” in today’s world, it is crucial to undertake a profound renewal of military doctrines based less on “enemy building” (Conesa 2011) and war hypotheses and more on the global response to inequality and poverty and the reconstruction of states in many parts of the world.

The haste of international organizations, experts, and even scientists to participate in the establishment of lasting peace and to rebuild societies better able to prevent the recurrence of conflicts, leads to other diagnostic errors. Proposals made with a view to building peace are based on a too-rapid description of what violence is all about. The orientations of the social sciences are too often deduced from a dichotomy between war and peace that we now know cannot be taken as a given (Richards 2005). Rather, the “in-betweens” are dominant. Studies of certain conflicts in sub-Saharan Africa and Latin America have usefully blurred the border between war and peace, showing in particular that violence belongs to ordinary forms of “economic regulation” and to routine political processes. Marielle Debos (2013) has shown how a man in arms can take turns as a soldier, guerrilla, customs officer—a “fungibility” that must be related to the process of state building, whether at peace or at war.

In this respect, Colombia and Guatemala are perfect examples of economic—in this case, agrarian—issues at stake and the political negotiations that the state has had to conduct with armed groups.

## Colombia

Of the 8,074,272 “victims of the armed conflict” in Colombia, 7,134,646 are cases of displacement, according to figures from the National Registry of Victims (Registro Único de Víctimas 2017). These figures have no parallel in other instances of armed conflict in Latin America and, given the scale of displacement, highlight the issue of control over rural property as one of the central themes of the continent’s longest war.

Over the past three decades, escalating hostilities between the insurgency and the state, the paramilitary threat, and the expansion of drug trafficking have forced millions of farmers to abandon their land, which has come under the control of illegal armed groups or large landowners who seized this opportunity to expand their holdings (Reyes 2016).

Legislation for the protection of victims was first implemented in 1997. Law 387 of 1997, the first to serve the displaced population, was followed by Law 975, the Justice and Peace Law of 2005, which recognized the victims’ rights to reparations. Finally, Law 1448, the Victims and Land Restitution Law, was enacted in 2011, marking the start of an extensive process of restructuration of rural property, which is still under way.

The Victims Law is arguably the most ambitious reparations project ever undertaken as a result of an internal armed conflict. As of 1 January 1985, the law recognizes as victims those who have been directly affected by violations of international humanitarian law (IHL) carried out by armed groups or agents of the state, and the law also includes victims’ immediate family members. It is

committed to addressing victims' demands comprehensively, from economic, psychological and educational issues, to symbolic and memorial strategies.

As for the restitution of lands, the law introduced a legal procedure to restore and regularize lands belonging to victims of dispossession and forced abandonment since 1 January 1991. Two key obstacles have been identified in the implementation of this procedure. First, the procedure is time consuming, owing mainly to a lack of information—an estimated 70 percent of claimed lots lack title deeds, in addition to the technical constraints of the public entities in charge of registering and identifying rural properties. Second, the state is unable to provide full guarantees to owners and communities for whom property restitution rights are recognized. These shortcomings have fuelled debate about the state's ability to process the claims within the law's ten-year time frame (Londoño 2016). At present, the government acknowledges that, after six years, 110,964 applications have been filed involving 98,534 properties, half of which have been processed, resulting in the registration of 21,688 cases, of which 14,878 have been filed with judges, who have issued 3,727 rulings pertaining to 5,558 properties (Unidad 2018). These numbers are inadequate when considering some estimates that set the potential number of claims at over 350,000, amounting to 6.5 million hectares, compared to the 2 million hectares estimated by the government.

Despite shortcomings in its implementation and the opposition of political circles with close ties to large landowners, the government was able, through the implementation of the Victims and Land Restitution Law, to anticipate the demands that the insurgency would make three years later at the negotiating table. Thus, for the government, the first item of the agreements reached in Havana, on "Comprehensive Rural Reform", entails the implementation of a policy to overcome rural underdevelopment and restore dispossessed populations' rights which had been introduced before the negotiations, and not as a result of the demands of the Revolutionary Armed Forces of Colombia. The agrarian agreement reached in Havana integrated two new programs into the ongoing land restitution program: one for the distribution and another for the regularization of property. The first calls for the creation of a 3 million-hectare Land Fund, extracted from property annulment procedures, forest reserves, and the recovery of illegally appropriated unused lots. The second seeks the regularization of 7 hectares of currently occupied uncultivated plots without property titles. Were these ambitious goals to be achieved over the next few years, they would undoubtedly constitute the greatest transfer in rural land ownership in Colombian history, even surpassing the revolutionary demands.

## **Guatemala**

Guatemalan society and its economy have experienced, throughout the 20th century, a retreat into traditional forms of concentration of rural property and labour control. The traditional structures of oligarchical ownership and control only appeared threatened during the country's brief democratic experiment, known as the Guatemalan Revolution, from 1944 to 1954, a period during which nationalist segments of the middle class attempted to consolidate themselves, promoting a process of political and economic modernization, agrarian reform being one of its cornerstones. This short democratic experiment gave way to a counter-reform that favoured landowners and entrepreneurs, spurred colonization in the north of the country, and encouraged the creation of small subsistence farms through a policy of micro-parcelling (Comisión Económica para América Latina 2001). The economic model based on export agriculture established in the west of the country, managed by a small number of landowners and sustained by a steady supply of labour from the indigenous areas of the highlands, was consolidated.

