

May 2018

Frictions in Transitional Justice Processes: Colombia's Victims Law, Integral Reparation and the Temporality of Multiple Victimization in Displaced Women

Sophie Rähme

Johann Wolfgang Goethe Universität, raehme@stud.uni-frankfurt.de

Follow this and additional works at: <https://orb.binghamton.edu/gobernar>

 Part of the [Comparative Politics Commons](#), [Latin American Studies Commons](#), [Law and Politics Commons](#), [Other Public Affairs, Public Policy and Public Administration Commons](#), and the [Public Policy Commons](#)

Recommended Citation

Rähme, Sophie (2018) "Frictions in Transitional Justice Processes: Colombia's Victims Law, Integral Reparation and the Temporality of Multiple Victimization in Displaced Women," *Gobernar: The Journal of Latin American Public Policy and Governance*: Vol. 2 : Iss. 1 , Article 6.

Available at: <https://orb.binghamton.edu/gobernar/vol2/iss1/6>

This Article is brought to you for free and open access by The Open Repository @ Binghamton (The ORB). It has been accepted for inclusion in *Gobernar: The Journal of Latin American Public Policy and Governance* by an authorized editor of The Open Repository @ Binghamton (The ORB). For more information, please contact ORB@binghamton.edu.

Frictions in Transitional Justice Processes: Colombia's Victims Law, Integral Reparation and the Temporality of Multiple Victimization in Displaced Women

Sophie Rähme*

Abstract. This article addresses the challenges that integral reparation programs meet when aiming to respond to multiple victimization experienced by displaced women. By adopting the ethnographic concept of “frictions” (Tsing, 2005), I analyze four dimensions of discursive frictions that occur surrounding reparative practice backed by the Law on Victims and Land Restitution and its multiple local encounters and dis-encounters when compensating multiple victimization in the post-conflict of Medellín. Like other studies have identified shortcomings of the idealistic and innovative Colombian reparation program, it becomes evident that the integral reparation efforts fall short in addressing the real complexity of interrelated and multiples victimizations in the urban context. Respectively the paper addresses the question of how experiences of compound victimization are considered within their temporal beginnings, continuities and endings. Derived from field research and problem-centred interviews conducted in 2017 the paper draws on a perspective of compound harm to understand the complexity of multiple victimization experienced by forcibly displaced women.

Key words: Transitional Justice, Integral Reparations, Transformative Reparations, Colombia's Victims Law, Displaced Women.

Fricciones en procesos de justicia transicional. Ley de víctimas en Colombia, reparaciones integrales y temporalidad de la victimización en el caso de mujeres desplazadas

Resumen. Este artículo aborda los desafíos que enfrentan los programas de reparación integral de víctimas cuando procuran responder ante victimizaciones múltiples de mujeres desplazadas. Adoptando el concepto etnográfico “fricciones” (Tsing, 2005), se analizan cuatro dimensiones de fricciones discursivas que acontecen alrededor de prácticas reparadoras respaldadas por la Ley de víctimas y restitución de tierras, y sus múltiples encuentros y desencuentros locales cuando se han procurado compensar victimizaciones múltiples en el posconflicto de Medellín. Otros estudios han identificado defectos del idealista e innovador programa colombiano de reparación integral, pero estos esfuerzos se quedan cortos al abordar la real complejidad de las victimizaciones múltiples en el contexto urbano. El artículo analiza cómo se han abordado las experiencias de victimizaciones múltiples desde sus inicios, desarrollos y finales. A partir de investigación de campo y entrevistas centradas en problemas realizadas en 2017, el artículo acude a una perspectiva de daño interrelacionado para comprender la complejidad de la victimización múltiple vivida por mujeres víctimas de desplazamiento forzado.

Palabras clave: justicia transicional, reparaciones integrales, reparaciones transformativas, Ley de víctimas en Colombia, mujeres desplazadas.

Reception: October 27th, 2017 | Modification: February 12th, 2018 | Acceptance: March 26th, 2018

DOI: 10.22191/gobernar/vol2/iss1/3

* Sociology (B.A.) and M.A. Student in Philosophy and International Studies/Peace and Conflict Studies at the Johann Wolfgang Goethe Universität in Frankfurt am Main, Germany. Student Assistant at the Peace Research Institute in Frankfurt. Raehme@stud.uni-frankfurt.de

Content. Introduction. 1. Colombia's Winding Road towards Transitional Justice: TJ Law and Integral Reparation. 2. Theoretical Frame. 3. Formation of Heterogeneous Victimhood between Insecurity and Agency in the Urban Context. 4. Frictions at Work: Transformation *towards* Justice through Integral Reparations? 4.1. First Dimension of Friction: Experiences of Ongoing and Compound Victimization at the Margins of the Legal Concept of Harm. 4.2. Second Dimension of Friction: Implementing Individual Reparations in the Context of Ongoing and Compound Victimization. 4.3. Third Dimension of Friction: Consequences of Ongoing Victimization in Forcibly Displaced Communities and the Collective Scope of Reparation. 4.4. Fourth Dimension of Friction: Closure of Reparative Means and Continuity of Transitional Victimhood. 5. Discussion and Conclusion. 6. Acknowledgements. 7. References. 8. Appendix.

Introduction

The teleological notion of a transition *towards* “justice for victims” has been the pivotal axis of recent universalistic Transitional Justice (TJ) accounts that prescribe a protagonist role to victims (Méndez, 2016). This “victims-turn” (García-Godos, 2016: 351) in the multidisciplinary field of TJ reflects a trend towards compensating victims of human rights violations as suggested by several truth commissions, international and national human right bodies and the European and the Inter-American Courts. But who defines which violations shall be compensated or which compensation is sufficient? In other words “who shall write this story of transition” (Teitel, 2003) *towards* justice and whose justice is it? How does a transition towards justice play out in local attempts to redress victims of large-scale violence in a comprehensive, gender-sensitive and transformative way?

Reparation programs for victims of human rights violations are increasingly acknowledged as a central feature of doing justice in post-conflict societies (Rubio-Marín & De Greiff, 2007). The traditional restorative approach on reparations has recently been broadened by the concept of transformative reparations that were recommended by the ICC and the UN Secretary General (2014). This recent transformative trend is accompanied by a growing acceptance to engender reparations. Rubio-Marín and Pablo De Greiff (2007) shed light on the crucial link between the design of the concept of gender-sensitive reparation as rights-based claims stemming from international law and the domestic political decision which distinct measures to adopt for its implementation. Despite these notable developments of international law to engender reparations the realization of gender-just and transformative reparation is still deferred. Recent studies within the UN Framework for Peace Processes and Transitional Justice stressed the necessity of a more inclusive notion of gender (Lemay Langlois, 2018) that unpacks the meaning of gendered agency in victimhood (Björkdahl, 2015). These demands to engender reparations in TJ processes address several open ends of “the gender of reparation” and its transformative ideal. For example there is a growing consent that “including sexual violence among the violations deserving reparations is not all there is at stake” (Rubio-Marín, 2009: 65). This idea suggests that the realization of a “true” “transformative potential of reparations, namely, the potential of such reparative efforts to subvert, instead of reinforce, pre-existing structural gender inequalities” (Rubio-Marín, 2009: 66) and discriminations is at the heart of the discussion on transformative reparation programs.

Relating to this discussion this paper responds to calls of TJ scholars to centre on the interconnectedness of harm as compound of for example Gender-Based and Sexual Violence (GBSV) and other structurally overlapping experiences of victimization and political violence (Williams & Palmer, 2016; Ní Aoláin, 2006; O'Rourke, 2015; Lambourne & Carreon, 2016). Focusing on the interconnectedness of harm to understand it as a compound of for example

GBSV and other forms of violence in the context of forced displacement portrays two valuable insights on violence and victimization: On the one hand it acknowledges underlying structural and intersecting forms of violence that are rooted in pre-existing gender-inequalities and other forms of discriminations (Crenshaw, 1989). On the other hand it requires and enables us to refer to the complexity of overlapping victimization in its “full” temporality (Castillejo-Cuéllar, 2014). As a consequence of translating compound harm and violence in inter-relational and temporal terms the paper firstly suggests an active conceptual re-reading of presumably “passive” victims and victimhood. In contrary to these assumptions on victims I argue that victimhood can be better understood when approaching it as a heterogeneous concept. This re-reading of victimhood parts with a perception of victims as a homogeneously defined group and blurs the epistemological borders of official victimhood.

Following this conceptual re-reading this paper secondly addresses the challenges that universalistic notions of transformative and integral reparations for victims face when responding to the interrelatedness of multiple harms in their complete continuity of compound victimizing experiences of forced displacement in the pre-, trans- and post-conflict scenario in Colombia. It approaches these challenges by using the ethnographic concept of friction by Anna L. Tsing (2005), in order to analyze discursive interactions around the integral reparation backed by local TJ Law that stems from universalistic TJ measures and its implementation process to compensate forcibly displaced women in urban context. As other researcher have focused on discursive frictions within the reparation process of forcibly displaced women in Colombia in the process of land restitution (Meertens, 2015) this work supplements this perspective by analyzing discursive frictions in the urban context. As a result of the phenomenon of forced displacement forcibly displaced women suffer multiple victimizations and continue to experience compound and engendered forms of harm. I identify four moments of discursive frictions that occur within encounters and dis-encounters between the integral process of providing reparation –according to a concept of victimization and harm derived from TJ Law 1448– and its responses to overlapping and compound victimizations of forcibly displaced women in Medellín.

These four dimensions of friction within the local application of the universalistic TJ paradigm become evident in the implementation processes of the integral reparation program inserted by TJ Law 1448 in the local context. Regarding its consequences for the living situation of forcibly displaced women in Medellín and their ongoing experiences of insecurity and victimization clarifies these dimensions. The *first dimension of friction* addresses the general problematic of how to define victim(hood) via a concept of harm legally, and illustrates the limits of a legal enunciation of structural and historical harm. The *second* and *third dimensions of friction* are illustrated in the partial realization of legal standards in implementation process of the integral reparation program with respect to the rights of individual and collective reparation. The *last dimension of friction* depicts the general problematic of the transformative claim of integral reparation programs and their shortcomings to account for structurally rooted forms and continuing experiences of compound victimization that is characteristic of heterogeneous victimhood that is exemplified by the case of forced displacement.

During February and March 2017, I examined a case of forced displacement in Medellín and conducted eight semi-structured and problem-centered interviews (Mayring, 2016: 67f) with individual activists who have experienced multiple victimizations in the context of forced displacement (see Appendix for more detailed information). Out of these eight interviews, I chose to focus on four interviews with female¹ activist and survivors of forced

¹ I focus on women due to the challenges they face accessing justice in patriarchally structured economic, political, social and legal spheres. Above that they share ongoing experiences of discriminations and victimization that emerge in the context of gender-based differences of crimes.

displacement to study compound experiences of multiple victimizations (GBSV, intra-urban displacement, child recruitment and torture etc.) within the experience of forced displacement. Drawing on the interview-data allows me to illustrate my findings of what I call a heterogeneous concept of victimhood. Firstly, this conceptual idea sheds light on the ongoing experiences of harm characterized by structurally interrelated harm in compound victimization that are long-lasting. Secondly, it is portrayed by ongoing formation and actively shaped victimhood. Furthermore, I demonstrate that heterogeneous victimhood is shaped with regard to the urban living context in communities of forcibly displaced people and to continuing experiences of compound victimization. In other words, by the use of the image of heterogeneous victimhood I suggest to understand forced displacement in its continuity through pre-, trans- and post- experiences of violence.

The paper proceeds as follows: First, I outline the historical context of the Colombian Conflict and Colombia's windings towards transitional justice as a means to come to terms with its violent past. Secondly, I review the relevant literature by illustrating how the idea of transformative and gender-just reparations emerged within the multidisciplinary field of TJ and develop a theoretical frame to analyze friction in reparative processes guided by TJ measures. Subsequently, I chart the results of the critical inquiry with respect to the heterogeneous situation of victimization experienced by female survivors of forced displacement who suffered from continued interconnected and compound harm. I then proceed to describe four dimensions of discursive friction. The paper concludes with a discussion of the displayed empirical results and a final summary.

1. Colombia's Winding Road towards Transitional Justice: TJ Law and Integral Reparation

The Colombia TJ case can be compared to similar processes in countries such as Guatemala, Indonesia, Peru, South Africa and Morocco which applied extensive approaches of reparations for victims in contemporary TJ scenarios to overcome violent past (CARR Center & EVAL, 2015). In Colombia there have been several attempts to design and implement reparation programs within a TJ framework to end the Colombian Conflict which is one of the oldest in the world (Meertens & Zambrano, 2010: 192). It dates back to at least the 1960s when two guerrilla organizations named the *Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo* (FARC-EP) and *Ejército de Liberación Nacional* (ELN) (still active today) were formed and began fighting against the government to establish a communist reign (Rowen, 2016; Vargas & Caruso, 2014). During the subsequent decades the political dynamics of the conflict changed and grew by incorporating dozens of different conflicting armed groups such as right-wing paramilitaries, drug-lords, and other smaller left-wing guerrilla-groups. Resulting from a past of unspeakable atrocities Colombia today is confronted with a normalized culture of violence, extreme levels of poverty, high levels of crime, ongoing forced displacement, kidnapping and corruption (Vargas & Caruso, 2014).