Despite being at the centre of the economic and social debate, the issue of agrarian reform only reappeared decades later, in the 1990s, during negotiations between the government and

the armed opposition represented by the Guatemalan Revolutionary Union. During this time, Guatemala was witness to the bloodiest armed conflict of the second half of the 20th century in Latin America. The toll of war was bleak. Combining data obtained by the Historical Clarification Commission and the Interdiocesan Historical Memory Recovery Project, the American Association for the Advancement of Science (Ball *et al.* 1999) came to the conclusion that in Guatemala, which at that time had 10 million inhabitants, there were between 119,300 and 145,000 deaths associated with the armed conflict between 1960 and 1996, nearly 80 percent of which occurred between 1979 and 1984, during which time most massacres also took place. The number of internally displaced persons is in excess of 1 million, and some 400,000 refugees fled abroad. In addition, the vast majority of violent actions—83 percent—were committed against the indigenous population, which made up 55 percent of the national population. The scale and genocidal nature of this violence make it unique among armed conflicts in Latin America (Bastos 2004).

Frustrations resulting from the failed democratic project of the 1950s, a favourable regional context due to the triumph of the revolution in Nicaragua, and the alignment between rebels and indigenous communities, brought about an insurgent movement that was never able to pose a real threat to state power, as had been the case in Nicaragua or El Salvador. The military capabilities of the insurgency were always limited, even after its unification as the Guatemalan National Revolutionary Unity (UNRG) in October 1982 (Rouquie 1992). This might explain why the Guatemalan government did not attempt to implement land ownership reforms as was the case in El Salvador, or policies for the recognition of victims and land restitution as in Colombia, which ultimately facilitated political negotiations to bring an end to their respective wars.

The agrarian issue reappeared in negotiations between the UNRG and the government only in the mid-1990s, ten years after the end of the war, after three military campaigns razed the indigenous settlements in the highlands between 1980 and 1984. The Agreement on Socio-economic Aspects of the Agrarian Situation, signed in Mexico in May 1996, called for the creation of a land acquisition fund (FONTIERRAS) as a market-based strategy to solve the problem of distributive inequity, avoiding the subject of agrarian reform, which was thus left off the agenda. The Peace Accords and World Bank proposals agreed that a land market-based agrarian transformation should include stronger property, registration, and real estate rights; the implementation of taxes; improved funding mechanisms to facilitate land purchases; technical assistance and facilities for the appropriate allocation of land; complementary social and economic investment; and environmental protection (Garoz & Gauster 2002).

The Land Fund (FONTIERRAS) implemented in 1999 in accordance with the peace agreements and following World Bank recommendations, did not yield significant results, due mainly to a lack of political will and adequate funding. The 1995-2005 decade, which corresponds to the period of greatest economic liberalization in Guatemala, not only resulted in the entrenchment of the agrarian structure, but also helped cultivate conditions for the hegemony of large landowners to continue and expand.

Through these examples, it can be seen that studies of transitional justice processes too often fail to note the extent to which the “new” state is the direct heir of the violent state with its rules of law, its institutions, its social networks, and its public service. “Purges” are rare. These too-rapid conceptualizations of violent conflict and, symmetrically, “lasting” peace must be questioned all the more urgently as they take the form of prescriptions and advice for the reconstruction of societies in transition from war to peace. Among the notions conveyed by transitional justice is one that is rarely questioned: the idea that these societies “torn apart by violence”, and in a situation of transition to peace and democracy, must be rebuilt, reunified, reconciled. If, we are told, these societies have experienced collective violence, it is because their “social fabric” is weakened, their “social capital”

squandered, their norms flouted, and their members disoriented, traumatized, and deprived of moral landmarks. The structures of these “anomalous” societies should be restored, their laws rewritten, their members put back into contact: “nothing less than rethinking the modalities of the global transformation of a traumatized society, and thus laying the foundations for a new social contract” (Andrieu 2012: 27). The moment of renewal that will inevitably open once the violence has subsided will finally mobilize the best that social theories and philosophies have designed, and translate it into social engineering.

While moments of “massive” or “intense” political violence are not the phases of emptiness, chaos, and anomie that underpin such assumptions, post-war periods are not *tabula rasa* either. The aftermath of conflicts appears to be fairly well-ordered periods, formed by pre-existing social codes, in which states are certainly *particular* but not societally abnormal or pathological (Dobry 1986).

### Ordinary Public Policies

The term “public policies against violence” has a more general meaning: it can be used both in war or post-war societies and in societies that are experiencing relative peace and are concerned primarily with criminal violence or more structural violence, such as gender violence. However, this polysemy encourages us to be attentive to the possible continuity between such policies against violence and public action in general. Indeed, there is no evidence that a power, when producing or co-producing public policies against political violence, uses specific means unrelated to measures taken against, for instance, gender violence, or unrelated to any other public policy). The specificity of public policies against violence should not be deduced *ex ante* from the exceptionalities that periods of violence are also assumed to be (Dobry 1986), or from an alleged abnormal or pathological state (as opposed to an allegedly normal state of societies in peace).

This continuity between post-conflict and ordinary public policies stems from a simple observation: policies aimed at suppressing open conflict, regulating political violence, and building peace are nowadays at the international level, closely intertwined with other forms of intervention. The actors in the intervention claim, on the one hand, a continuum between humanitarian interventions, peacebuilding policies, and development policies. Any public policy, both national and international, can be examined in terms of its ability to “do no harm” (Anderson 1999)—that is, not to provoke violence. The mechanisms for peace and conflict regulation through the rule of law and justice have also taken into account the social and economic needs of the population since the 1990s. In March 2010, the Secretary-General of the United Nations issued a “Guidance Note on the United Nations Approach to Transitional Justice.” Its Principle 9 calls on the UN to “strive to ensure transitional justice processes and mechanisms take account of the root causes of conflict and repressive rule, and address violations of all rights, including economic, social and cultural rights.” This requirement is reflected in particular in the implementation of reparation policies for victims of political violence. In addition to this desire to ensure consistency in the content of policies, there is also continuity in the production methods of these policies. All, for example, are constrained by the need for recurrent audits and evaluations: since the 1960s, public action has no longer been dissociable from evaluation in the United States and the United Kingdom, then in the Scandinavian countries, and 20 years later in the other Western democracies. In particular, the European Commission has made it a systematic regulatory requirement in the funding allocated to Member States from the 1990s onwards.