The Colombian armed conflict has left about 8 million registered victims out of whom 7.371.504 people are registered as victims of forced displacement at the official victims' register the *Registro Único de Víctimas* (RUV)² (RUV, March 2018). Despite the fact that the phenomenon of forced displacement dates back to 1948 (CNMH/NCHM, 2015) survivors of forced displacement have only recently been subject to significant governmental attention. Despite the historic invisibility of victims and forcibly displaced people (Martínez Cortés, 2013: 11) forced displacement up to today has been broadly and intensively studied by social and political scientists (Naranjo Giraldo, 2001, 2015; Granada Vahos & González Díaz, 2009;

² The *Registro Único de Víctimas* (RUV) is the official national register where victims of the armed conflict can register officially in order to be regarded and repaired as victims due to the means of law 1448.

Meertens, 2002, 2015; Uribe de Hincapié, 1999). It is acknowledged that there is a slight female majority in displaced groups that are subject to multiple victimizations and GBSV in the patriarchal organized society of Colombia (Meertens & Zambrano, 2010).

Colombia's actual integral reparation program was founded in the aftermath of a wider perspective of reparation that was first introduced by the UN Resolution 60/147 (2005). With the introduction of the TJ Law 1448 in 2011 –also known as the *Law on Victims and Land Restitution*–(or simply Victims Law) the Colombian government intended to broaden the narrow model of its previous reparation system from sole economic compensation towards an integral model of reparations (Portilla & Correa, 2015). In Colombia, the very first attempts to provide reparative means for victims of forced displacement were made by Law 387 in 1997. These attempts were followed by the introduction of the first TJ Law, namely, *The Justice and Peace Law* (ley 975 de 2005-JPL) that provided a more detailed idea of a reparation system. It was created and implemented during an ongoing war under the former government of President Álvaro Uribe as the legal framework to administer the demobilization of the paramilitary umbrella organization *Autodefensas Unidas de Colombia*.

The expansion of legal-political TJ measures assuring the implementation of victims' rights such as truth, justice and reparations was accompanied by contestation (Lyons, 2010; Meertens & Zambrano, 2010; Rowen, 2016). The initial contestation of implementing TJ measures inserted with Law 975 (2005) stems from the minor role that victims' rights played within this first TJ framework. Furthermore, the general tenor of contestation of TJ measures (Rowen, 2016) especially among victims and forcibly displaced people can be understood as a historically rooted distrust in the state that derives from unveiled state crimes, ongoing struggles of forcibly displaced people for a right to the city and wider victims' struggles for justice, truth and comprehensive clarification of crimes and perpetrators.

Due to architectural and procedural flaws³ of the first TJ Law the *Justice and Peace Law*, Colombia still has to face the legacies of post-demobilization paramilitary groups. These groups are technically known by the term BACRIM⁴ which translates to emerging criminal bands. As stakeholders of power and domination systems that exist parallel to the governmental presence, these criminal bands contribute to the persistence of political violence and insecurity in the neighborhoods of Medellín (Wienand & Tremaria, 2017). This generalized form of ongoing and normalized violence in Medellín has also been described as “chronic violence” (Arrieta Burgos, 2016:74) or with respect to ongoing threads and intra-urban displacement as “cyclic violence” (IPC/Instituto Popular de Capacitación, 2013).

The very first TJ Law six years later was followed by the *Law on Victims and Land Restitution* (ley 1448 de 2011) that established an integral model of reparation which is

³ The Justice and Peace Law has been heavily criticized internationally and nationally. In general there can be distinguished a procedural and a historical critique (Castillejo-Cuéllar, 2014: 51). The Law as part of a transitional agreement emerged out of negotiations between the government and paramilitaries. This process on the one hand lacked transparency. On the other it enabled the formal legitimization of the image of a homogeneous block of paramilitaries as a sort of illegal armed actors that historically never existed as such. In contrary the organization of paramilitaries is a complex network of relations. Due to this terminological homogenization the implementation of the Law enabled some 'narcos' to be included as paramilitaries and to cleanse their illegal deeds (ibid.). Moreover these terminological changes were accompanied by a general depoliticizing discourse that is reflected in the refusal of the former government under Uribe to accept the existence of an internal armed conflict (ibid.). Furthermore feminist critics for example remarked that the law relied too much on conciliation between the perpetrators and victims. As Catherin O'Rourke notes the great reliance on conciliation processes between perpetrators and victims “risks perpetuating the violence and inequality of power relations between these two actors.” (155).

⁴ “Bacrim” stands for *bandas criminales emergentes* which translates to emerging criminal gangs in English. In the course of this work I stick to the English term criminal gangs.

defined along five types of measures,⁵ namely, *restitution, compensation, rehabilitation, satisfaction* and *guarantee of no-repetition* (Victims Unit, 2018 b). While Law 975 (2005) initially constructed the *Comisión Nacional de Reparación y Reconciliación* (CNRR) (Article 49, Law 975, 2005) its responsibilities and tasks later were overtaken by the Victims Unit due to the legal changes inserted by the successor TJ Law 1448 (2011). By this legal change, the Colombian legislature established a reparation system that claims to be integral as it offers material measures such as psychological care, dignified housings, land restitution and symbolic measure. This reparation system inserted by TJ Law 1448, firstly comprehensively brings together “humanitarian assistance to the internally displaced people and reparations for all victims of conflict-related crimes, including sexual violence” (Meertens, 2015: 357). Secondly, it uniquely (Meertens, 2015) includes the implementation of a land restitution process granting patrimonial rights to forcibly displaced women who have lost their land and have been subject to historical discriminations in the Colombian society that is structured by partially marital practice and male-based family policies (ibid.). Above that there exist implementation measures of a differentiated focus that are supposed to repair and vindicate the dignity of victims along the differentiated distinctions of women, children and youth, persons with disabilities, people identified as LGBT, persons of (old) age, people of Sinti and Roma descent, indigenous people and people of afro-Colombian and racial or Palenque-descent (Victims Unit, 2018a).

Although the Colombian integral reparation program was praised as “the most comprehensive and successful in the world” by the Victims Unit sub director Iris Marín in an international meeting on transitional justice in Cartagena (Victims Unit, 2015) there also exists persistent criticism among victims and other critics. A recent study by Portilla and Correa (2015) for example has shown that the results of implementing integral and transformative reparations since 2011 have not lived up to the highly idealistic scope of the reparation program initiated by Law 1448. Yet, reparations have not become truly integral or gender-transformative. Especially concerning women and victims' rights, the report has proven the inapplicability of the so-called gender focus (ibid.). Similarly, there exist smaller victim organizations that suggest that the legal discourse initiated by law 1448 and the political program ensuring reparations fail in its promises and evoke a tendency of re-victimization. Clearly, an integral and transformative promise including the guarantee of no-repetition is difficult to fulfill in a post-conflict scenario that is still characterized by high levels of engendered forms of insecurity and increasing violence against human and victims' rights activists (El Tiempo, 2018). However, as can be seen later, this is not the only problem that the integral reparation system faces, regarding its transformative task. I argue that in addition there are discursive frictions around the political and administrative recognition process for reparations that depend on a linear and under-complex concept of victims and multiple victimizations that hinder or slow down the realization of integral and gender-transformative reparations.