### **A sociology of the actors of public policies to end violence**

This shift in perspective, which questions the continuity between peace policies and war or post-war policies, makes it possible to make the same analytical shift as that made in public policy theory, which has led to the development of a political sociology of public action on the basis of three breaks: with political voluntarism, with the postulate of the unity of the state, and with that of the rationality of decisions (Lascoumes & Le Galès 2012: 17ff). In this way, this field of analysis has shifted from “diagnosing the failure of public policies”—considered ineffective, inefficient, and ineffective—to “understanding their implementation”, and it now focuses on “the articulation between social regulation and political regulation” (*ibid.* 19). This displacement overcomes the limitations of a top-down approach often favoured in the study of international conflict resolution policies, which is generally associated with a problem-solving approach focused on assessing the outcome of public policy in terms of success or failure, based upon the proclaimed intentions of the “international community”. This approach does not escape subalternist criticism of ethnocentrism due to the situated nature of Western thought about peace in relation to societies in the South.

A relational approach makes it possible to taken into account how international actors in charge of peace policies interact with local actors, particularly in relation to the latter’s own agenda, which is nevertheless reconfigured because of the international presence—local actors can indeed try to use a peace agreement “as an instrument for advancing their agenda” (Kriger 2003, 11). To understand the dynamics of the deployment of international peace policies, it is necessary to situate the analysis at the interface of the international and local actors involved in the process, to try to think about “the embedding of the situation”, as the notion of “hybrid peace” invites us to do, for example (Mac Ginty & Richmond 2016). In this way, we succeed in overcoming the international/local dichotomy that is too often present in peacebuilding analyses, and we give ourselves the means to update the role of “brokers” (Bierschenk Chauveau & Olivier de Sardan 2000; 2002), that is, social actors located in a local arena who act as intermediaries to attract external resources, who act as an interface between project recipients and donors, and who are expected to represent the local population or express their needs in relation to external support and funding structures. These, in terms of post-conflict contexts, can be considered as peace intermediaries.

If policies against violence are policies like any other, which borrow aspects and techniques from public policies that are *a priori* unrelated to the conflict, it is also because of those who design, implement, evaluate, and circulate them: from one country to another, from one sector to another, from one period in history to another. From this point of view, post-conflict policies are a common form of public action. They never consist of a solitary action by governments or states, but are a co-production of the various social and political actors, various mobilizations. It is not so much the content of these policies as their appropriation that is decisive (Mac Ginty 2011).

We must therefore ask ourselves, as scientists taking the time to describe the situations, what do the actors in anti-violence policies do? These actors include governments, of course, and agents of international organizations, but also, and in a significant way, experts circulating between universities, think tanks, NGOs, international organizations, and governments. Observing these peacemakers provides a better understanding of what is being done in the context of policy (in the same way that there is a better understanding of what some administrations of contemporary states are doing from noting that their agents have had previous colonial experience). It also makes it possible to define the action of these PPVs beyond the content of the programs—in particular which political games they allow to be played; which political rapprochements or reconfigurations of social hierarchies they allow; and who appropriates them (are they powerful, numerous, socially situated?).

### Demobilization policies through the prism of a sociology of actors

The interference dynamics of local actors during the implementation of programs have been widely highlighted. More often than not in the case of disarmament, demobilization, and reintegration (DDR) policies, however, combatants have been seen as actors diverting programs and diverting international objectives. It is preferable to consider these phenomena as appropriations, to be linked to the post-war situation of shortage of goods. In fact, international policies represent opportunities. It has been very often observed that the number of ex-combatants applying for reintegration programs has been significantly higher than the estimates made by intelligence agencies or organizations implementing such programs. In Kosovo, the International Organization for Migration (IOM) established the number of ex-combatants of the Kosovo Liberation Army to be 25,000, while the highest estimates had been only 10,000. This phenomenon occurs because international actors are closely dependent on combatants in the implementation of programs: the certification of combatants' "service records" requires the intermediation of commanders of armed groups, who are the only ones who can attest to the combatant history of those who apply for a DDR programs (Duclos 2018). As a result, commanders of armed groups can behave as "bosses" allocating resources to obligated people, and this allows them to have lasting allegiances with these groups. This process is symptomatic of the attachment of armed combatant groups with the territories where they have deployed. In his observations of the FARC combatants' weapons storage areas in Colombia in 2017, A.-M. Losonczy notes that they reflect the geography of the conflict and lend themselves to the sustainability of the organizational patterns of the war, as well as to the maintenance of the daily activities that existed during the armed conflict. One of the main assumptions of international actors—that is, the need to destroy the role of armed struggle organizations and post-war combatants by dismantling their structures, to detach societies from armed groups, to break the allegiances of regular troops to their leaders, in short, to "dissolve the combatant fact" (Duclos 2015), through programs of DDR—stumbles over the importance and tenacity of the links built between combatants and non-combatants as well as between regular troops and their officers.

The demobilization processes for armed opposition groups are very often accompanied by organizational reconversion into a political party. The transition from "bullets to ballots" and the participation of ex-combatants in post-conflict public institutions (parliament, government, administration, etc.) are essential components of the "demilitarisation of politics" (Lyons 2009) because they reflect willingness to recognize the legitimacy of the state and to comply with the institutional rules of the game through peaceful means.

Qualitative and quantitative research carried out in recent years on transitions from armed struggle to political action has highlighted certain internal factors that condition the electoral success of ex-combatants. First, some studies note that the institutionalization of armed groups tends to be accompanied by internal tensions between moderate and radical branches, between grassroots activists and political leaders returning from exile or prison, and between founding cadres and new generations. They therefore highlight the ability of leaders to maintain some degree of cohesion as a major factor for an effective political transition (Engeland & Rudolph 2008; Söderberg Kovacs & Hatz 2016). Other research shows that armed movements from pre-existing political parties, which have maintained a distinct political branch (or government-in-exile) throughout the conflict, or which have managed parallel governance structures in areas under their control, find it easier to build on this experience to build a cohesive party in the post-war environment (Dudouet *et al.* 2016; Berti 2013).

Many peace agreements explicitly mention the right of demobilized armed groups to form political parties (as in El Salvador, Nepal or Colombia), or assign them positions in legislative or executive bodies (for example through interim "national unity" governments as established in



Burundi, Nepal, South Africa, or Sudan). Research on power-sharing mechanisms in post-conflict countries highlights their effectiveness in ensuring that the interests of all major social sectors, including former warring groups, are represented within the political system (Hoove & Scholtbach 2008; Hartzell & Hoddie 2003).

Although most political reconversions take place within the framework of negotiated peace agreements, there are other scenarios, largely under-researched to date, that involve armed groups engaging in self-managed DDR processes and moving from armed to peaceful politics in the absence of formal negotiations or peace agreements with the state. Examples include the attempt at an unfinished political transition of the Polisario Front in Western Sahara, or the self-managed demobilization of the Islamist Group (Gamaa Islamiya) in Egypt in the late 1990s, before the formation of a political party following the 2011 revolution.

The lack of international legitimacy has also played a crucial role in the failure of some armed groups to transform themselves into viable political parties (Söderberg Kovacs & Hatz 2016). One of the factors at play is the impact of the US-led “war on terror” after September 11th on international discourse about armed opposition groups, affecting their interest and ability to transform themselves into peaceful political actors. Indeed, the policy of banning, proscribing, and isolating armed movements around the world has prevented them from expanding their political activities, as evidenced, for example, by the experience of the Kurdish organization Partiya Karkerên Kurdistanê (PKK) in Turkey (Muller 2008). As for the role of international organizations, their technical support for the political conversion of armed groups remains rather limited, and most DDR support programs focus mainly on the socio-economic reintegration of combatants or their integration into security bodies. Only a few NGOs and non-state foundations provide explicit support for capacity building of new political formations from former armed groups, through technical training in organizational development, legal financing, administrative skills, or good governance.

As already noted, DDR programs implemented by the United Nations and other international actors tend to underestimate the importance of maintaining chains of command and internal discipline during demobilization processes, as well as political conversion. Yet, many past and current experiences demonstrate the usefulness of combatant monitoring structures to enable them to make a cohesive and orderly transition. Thus, self-help programs run by associations of ex-combatants can facilitate socio-economic reintegration while providing a means for members to peacefully express their political demands and engage in societal debates. This was the case, for example, with the (co-)creation of independent women’s organizations by female veterans in Aceh (Indonesia) and El Salvador, which, among other activities, provided technical training to women who wished to pursue a political career (Dudouet *et al.* 2012). These examples also indicate that the political reintegration of combatants does not necessarily involve a collective transformation into a political party and access to formal state processes through electoral or power-sharing arrangements. Other channels of participation or influence in policy making and public debate may be considered, such as in NGOs, social movements, veterans’ associations, interest groups, journalism, or the public sector. These transversal sectors of political reconversion deserve to be the subject of comparative research, as well as the largely documented transitions from arms to the polls.

#### CONCLUSION: IF VIOLENT CONFLICTS ARE THE RESULT OF UNEQUAL PUBLIC POLICIES, WHAT ARE THE REMEDIES?

In the end, studying policies to overcome violence through an “ordinary” sociological approach to public and collective action serves to highlight their character as simple “social” policies. The evolution of transitional justice, which has clearly been striving since the late 1980s to aggregate and organize the various forms of public policies against violence, is a possible illustration.

Transitional justice expertise has contributed significantly to changing the way political violence is viewed, drawing attention not so much to combatants and activists as to perpetrators and, more importantly, to victims. Three measures should contribute to their recognition.

First, if international standards are followed, post-conflict policies must include, if not damages awarded at the end of a civil trial, then government-funded reparation measures. These reparations can take the form of restitution (of a stolen painting, occupied land, or seized housing); reintegration into employment following a repressive experience, dismissal, or exile; and/or compensation for damage to property, violence suffered, detention imposed, or even the theft of a child or “lost opportunities”. These are both material and symbolic reparations: for example, when a child of the “disappeared” murdered by a military dictatorship obtains the right not to serve in the army—in effect, a right not to be in contact with the executioner. Second, this recognition also takes a public form: when a head of state acknowledges people’s suffering (and sometimes expresses the nation’s thanks); when funeral plaques are affixed in a street; when a place of repression is marked; or when, this time on a collective scale, a previously repressed political party becomes legal again. Third, victims have become strong figures in transitional justice systems, as the opportunity to express themselves has become established. Transitional justice and memory policies have indeed established a kind of victims’ right to expression. Not only are they given privileged access to public narrative spaces, thus contributing to the writing of their history and even of a broader history, but they also have been granted rights (to the truth, for example) and the means to exercise them—especially in the context of the International Criminal Court. Transitional justice is first of all given as “justice for victims”. The victims of serious human rights violations and their relatives, once supposedly poor sufferers and passive beings, thus become actors and even activists (Lefranc & Mathieu 2009).