2. Theoretical Frame

Transitional Justice is an “extremely heterogeneous” (Buckley-Zistel et al., 2014) field and has a highly dispersive quality being interdisciplinary, cross-disciplinary and cross-nationally studied and applied (Olsen et al., 2010: 1). Derived from the key objectives of *Truth, Justice, Reparation* and the *Guarantee of Non-Repetition* (De Greiff, 2012) practitioners and scholars engage in various sub-fields of TJ. This work follows the “victims-turn” (García-Godos, 2016: 351; Méndez, 2016) of TJ and theoretically draws on the sub-field

⁵ Subsequently I use the term of reparative measures to refer more narrowly to integral reparations as coupled with means of assistance.

that focuses on victims and transformative reparations with respect to gendered forms of compound harm. Traditionally and juridical defined reparations are thought to restore the position of victims' lives as they were before the conflict began by means of restitution, compensation and rehabilitation measures. This traditional approach has been criticized lately (Williams & Palmers, 2016; Rubio-Marín, 2009; Brown & Ní Aoláin, 2015) and brought a transformative turn to reparations following recommendations of the ICC and the UN Secretary General (2014). Within this sub-field some scholars have focused on nexus of gender and transformative reparation (Williams & Palmers, 2016). Others further discussed the nexus of transitional justice, reparation and development (De Greiff, 2009). Above that feminist scholars within the socio-legal and social science field have urged the general need to introduce a broad concept of harm that addresses the interrelatedness of harms, victimization and violence⁶ when compensating victims by the means of transformative reparation. Consequently, TJ has been criticized to focus too narrowly and exclusively on physical and psychological harms (Ní Aoláin, 2006) because in this way it fails to take into account long-term impacts of violations of civic and political rights and economic and social rights of marginalized groups and women (Lambourne & Carreon, 2016). On the contrary, others have questioned such a highly ambitious transformative scope because it deforms “reparations into an instrument of society-wide structural change” (Walker, 2016).

Following the first branch of scholarship, I understand the claim of engendering transformative reparations from the premise of a “continuity of harms and traumas” (Lambourne & Carreon, 2016). This understanding theoretically distinguishes between “extraordinary” violations experienced by women during genocide, war and other mass violence and the “ordinary” experiences of women during so-called peacetime.” (Lambourne, 2009). In order to understand “continuity of harms” I follow the definition of Olsvik who defines multiple victimization in reference to experiences of “victims who have suffered two or more types of crime or violence within a specific reference period” (Olsvik, 2010: 8). Additionally, in order to understand *violence* and multiple victimization with respect to GBSV that are often compounded to forced displacement in coercive systems like armed conflicts, I draw on the concept of *structural violence* by Johan Galtung (1969: 168) to highlight imperceptible forms of violence and victimization. Structural forms of violence and discrimination as roots of GBSV led to the fact that women's bodies became objects of war (Meertens & Zambrano, 2010: 192). As a consequence female victims often experience physical aggression and sexual violence as the impetus for displacement (ibid., 2010: 194). TJ Law 1448 puts especial emphasis on these compound experiences of gender based discrimination and victimization by setting a frame for gender-sensitive reparation that grants patrimonial rights to displaced women who lost their land.

For the key purpose of analyzing discursive interactions around the integral reparation process of forcibly displaced women who suffered multiple victimization and compound harm, I use the ethnographic concept of friction (Tsing, 2005). I follow Meertens (2015) application of Tsing's concept in the Colombian TJ context to study dis- and encounters in the application process of reparations when compensating forcibly displaced women in the urban context. Firstly, I understand frictions with Tsing (2005) as a concept to study “unexpected and unstable aspects of global interactions” as they are presented in the application of the dominant and universalistic TJ paradigm that frames Colombian legal transitional framework

⁶ From a postcolonial or intersectional perspective which studies race, gender and socio-economic status that use, reinforce and maintain informal and formal systems of power (McCall, 2005), the growing demand to re-think the (inter)national notions of transitional justice (Dhawan, 2009 and 2011), victim(hood)s and victimization in a more inclusive way and its full temporality (Castillejo-Cuéllar, 2014) is nothing new. Still, this idea has not yet arrived at mainstream approaches of TJ and peace and conflict studies (Engels, 2014).

of Law 1448, and its implementation of integral reparation in their local adaptation. Following Tsing I understand the universal notion of the TJ paradigm not as a given truth or lie but in its local applications as “sticky engagements” (Tsing, 2005: 6). Friction as an ethnography of global connections is understood with Tsing as a way to study and grasp the messiness of “the unexpected and unstable aspects of global interactions” in its vicissitudes of local reality. It is a generative process that allows creative re-imaginings as an organic response to “awkward engagements” (Björkdahl et. al., 2016:1). In this vein frictions can be regarded both as forces that hinder or change movements. Secondly, as an analytical lens the concept is applied to understand “how global ideas pertaining to peace are changed and changed by their encounters with local post-conflict realities.” (ibid.). Above that the work draws on the conceptual use of frictions to “better understand complex interactions, hidden conflicts, ambiguous outcomes, and also new possibilities for agency.” (Meertens, 2015: 353 f) within the integral reparations process that aims to reply to multiple victimizations in forcibly displaced women in the urban context. Critically spoken friction “inflects historical trajectories, enabling, excluding, and particularizing” (Tsing, 2005: 5) such as effects of globally interconnected encounters that work across difference and can be both compromising or empowering. Friction is not a synonym for resistance because, as Tsing explains, hegemony is made as well as unmade with frictions (ibid. 6).

3. Formation of Heterogeneous Victimhood between Insecurity and Agency in the Urban Context

To understand the interrelatedness of multiple victimization and its compound consequences experienced by female survivors of forced displacement and the divisive interplays that occur in reparative TJ-process it is crucial to focus on the embedded and distinct socio-political, cultural and local dynamics of post-conflict peace building in Colombia. For evidence the results of narrative accounts of forcibly displaced women can be taken to make feasible multiple victimization and its continuity in an urban context. My interview-partners⁷ are women's and victims' rights activists who live in the city of Medellín, in the region of Antioquia in Colombia. The four women share the experience of having had to displace themselves from different rural areas. Before forced displacement they all lived in smaller cities or villages outside the city of Medellín. They either reported all of their victimizing incidents or only the most life-changing ones such as sexualized violence, the loss of a husband, child recruitment and forced displacement(s) themselves or have had them reported by others.⁸ Three of the four have already been materially indemnified for one or another victimizing incident or received humanitarian assistance or psychological care. One of them has only received humanitarian assistance. All of the four are recognized and registered in the *Registro Único de Víctimas* (RUV) but do not have a perspective of land restitution.