The mobilization of victims has certainly played an important role in the fight against impunity for political criminals. But this should not make us forget that the victim is a very recent figure on the public scene, particularly in criminal matters. Moreover, this sanctification of victims is not without ambiguities: it builds characters who do not exist (the pure, traumatized victim), to the detriment of people with multiple roles and identities (political activists, the poor, women, etc.), but also gives them expectations that are not necessarily their own, and in so doing strictly frames the speeches they are allowed to make. An illustration of this paradox: transitional justice silences victims at the same time as it makes them talk—but this will not prevent them from speaking out later about unpleasant things (Lefranc 2014). Transitional justice tends to criminalize political violence (mainly as human rights violations committed by individuals), but it also individualizes victims. But this legal, “therapeutic” policy has been challenged, and post-conflict policies have thus been brought closer to ordinary public policies, with a focus on housing, land, social benefits, etc. Violent conflicts that have affected specific communities are thus followed by reparations policies that target social or cultural groups. The Inter-American Court of Human Rights—a judicial body that has worked extensively to recognize and implement the principle of reparation—has contributed to this development. For example, in 2004, in the case of Guatemala (see above), it ordered the use of the Mayan languages of the victims, and ordered the state to carry out modernization programs in addition to public works financed from the national budget allocated to this region or municipality (e.g., sewer system, drinking water supply, bilingual teaching staff, etc.). The Peruvian Truth and Reconciliation Commission followed an identical line, advocating collective reparations for the benefit of more than 1,400 indigenous groups.

Reparation policies for victims may even merge with general social policies, when it is no longer the damage or suffering endured by victims that is measured, but their current social situation. The step has been taken, more broadly, to demand a complete transformation of post-violence public policies. While the transitional justice policies developed in the 1980s and 1990s were all

“patches” allowing a political compromise between “outgoing” and “incoming”, between “violent” and “peacemakers”, states are now required to carry out comprehensive institutional reform that constitutes “the foundation of sustainable justice” (United Nations, Economic and Social Council 2005). More generally, the agrarian land issue has been brought to the forefront of public policies against. The way in which policies are conducted is also highlighted. Informed experts (such as those of the Berghof Foundation) now recommend an inclusive, “holistic” approach (emphasizing complementarity and coherence of public policies in different fields), “from the top” as well as “from the bottom” (including even informal and traditional actors), to state reform

All ordinary public policies, and particularly those that distribute economic, social and political resources among inhabitants, can now be credited with having an impact on political violence. In this respect, the policies deployed today are largely “signals”, the direct effects of which cannot always be anticipated. Armed groups will be demobilized, but may form delinquent groups that can be mobilized at any time (Hoffman 2011). Soldiers and judges will be trained in the primacy of human rights (habeas corpus), but agents of violent states will remain in office. Perpetrators of political crimes will be denounced, and their names sometimes given by truth commissions, but they will rarely be tried and convicted. History will be rewritten, but misunderstood (often in terms of individual excesses) and quickly forgotten—no common narrative is required, after all. Victims will have the opportunity to express themselves, but within a strictly constrained framework and without always receiving the promised compensation.

While transitional justice policies appear not to be detrimental, their consequences in terms of democratization and human rights protection are uncertain and at best weak. Policies recommended by international organizations (governmental and non-governmental) can signal the importance of inequalities, but also divert attention from structural problems.

## RECOMMENDATIONS

1. Continue to promote research whose primary purpose is not to make recommendations.
2. Challenge an exceptionalist approach to war and post-war processes, using ordinary social science approaches, taking into account the continuity between these periods (e.g., regarding state structures) and questioning the hypothesis of widespread population “trauma”, for example.
3. Consider the dynamics of co-production of public policies between various actors, mainly governments and target populations, and abandon top-down and mandated approaches.
4. See the actors targeted by international policies not just as obstacles and consider them as brokers.
5. Consider post-war contexts in terms of their continuity from the period of armed conflict and the period preceding the war.
6. Renounce a Manichean and binary vision that sees well-meaning interveners with good intentions versus local actors who are ill-intentioned and unwilling to achieve peace.

## BIBLIOGRAPHY

- Anderson M. B., 1999, *Do no harm: How aid can support peace-or war*, Lynne Rienner Publishers.
- Andrieu, K., 2012, *La justice transitionnelle : de l’Afrique du Sud au Rwanda*, Paris: Folio.
- Ball, P., Kobrak, P. & Spierer, H. F. 1999. *State Violence in Guatemala, 1960-1996: A Quantitative Reflection*. Washington, American Association for the Advancement of Science.
- Bastos S., 2004, *Genocidio y racismo: la dimensión étnica del conflicto en Guatemala*, Guatemala: CALD.
- Bayart J.-F., 1989, *L’État en Afrique : la politique du ventre*, Paris: Fayard.
- , 1996, “L’historicité de l’État importé”, *Cahiers du CERI*, 15.