I draw on their accounts of multiple and interrelated experiences of victimization after and during their struggle to survive forced displacement and its consequences in the city. Their narrative accounts reveal a broad and heterogeneous understanding of victims and victimhood that break down the epistemological borders of official victimhood. As my research suggests, heterogeneous victimhood is shaped with respect to the living context in communities of forcibly displaced people and the continuing experiences of compound victimization as a consequence of forced displacement. Crucial to this understanding is a change in perception of the temporality of multiple and compound forms of victimizations in

⁷ A detailed description of the women can be found in the appendix.

⁸ It is possible and common in the patriarchally organized Colombian society that close family members such as sons or husbands report forced displacement of their family or homicides of family members.

the context of forced displacement. In other words, it is essential to focus on the interrelatedness of pre-, trans- and post- experiences of victimization in forced displacement that is caused and often continued by structurally rooted and engendered forms of violence.

Forced displacement is an experience of victimhood that increases in the urban context which causes more ruptures due to the complete lack of livelihood, social tissue and the associated insecurity. It is a sort of violence that in its continuing consequences exacerbates other forms of structurally overlapping victimizations. Displaced people usually arrive at the “*cinturones*” which lie at the periphery of the cities. In the case of Medellín those sites are often called “*barrios de invasión*” which refers to the “invasion” of peripheral neighborhoods by the displaced population. In the course of this work these neighborhoods will be referred to as “peripheral neighborhoods”. These neighborhoods are often characterized as territories where the state presence is limited or absent and instead different armed forces or criminal gangs rule. It is this new urban context that leaves forcibly displaced women in front of an open-ended security dilemma in the city where they struggle to survive. Carolina⁹ describes her arrival in the city as a “miracle” of giving her the chance to survive but also recalls it as the initiation of victimhood: “*This way we had to leave everything, a life project. Well this is what we have been trying to construct here in the city –it is what made us victims– here in the city.*” (Carolina, 2017). Acknowledging having the social status of a “victim” in the city is a prevailing motif in the accounts of the interviewees. It points out both the awareness of having no chance to return after the internal displacement and of having lost their livelihood that has to be re-constructed in a situation of insecurity and poverty. As an engendered consequence of forced displacement women often suffer from subsequent experiences of intra-urban displacements¹⁰ harassment or sexual violations. Mayra recalls her second intra-urban displacement and not being able to return to the *comuna 13*¹¹ where she lived before with her children during the time of Operation Orion.¹²

I got out for example to work and sometimes I found a dead person. It was in this neighborhood where they kidnapped me and my colleagues, it was there where they shot my brother in his leg with a gun (...) there were so many horrible things in this neighborhood. So as a woman one suffers a lot of insecurity (Marya, 2017).

When she talks about her possibility to return to the *comuna 13* now that she is a community leader, she indicates “*imagine if I returned. There they would kill me. I cannot go back there. There is no security for women.*” (Mayra, 2017). In the urban context of Medellín and its climate of chronic violence forcibly displaced people are confronted with the repetition of violent ruptures as part of their ordinary living experiences. Marticela repeatedly speaks about the war and violence that now is still ongoing in the domestic realm of families with respect to the fight with drugs in the neighborhoods. As a consequence of this expansion of violence to the domestic realm, she explains that she does not only see the displaced populations as “victims” instead she states that:

⁹ All names used in the paper are pseudonyms to protect the anonymity of the interviewees.

¹⁰ Intra-urban displacement is a form of forced displacement which is characterized by forced movement of people from one part to a different part in the same city. Victims flee to save their life and leave behind their house and community. Victims of intra-urban displacement are targeted of this violence for example because they are associated with enemy gangs and previously suffered sexual abuse, forced recruitment, torture or extortion etc.

¹¹ Medellín is divided into zones, each zones is subdivided into “Comunas” or Communes.

¹² Operation Orion is the name for the urban military intervention that took place in district number 13 (*comuna 13*) between the 16th and 19th of October in 2002. It was the last of a series of military operations.

A victim is any person who was humiliated, raped, and has been denied rights. (...) Often I confused myself (...) that I was a victim because they killed my husband (...) because they took everything from me. But we noticed in the organizations that not only we are victims (...). It is not only the displacement, no. (...) It is about the sons hitting their parents, (...) the husbands hitting their wives, and the wives that got killed by their husbands. (...) There are many more victims (Marticela, 2017).

The impact of ongoing “chronic violence” and insecurity in everyday life can be traced back in the descriptions of the interviewees. These examples portray continuing experiences of interrelated victimization after forced displacement for (officially recognized) victims. On the one hand the quotes exemplify the continued impacts of victimization for victims and their families and neighbors who live under impoverished conditions in peripheral neighborhoods. On the other hand they illustrate the gendered nature of insecurity for women who are exposed to sexual violation, violence or even murder within the continuum of harm experienced by forcibly displaced people in private and public spheres in these neighborhoods.

Despite this prevailing motif of ongoing experiences of victimization and engendered forms of insecurity that women suffer, the women interviewed also described how they coped with these experiences collectively in their communities to construct a “new” life project. Hence a second prevailing motif of the experiences of victimhood deduced from the interview data is the narration of change and agency. Certain key experiences of subsequent violent ruptures and harm such as a loss of a husband or child, childbirth, an intra-urban displacement, constant threats or sexual violations provoked the interviewees into becoming women's or victims' leaders in their communities fighting for a better future. The strong and important role of social movements or neighborhood movements of victims and women is connected with the notorious absence or limited state-presence as it is known in many Latin American countries (Jelin, 2015). This crucial role of community also becomes evident in the narration of the interviewees. In the context of insecurity, the community ties are strong and have an extremely important role in the women's life. They enable individual and collective agency and empower women to cope with ongoing experiences of compound victimization resulting from forced displacement. The interviewees explain that only their newly established community ties offered them, social tissue, and everything to start constructing a life project again. For example Carolina explains:

Despite all the pain, despite all the injuries, we started again to construct a part of the social tissue that they violently took from us and from our families (...) here we construct community again, because this is what we do from day to day. It's the dialogue with the people, we meet here with the communities and they all have different victimizing experiences – all sorts that one could imagine (Carolina, 2017).

In the light of normalized or ordinary violence in the everyday life of the interviewees and their individual experiences of ongoing victimization, these compound of the consequences of forced displacement and the subsequent lack of insecurity the strong role of community ties among victims become evident: On the one hand the community hold a crucial social function to aid women and forcibly displaced people to cope with the situation of poverty and ongoing victimization. On the other hand this collective agency of victims does not present a homogeneous universe of victims within the margins of similarly victimizing experiences. The importance of community ties among victims transcends the binary distinction between official victims and no-victims. Rather survivors of forced displacement and other multiple experiences of victimization unite across different experience

of victimization. These narrative accounts reveal a broad and heterogeneous understanding of victims and victimhood that blurs the epistemological boundary of official victimhood. Subsequently, I proceed to analyze how the Victims' Law approaches these ongoing and experiences of harms interrelated within the complex temporality of victimization experiences of forcibly displaced women and how harm is practically addressed by the integral reparation.