- Berdal, M., & Ucko M., 2009, *Reintegrating armed groups after conflict: politics, violence and transition*, London: Routledge.
- Berdal, M. R. & Malone, D. M. (eds), 2000, *Greed & grievance: economic agendas in civil wars*, Boulder-Colorado: Lynne Rienner Publishers.
- Berdal, M. R., 1996, *Disarmament and demobilization after civil wars*, Adelphi papers, Oxford: Oxford University Press.
- Berti, B., 2013, *Armed Political Organizations. From Conflict to Integration*, Baltimore: The Johns Hopkins University Press.
- Bierschenk, T., Chauveau, J.-P. & Olivier de Sardan, P., 2000, *Courtiers en développement. Les villages africains en quête de projets*, Paris: Karthala.
- , 2002, “Local Development Brokers in Africa: The rise of a new social category”, Working paper 13, Institut für Ethnologie und Afrikastudien, Johannes Gutenberg-Universität.
- Bøås, M. & Jennings, K. M. 2005. “Insecurity and Development: The Rhetoric of the ‘Failed State’”. *The European Journal of Development Research*, 17(3): 385-395.
- Bonnaure, A.-H., 1993, “Les opérations de maintien de la paix : une vue d'ensemble”, *Arès*, (24)1.
- Boyce, J., 1996, *Economic Policy for Building Peace. The lessons of El Salvador*, Boulder/ London: Lynne Rienner Publishers.
- Browning, D., 1993, “Agrarian reform in El Salvador”, *Journal of Latin American Studies*, (15)2.
- Browning, C.R., 1999 [1992], *Des hommes ordinaires. Le 101<sup>e</sup> bataillon de réserve de la police allemande et la Solution finale en Pologne*, Paris: Les Belles Lettres.
- Campbell, S., Chandler, D. & Sabaratnam, M. (eds), 2011, *A Liberal Peace? The Problems and Practices of Peacebuilding*, London/New-York: Zed Books.
- Claverie É., 1992, “Démasquer la guerre. Chronique d'un nettoyage ethnique. Visegrad (Bosnie-Herzégovine)”, *L'Homme*: 203-204.
- Colletta, N.J. & Cullen M.L., 2000, *Violent Conflict and the Transformation of Social Capital: Lessons from Cambodia, Rwanda, Guatemala, and Somalia*, Washington D.C.: World Bank: 3-4.
- Colletta, N.J., 1996, *Case studies in war-to-peace transition: the demobilization and reintegration of ex-combatants in Ethiopia, Namibia, and Uganda*, Washington D.C.: World Bank.
- Collier, P. & World Bank, 2000, *Economic causes of civil conflict and their implications for policy*, Washington D.C.: World Bank.
- Collier, P., Hoeffler, A. & Söderbom, M., 2004, “On the Duration of Civil War”, *Journal of Peace Research*, (41)3: 253-273.
- Collier, P., Elliott, V.L. & Hegre, H., 2003, *Breaking the conflict trap: civil war and development policy*, A World Bank policy research report, Washington D.C.: World Bank.
- Collier, P., 1994, “Demobilization and Insecurity: A Study of the Economics of the Transition from War to Peace”, *Journal of International Development*, (6)3: 343-351.
- Conesa, P., 2011, *La fabrication de l'ennemi*, Paris: Robert Laffont.
- Devon, C. & Zeeuw, J. de, 2009, *Rebel Movements and Political Party Development in Post Conflict Societies*, Working Paper for the Program on States and Security.
- David; C.-P., 2006, *La guerre et la paix*, Paris: Presses de sciences po.
- “Declaration of Bridgetown: The Multidimensional Approach to Hemispheric Security”, adopted at the fourth plenary session held on June 4 2002.
- Debos, M., 2013, *Le métier des armes au Tchad : le gouvernement de l'entre-guerres*, Paris: Karthala.
- Derriennic, J.-P., 2012, *Les guerres civiles*, Paris: Presses de Sciences Po.
- De Zeeuw, J., 2008, *From soldiers to politicians: transforming rebel movements after civil war*, Boulder-Colorado: Lynne Rienner Publishers.
- Dobry, M., 1986, *Sociologie des crises politiques. La dynamique des mobilisations multisectorielles*, Paris: Presses de la FNSP.
- Doyle, M. & Sambanis, N., 2006, *Making war and building peace*, Princeton: Princeton University Press.
- Duclos, N., 2012, *War veterans in postwar situations: Chechnya, Serbia, Turkey, Peru, and Cote d'Ivoire*, Basingstoke: Palgrave Macmillan.
- , 2015, *Spoilers ou intermédiaires de la paix ? Les ex-combattants de l'ALK au cœur de l'action internationale post-conflit*, Mémoire inédit de HDR, Sciences po Paris.
- , 2016, “The DDR in Kosovo: collision and collusion among international administrators and combatants”, *Peacebuilding*, (4)1: 41-53.
- , 2017, “Demobilization”, *SAGE Encyclopedia of war: social sciences perspectives*: 470-472.
- , 2018, *Courtiers de la paix: les vétérans au cœur du statebuilding international au Kosovo*. Paris, CNRS Editions.
- Dudouet, V., Giessmann, H. J. & Planta, K. (eds.), 2012a, *Post-war Security Transitions: Participatory Peacebuilding after*