4. Frictions at Work: Transformation *towards* Justice through Integral Reparations?

Relating to the heterogeneous image of victimhood and the continuation of victimhood-experiences in connection with forced displacement, I proceed to display four dimensions of discursive frictions. These dimensions are now be illustrated in divisive dis-encounters and encounters that occur in reparative TJ-process that recognize harm –even if understood theoretically in a broad sense– in a limited, linear and under-complex way. I show that there occur divisive interplays resulting from encounters and dis-encounters within the integral reparation process –guided through concepts of victims and harm derived from TJ Law 1448– and the limited recognition of ongoing and compound victimization experiences of displaced women. I display four dimensions of frictions that according to Tsing one can understand and use to study “the unexpected and unstable aspects of global interactions” between the Colombian TJ framework of Law 1448 (2011) –*The Victims Law*– (that is a local derivate from the dominant international TJ paradigm) and its implementation of reparative politics that aim to compensate victims of the armed conflict in an integral and transformative way. Firstly, I discuss the wider problem of phrasing harm in TJ Law, the legal enunciation of harm and its limits to include compensating structurally interrelated forms of victimization. Secondly, I display dis-encounters in the local implementation practice of integral reparation on an individual scope. Thirdly, I illustrate dis-encounters in implementation processes on a collective scope. Lastly, I outline discursive friction that occur when reparation officially end without having impacted in a transformative way on the life of victims.

4.1. First Dimension of Friction: Experiences of Ongoing and Compound Victimization at the Margins of the Legal Concept of Harm

Colombian TJ Law 1448 technically acknowledges a broader concept of harm understood “as a consequence of victimizing incidents” (C-052, 2012). The harm-based reparation system established by TJ Law truly encounters a full catalogue of multiple victimizing incidents (including among others forced displacement, homicide, sexual violence, kidnapping etc.) with the means of reparations, combined with humanitarian aid, care and assistance. However, dis-encounters occur when official recognition processes fail to apply these means to interwoven and compound experiences of victimization in the local context of forced displacement. Translated into local reparation practice, the legal concept of harm encounters victimization in discursive frictions when theoretically recognizing multiple victimizing' experiences. Through, practically it falls short to live up to this legal idea when multiple victimization is recognized in a fragmented way. This means that the integral reparation process does not match the continuum of ongoing and compound victimization experiences. Reparation processes rather run danger of reproducing experiences of victimization when creating official victims within a binary matrix of recognition and non-recognition measured by single victimizing experiences. TJ Law 1448 (2011) technically considers and addresses victims in article 3: “persons who individually or collectively have suffered harm through events that occurred from the beginning of January 1, 1985”. These events are defined as “consequence of violations of international humanitarian law or of

serious and flagrant violations of the international norms of human rights which occurred during the internal armed conflict. (Law 1448, 2011: Article 3).¹³

However, this legal enunciation of harm and its representation of victimization translated into practice slow down the realization of integral and (gender-) transformative reparations. Colombian law falls short of acknowledging structurally interrelated and compound victimization in ongoing experiences of forced displacement in its full temporal scope. Firstly, the Law only compensates for crimes committed from the beginning of January 1, 1985 and excludes crimes that occurred earlier in the conflict. The duration of experiences of harm and the long temporality of victimization have two aspects that law –may be by means– cannot address. As a matter of fact, this limited perspective that legal architecture holds, hinders compensating for “historical injuries” that are experiences of violence that relate to certain historically excluded groups such as indigenous or afro-Colombian groups who live in “chronic inequality and structural and material conditions that continue to define their existence” (Castillejo-Cuéllar, 2014: 48). Instead this definition of harm depends on a narrow image of victimization and victimhood when drawing on the consequences of harm resulting from crimes instead of regarding its structural roots over a long temporality. The second difficulty that this dimension of friction exemplifies with respect to forced displacement is that law cannot perceive the lasting and intertwined continuity of victimization that in fact –as I displayed before by the use of the image of heterogeneous victimhood– is characteristically for forced displacement that is understood as a victimization that is compound of others harms or victimizations and exacerbates with these over time. Similarly, like the *Justice and Peace Law* failed to grasp multiple dimensions of violence (Castillejo-Cuéllar, 2014: 47) the *Victims Law* fails to render intelligible ongoing and interrelated victimhood-experiences that are characterized by multiple victimizing incidents which are inextricably linked to other forms of structural or SGBV with regard to forced displacement.

4.2. Second Dimension of Friction: Implementing Individual Reparations in the Context of Ongoing and Compound Victimization

Discursive frictions occur in the dis-encounters within the reparative process where recognition and rights are officially granted along single victimizing incidents and simultaneously disregarding the true ongoing interrelatedness of compound victimizations. In the context of ongoing insecurity and the heterogeneous formation of victimhood of forcibly displaced women in Medellín, I argue that the situation of multiple and compound victimization can neither be understood singled out in respect to one victimizing incident nor in respect to a hierarchy between harm. The narrations of Mayra and Angélica who both suffered multiple victimizing incidents and had only some of them recognized show that there exists a divisive asymmetry in what survivors of victimization experiences as ongoing and compound harm and its respective recognition of harm as a consequence of several single victimizing incidents. The case of Mayra who suffered five victimizing incidents and had only three of them recognized illustrate an ongoing quest for recognition of compound experiences of victimization and displays a story of struggle. The problem of simultaneously encountering some forms of victimization and dis-encountering others within reparative processes lies in its procedural re-victimizing outcomes. Mayra states that she has had a long history fighting to have the first three victimizing experiences recognized. Even though all of the victimizing experiences occurred in the same historical and social context, and the first two actually led to

¹³ Translated from Spanish: *Artículo 3*.

the forced displacement she had to convince the functionary to recognize these interrelated forms of victimization, as she describes:

At the beginning they told me that [...] they will recognize the sexual violence but not the child recruitment, [and] they knew that it was the same group. So, I had to fight with them because I say: How do they recognize one incident that happened in the same group and do not recognize the other incident (...)? (Mayra, 2017).

It seems that Mayra's uncontradicted recognition of sexual violence echoes a wider trend beyond Colombia of equating incorporating gender-sensitive measures in reparation processes with an “add women to the stir” approach. This approach often gives an “over-attention” to sexual violation against women disregarding other experiences of violence. Disregarding the fact that Mayra's initial child recruitment, her subsequent sexual violation within an armed guerrilla group led to her forced displacement to the city where she that suffered a subsequent intra-urban displacement as a single mother neglects the temporal nature of multiple victimization exemplified in gender-based crimes that are interrelated in the experience of forced displacement and subsequent consequences of insecurity and socio-economic hardship in the city.