- Asymmetric Conflicts, London: Routledge.
- , 2012b, De combattants à constructeurs de paix. Plaidoyer pour des transitions sécuritaires inclusives, participatives et holistiques, Berlin: Berghof Foundation.
- , 2016, The Political Transformation of Armed and Banned Groups - Lessons Learned and Implications for International Support, UNDP/Berghof Foundation.
- , 2012, "Intra-Party Dynamics and the Political Transformation of Non-State Armed Groups", *International Journal of Conflict and Violence*, 6(1): 96-108.
- , 2009, From War to Politics: Resistance/Liberation Movements in Transition, Berghof Report 17, Berlin: Berghof Research Center for Constructive Conflict Management.
- Engeland, A. Van & Rachael, M.R., 2008, From Terrorism to Politics, Ashgate, London: Routledge.
- Flores M., 1998, "El Salvador: Trayectoria de la reforma agraria, 1980-1998", *Revista Mexicana de Sociología*, (60)4.
- Garoz, B., & Gauster, S., 2002, *Fontierras: El modelo de mercado y el acceso a la tierra en Guatemala. Balance y perspectivas*, Guatemala, Coordinación de ONG y Cooperativas (CONCOOP).
- Gensburger, S. & Lefranc, S., 2017, *À quoi servent les politiques de mémoire?*, Paris: Presses de Sciences Po.
- Giustozzi, A., 2012, *Post-conflict disarmament, demobilization and reintegration: bringing state-building back*, Farnham, Burlington, VT, Ashgate.
- Hacking I., 1991, "The Making and Molding of Child Abuse", *Critical Inquiry*, (17)2, Winter: 253-288.
- Hartzell, C. & Hoddie, M., 2003, *Institutionalizing Peace: Power Sharing and Post-Civil War Conflict Management*, *American Journal of Political Science*, (47)2: 318-332.
- Hatto R., 2015, *Le maintien de la paix. L'ONU en action*, Paris: Armand Colin.
- Hazan, P., 2010, *La paix contre la justice? Comment reconstruire un État avec des criminels de guerre?*, Bruxelles, GRIP/ Versailles.
- Hoffman, D., 2011, *The War Machines: Young Men and Violence in Sierra Leone and Liberia. The Cultures and Practice of Violence*, Duke University Press.
- Hoffman, B., 2016, "Counter-Insurgency in the Modern Age. An Interview with Professor Bruce Hoffman", *Harvard International Review*, 19 February 2016.
- Holsti, K., 1990, *L'État et l'état de guerre*, *Études internationales*, (21)4: 705-717, doi:10.7202/702742ar.
- Holsti, K. J., 1996, *The State, War and the State of War*, Cambridge: Cambridge University Press.
- Hoove, L. & Scholtbach, A.P. 2008. "Democracy and Political Party Assistance in Post-Conflict Societies". NIMD Knowledge Centre: 1-27.
- Ishiyama, J., 2016, Introduction to the special issue "From bullets to ballots: the transformation of rebel groups into political parties", *Democratization*, (23)6: 969-971.
- Jennings, K. M., 2008, *Seeing DDR from below. Challenges and Dilemmas raised by the experiences of ex-combatants in Liberia*, Fafo-Report 03.
- Kaldor, M., 2001, *New and Old Wars: Organized Violence in a Global Era*, Cambridge: Polity Press.
- Kaldor, M., 2004, "Nationalism and Globalisation", *Nations and Nationalism*, (10)1: 61-177.
- Kalyvas, S. 2001. "'New' and 'Old' Civil Wars: A Valid Distinction?". *World Politics*, 54(1): 99-118.
- Kingma, K., 2000, *Demobilization in Sub-Saharan Africa: the development and security impacts*, Basingstoke: Macmillan in association with Bonn International Center for Conversion.
- Kruger, N. J., 2003, *Guerrilla veterans in post-war Zimbabwe: symbolic and violent politics, 1980-1987*, Cambridge: Cambridge University Press.
- Lascoumes, P. & Le Galès, P., 2012, *Sociologie de l'action publique*, Paris: Armand Colin.
- Lefranc, S., 2014, "Pleurer ensemble restaure-t-il le lien social ? Les commissions de vérité, "tribunaux des larmes" de l'après-conflit", in Nollez-Goldbach, R. & Saada, J., *La justice pénale internationale face aux crimes de masse. Approches critiques*, Paris: Pédone.
- , 2013, "Un tribunal des larmes. La Commission sud-africaine Vérité et Réconciliation", *Vie des idées*, October 8, available online: <http://www.laviedesidees.fr/Un-tribunal-des-larmes.html>.
- Lefranc, S. & Mathieu, L., 2009 (dir.), *Mobilisations des victimes*, Presses universitaires de Rennes.
- Lefranc S., Mathieu, L. & Siméant, J., 2008, "Les victimes écrivent leur Histoire", *Raisons politiques*, May, 30: 5-19.
- Lefranc, S. (dir.), 2006, *Après le conflit, la réconciliation*, Paris: Michel Houdiard.
- Londoño, R. (ed.), 2016, *Tierras y conflictos rurales. Historia, políticas agrarias y protagonistas*, Bogotá: CNMH.
- Lyons, T. 2009. "Peacebuilding, democratisation, and transforming the institutions of war". In Dayton, B. and Kriesberg, L. (eds.), *Conflict Transformation and Peacebuilding: Moving from Violence to Sustainable Peace*. New York, Routledge: 91-106.

- Malesevic, S., 2008, "The sociology of new wars? Assessing the causes and objectives of contemporary violent conflicts", *International Political Sociology*, 2: 97-112.
- Manning, C., 2008, *The making of democrats: Elections and party development in postwar Bosnia, El Salvador and Mozambique*, Houndsmill, Basingstoke: Palgrave Macmillan.
- Manning, C., & Smith, I., 2016, Political party formation by former armed opposition groups after civil war, *Democratization*, (23)6: 972-989.
- Marchal, R. & Messiant, C., 2003, "Les guerres civiles à l'ère de la globalisation. Nouvelles réalités et nouveaux paradigmes", *Critique internationale*, (1)18: 91-112.
- Mac Ginty, R., 2011, *International peacebuilding and local resistance : hybrid forms of peace*, New York/Basingstoke: Palgrave MacMillan.
- Mac Ginty, R. & Richmond, O., 2016, "The fallacy of constructing hybrid political orders: a reappraisal of the hybrid turn in peacebuilding", *International Peacekeeping*, (23)2.
- McMullin, J., 2013, *Ex-combatants and the post-conflict state: challenges of reintegration*, Rethinking political violence, Basingstoke: Palgrave Macmillan.
- Morten, B., & Jennings, K. M., 2005, "Insecurity and Development: The Rhetoric of the 'Failed State'", *The European Journal of Development Research*, (17)3: 385-395.
- Muggah, R., 2009, *Security and post-conflict reconstruction: dealing with fighters in the aftermath of war*. Routledge global security studies, London: Routledge.
- Muller, M., 2008, Terrorism, proscription and the right to resist in the age of conflict, *Denning Law Journal*, 20: 111-113.
- Münkler, H., 2003, *Les guerres nouvelles*, Paris: Alvik Editions.
- Nemo, J., 1956, "La guerre dans la foule", *Revue de Défense Nationale*.
- Newman, E. & Richmond, O. (eds), 2006, *Challenges to peacebuilding. Managing spoilers during conflict resolution*, Tokyo/New-York/Paris: United Nations University Press.
- Nilsson, D. & Söderberg Kovacs, M., 2011, "Revisiting an Elusive Concept: A Review of the Debate on Spoilers in Peace Processes", *International Studies Review*, 13: 606-626.
- Özderdem, A., 2009, *Post-war recovery: disarmament, demobilization and reintegration*, London: I. B. Tauris.
- Pareja, I., 2009, "NATO strategy in Afghanistan: Spain's vision and contribution", *ARI*, January 7 2009.
- Paris, R., 2004, *At War's End. Building Peace after Civil Conflict*, Cambridge: Cambridge University Press.
- Porto, J.G., Alden, C. & Parsons, I., 2007, *From soldiers to citizens: demilitarization of conflict and society*, Aldershot: Ashgate.
- Registro Único de Víctimas, 2017, Bogotá.
- Reyes, A., 2016, *Guerreros y campesinos. Despojo y restitución de tierras en Colombia*, Bogotá: Planeta.
- Richards, P., 2005, "New war: an ethnographic approach", in Richards, P. (ed), *No peace, no war. An anthropology of contemporary armed conflicts*, Oxford, James Currey, Athens: Ohio University Press.
- Rieff, D., 2018, *Éloge de l'oubli : la mémoire collective et ses pièges*, Paris: Premier Parallèle.
- Rouquie, A., 1992, *Guerres et paix en Amérique centrale*, Paris: Seuil.
- Rousso, H., 2016, *Face au passé. Essais sur la mémoire contemporaine*, Paris: Belin.
- Sanders, R., 2013, "The myth of 'shock and awe': why the Iraqi invasion was a disaster", *The Telegraph*, 19 March 2013.
- Schafer, J., 2007, *Soldiers at peace: veterans and society after the civil war in Mozambique*, New York: Palgrave Macmillan.
- Schlichte, K., 2009, *In the Shadow of Violence. The Politics of Armed Groups*, Frankfurt/New York: Campus Verlag.
- Selby J., 2013, "The myth of liberal peace-building", *Conflict, security and development*, (13)1: 57-86.
- Sindre, G.M., 2014, Internal party democracy in former rebel parties, *Party Politics*: 1-12.
- Snyder, J. & Vinjamuri, L., 2003-2004, "Trials and Errors. Principle and Pragmatism in Strategies of International Justice", *International Security*, (28)3, Winter: 5-44.
- Söderberg Kovacs, M., & Hatz, S., 2016, Rebel-to-party transformations in civil war peace processes 1975-2011, *Democratization*, (23)6: 990-1008.
- Sommier, I., 2008, *La violence révolutionnaire*, Paris: Presses de Sciences Po.
- Stedman, S.J., 1997, "Spoiler problems in peace processes", *International Security*, (22)2: 5-53.
- Tardy, T., 2000, "Le bilan de 10 années d'OMP", *Politique étrangère*, 2, 389-402.
- Teitel, R., 2002, "Transitional Justice as Liberal Narrative", in Enwezor, O., *et al.*, ed., *Experiments with Truth: Transitional Justice and the Processes of Truth and Reconciliation*, Ostfildern-Ruit, Hatje Cantz: 241-sq.
- , 2010, "Préface", in Olsen, T. D., Payne, L. A. & Reiner, A. G., *Transitional Justice in Balance. Comparing Processes, Weighing Efficacy*, Washington D.C.: USIP.
- Tenenbaum, C., 2010, *La médiation dans les relations internationales : évolutions et transformations depuis 1945*, thèse

- dirigée par Guillaume Devin, Paris: Sciences Po.
- Thoms, O.N., Ron, J. & Paris, R., 2008, *The Effects of Transitional Justice Mechanisms. A Summary of Empirical Research Findings and Implications for Analysts and Practitioners*, Université d'Ottawa, CEPI.
- Unidad de Víctimas, Bogotá, 2018.
- Villalobos, J., 1989, "A democratic revolution for El Salvador", *Foreign Policy*, 74.
- Vogel, S., 1996, *Freer Markets, More Rules: Regulatory Reform, Advanced Industrial Countries*, Ithaca: Cornell University Press.
- Wallensteen, P., 2012, *Understanding conflict resolution*, London: Sage publications.
- Welzer, H., 2007, *Les exécuteurs : des hommes normaux aux meurtriers de masse*, Paris: Gallimard.
- Westendorf, J.-K., 2015, *Why Peace Processes Fail: Negotiating Insecurity After Civil War*, Boulder-Colorado: Lynne Rienner Publishers
- Wicham-Crowey, T., 1992, *Guerrillas and revolution in Latin America*, Princeton: Princeton University Press.
- Wood E., 2000, *Forging democracy from below*, Cambridge: Cambridge University Press.
- Zartman, I. W., 1995, *Collapsed states: disintegration and restoration of legitimate authority*, Boulder-Colorado: Lynne Rienner Publishers.