Angélica, also states that only three of her traumatic experiences have been recognized although she explains that different victimizing incidents happened together within a short period of time. Angélica narrates her experience of the first forced displacement as inextricably linked to her previous memories of being kidnapped, tortured and sexually violated because of being openly lesbian. She states that one victimizing experience has not been acknowledged due to the fact that one has to be held hostage for a certain number of hours before this experience can be classified as a kidnapping. The complexity of crime and compound harm in interrelated victimization based on gender and sexual identity is diminished if disregarding these experiences of compound and interrelated harm in a fragmented way.

This example shows the necessity to consider multiple victimization such as forced displacement in its full temporality and complexity of sexual violence based on gender and sexual identity that are compound to the victimization experience of forced displacement. Recognizing only two of three interrelated victimizing incidents illustrates a narrow understanding of victimization in local reparation practice. Hence the implementation of integral reparation practically fails to render intelligible the true complexity of interrelated and compound victimization in the context of forced displacement. Thus, the reparation program falls short in fulfilling its transformative promise to address structural roots of crimes and discrimination based on gender and sexual identity in order to remove the condition causing violations. Both accounts on the process of being officially recognized as a victim in order to be eligible for individual reparation and indemnification show frictions that occur when some victimizing incidents are recognized and others not. Transitional legal discourse in reparation practice seemingly fails to render visible the complexity of compound and interrelated victimizing experiences in one person. By zooming in on more than one victimizing incident but in a singled out way the Law disregards the complexity of the continuum of harm of forced displacement that is a combination of different and interrelating victimizing incidents that are inscribed in female bodies.

4.3. Third Dimension of Friction: Consequences of Ongoing Victimization in Forcibly Displaced Communities and the Collective Scope of Reparation

The problem of failing to fully address the interrelatedness of harm and compound experiences of victimization that is experienced over time also becomes evident in the collective scope of implementing reparation. Although TJ Law 1448 technically acknowledges a broader concept of harm understood “as a consequence of victimizing incidents” there is incongruent in how these ongoing consequences on a collective scope can be recognized by functionaries of the local government. Even though Law 1448 prescribes collective reparation this collective reparation does not account for collectively suffered consequences stemming from forced displacement experienced in urban communities of forcibly displaced people. There exist constraints within the integral reparation system. That means that it formally only regards those social groups and communities eligible to collective reparations that have existed before the occurrence of victimizing experiences and violations (Victims Unit, 2018c). By this means the vindication of dignity and citizenship rights for social groups of forcibly displaced people that have previously established social ties after having been forcibly moved to (so called) “neighborhoods of invasion” in Medellín is disregarded. As a consequence a dis-encounter becomes intelligible especially when regarding the situation of internal and intra-urban displaced people who cannot return to restored property. Instead, they have to stay in the city being forced to fight for a space to live and their right to it. From this retrospective the so-called officially unrecognized “neighborhoods of invasion” are manifestations of harm stemming from the victimizing consequences of forced displacement. Above that they reflect the community work that replaced (formerly absent) state-sponsored socio-economic services and care. As Carolinas statement shows these community groups are rather “forgotten” as a social collective:

Well, I think, there is a “guarantee of re-victimization”. This is a calling that we also have as victims. [...] Only the fact that I am here in the city which I did not ask to live in; only the fact that I have been part of the construction of a neighborhood, that I had to carry my work in the midst of the conflict to construct streets [...]. And after that the government comes and plans another thing, thinking in another thing for the space where we are [left] for oblivion. (Carolina, 2017).

The example gives evidence how the integral reparation program falls short to fulfill its transformative promise at a collective scope. Instead the implementation of reparations fictively dis-encounter with collective harm suffered in neighborhood communities of forcibly displaced people in the city. Their collective rights-claims such as the right to memory and truth, the right for territory and the city are somehow depoliticized. Above that this friction points towards the problem of the legal character when “solving” problems that result from former political unwillingness to address the consequences of forced displacement in urban context. The continuing neighborhood struggles for recognition are crucially revealing the ongoing exposure of experiences of victimization and point towards the precarious limits of their “peripheral citizenships”. As many forcibly displaced people live in unrecognized neighborhoods with neither a perspective on land restitution processes nor one of being officially accepted to city space collective victims' formations for recognition to urban space visualize their exposure to ongoing victimization resulting from forced displacement.

4.4. Fourth Dimension of Friction: Closure of Reparative Means and Continuity of Transitional Victimhood

The (traditional) legal idea of restorative reparations is based on the intention to repair the loss, damage and harm caused by armed conflict. By this means, reparation programs intend to end this suffering. In contrary to this the contemporaneous approach of integral reparations also intends to build a lasting and transformative impact in the victims' lives. The integral reparation program aims to compensate victims by focusing on the legal condition of harm but by the means of officially ending reparation it closes legal victimhood claims, too. Moreover it threatens the dominant and officially recognized victim-identity and by that is unrecognizing the ongoing effects of victimization and engendered forms of insecurity. In this way frictions occur in the dis-encounters of reparative means that stop after having compensated victims. This dimension of friction illustrates the problematic of the high transformative claims of TJ Law 1448 and its failed implementation in practice. It echoes the general critique of transformative reparations per se. However, it is worth asking if these transformative legal claims cannot be fulfilled in post-conflict scenarios as such or if their legal scope needs to be defined differently.

Angélica recalls several experiences of intra-urban displacements with her family caused by threats of her torturers and paramilitary. She recalls one of these displacements due to which she was forced to move to a hostel with her children. It was there her torturer saw her fifteen-year old daughter and killed her. From that moment on she explains that they had to hide themselves repeatedly. She states that she still walks around with security which were given to her by the *Unidad Nacional de Protección*: “*I do not go out if I am not with them, it still frightens me to go out on my own there or move and do something (...) well I still do not have a normal life (...)*” (Angélica, 2017).

The closure of official reparation and care produces frictions in the integral and presumably transformative reparation process. As reparative means officially end too sudden - as all three compensated women stated -reparations cannot be transformative or long-lasting in its effects. Above that by dis-encountering the real and complex continuing situation of ongoing and engendered forms of insecurity in local contexts reparative means fail to be transformative and cannot guarantee to prevent a repetition of crimes. This dimension of friction indicates the wider problem identified in the prospectively directed question of defining how long consequences of victimizing incidents are legally considered relevant in future to measure adequate reparations respectively and to live up to the promise of non-repetition.

This dimension of friction that occurs beyond the continuity of transitional victimhood after reparative closures suggests the necessity to take into consideration the full temporality of compound victimization in the context of forced displacement. A possibility to overcome these shortcomings can be identified in a prospectively designed approach with a nexus between TJ, reparations and development programs in order to address the socio-economic situations of uprooted people living in poverty and insecurity in peripheral neighborhoods.

5. Discussion and Conclusion

This paper has demonstrated four dimensions of discursive frictions and illustrated how the Colombian integral reparation system inserted by TJ Law 1448 (2011) theoretically addresses victims and multiple victimizing incidents through a broader concept of harm. However, the implementation of reparation practice in the TJ Law fails to translate this broad perspective of harm to both the structural and historical roots that can be understood within a

focus on the interrelatedness of harm that exemplifies the ongoing and compound victimization experienced by forcibly displaced women in Medellín:

The paper first illustrated the wider problematic of the legal enunciation of harm in definitions of TJ law. The first dimension of friction makes feasible how legal architecture theoretically defined victim(hood), victimization and harm in a broad way but simultaneously hinders compensating structurally interrelated forms of harm and compound victimization. Secondly, the paper exemplified frictions within the local implementation process of integral reparations and its difficulties of compensating victims for a variety of different victimizations without producing a hierarchy between victimizing incidents.

However, such a hierarchy is produced if recognition processes fall short in acknowledging the interrelatedness of compound harm and victimization when for example giving priority to recognizing GBSV in the context of forced displacement, instead of relating this violence to other victimizations that occur in the very same context of former violations that gave an impetus to forced displacement. In addition, there exists a dis-encounter between the entitlements of forcibly displaced people to individual reparations and their simultaneous limited entitlements to collective reparations within urban communities of forcibly displaced people.

These communities of forcibly displaced people built social ties and constructed streets and houses in the periphery of the city on their own when the government was absent. Hence they somehow repaired their losses themselves. Many of these urban communities are still fighting for the right to the city and continuously suffer victimizations and insecurity as a consequence of forced displacement. However collective reparations are only granted to groups that were formed before suffering victimization during the conflict. This disadvantage within the legal entitlement to collective reparations of communities of forcibly displaced as collective groups hinders the realization of transformative reparation for victims of forced displacement. Lastly, the fourth dimension of friction suggests that the realization of transformative reparations is slowed down by the government and the victims unit when reparative measures including care and assistance end officially, leaving displaced women as victims of compound victimizations in an ongoing situation of insecurity.

As a consequence the transformative promise of the Colombian integral reparation system conveyed by TJ Law is not held up because it does not truly address multiple and interrelated forms of harm in the living experiences of forcibly displaced women. As forced displacement is a form of violence that in its continuing consequences exacerbates other forms of structurally overlapping victimizations such as GBSV, it leaves women in poverty and in front of a security-dilemma in the city. Elsewhere it has been made clear (Portilla & Correa, 2015) that the integral system of reparations might be too ambitious to hold its promises of being integral and transformative. However, this work suggested that this is not the only problem: Though, it is obvious that, it is difficult to establish security in public and private spaces in post-conflict societies, it is also clear that reparative means that neither effectively addresses underlying structural violence in the continuity of interrelated and compound victimization cannot really live up to TJ's transformative claims. Rather it seems that the legal architecture and the political implementation still leave some crucial problems unaddressed that relate to the impacts that reparations and assistance leave regarding “the kind of justice that victims experience” (Dixon, 2016:107) within a “dilemma that is articulated when a reparation policy occurs in the context of generalized poverty in which victims of the conflict survive.” (Díaz, Sánchez & Uprimny, 2009: 21).

Finally, this leads to the conclusion that a critical inquiry of the temporality of compound harm and ongoing victimization in the context of forced displacement in TJ processes is crucial in order to distribute reparations that impact in an integral, gender-just and transformative way. This conclusive claim to consider the full temporality of compound

victimization in forcibly displaced women addresses the crucial question of a possible nexus between TJ laws, reparations schemes and development and its significance for the relation between *transition* and *justice*. A plausible answer does not only need to acknowledge the complexity of compound harm and the continuum of victimization in the living situation of victims but also needs to reflect the blurry margins of a legal category of victimhood that transcend the private and public distinction when defining violence and victimization. Otherwise reparation programs risk producing “transitional citizenship” (Arrieta Burgos, 2016) for victims which only grants potential access to “full” citizenship and its benefits that are yet to be realized some day in future. In the light of this transformative reparation quest future research should focus on analyzing the concept of victimhood and the temporal continuum of victimization in different transitional contexts that are characterized by a general climate of poverty and insecurity. Rethinking and deconstructing classical epistemologies on presumably “passive” victims that are perceived as mere beneficiaries of reparations may at least enable us to better focus on the underlying continuity and silence of violence in compound victimization. Above that future research should also focus on the complementing relation between individual and collective reparations in order to evaluate their transformative impact. Similarly, further evaluations on the transformative impact of integral reparation on gendered structures need to study gendered relations of multiple victimization experienced by men, women and transgender people respectively.

6. Acknowledgements

The author appreciates the valuable commentaries from Ph.D. John Zuluaga, professor James Gilberto Granada Vahos (Universidad de Antioquia in Medellín) and the sociologist and community researcher Oscar Cárdenas Avendaño, as well as the contributions from the interviewees and women activists.

7. References

- Arrieta Burgos, E. (2016). “Ciudadanías en transición: las víctimas del entretanto”. In: Arrieta Burgos, E. (comp.). *Conflicto armado, justicia y memoria*. Tomo 2. *Derecho y transiciones hacia la paz*. Medellín, Universitaria Pontificia Bolivariana, 57-114.
- Björkdahl, A. (2015). “Gendering agency in transitional justice”. In: *Security Dialogue*, 46 (2), 165-182.
- Brown, K. & Ní Aoláin, F. (2015). “Through the Looking Glass: Transitional Justice Futures through the Lens of Nationalism, Feminism and Transformative Change”. In: *International Journal of Transitional Justice*, 9 (1), 127-149.
- Buckley-Zistel, S., Koloma Beck, T., Braun, C. & Mieth, F. (2014). “Transitional justice theories: An Introduction”. In: *Transitional Justice Theories*. Abingdon, Routledge, 1-17.
- Castillejo-Cuéllar, A. (2014). “Historical Injuries, Temporality and the Law: Articulations of a Violent Past in Two Transitional Scenarios”. In: *Law Critique*, 25, 47-66.
- Crenshaw, K. (1989). “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics”. In: *University of Chicago Legal Forum*, 1, 138-167.

- De Greiff, P. (2009). “Articulating the Links between Transitional Justice and Development: Justice and Social Integration”. In: De Greiff, P. (ed.). *Transitional Justice and Development. Making Connections*. New York, Social Science Research Council.
- Dhawan, N. (2009). “Zwischen Empirie und Empower: Dekolonisierung und Demokratisierung”. In: *Feminina Politica*, 2, 52-63.
- Dhawan, N. (2011). “Transition to Justice”. In: Buckley-Zistel, S. (ed.). *Gender in transitional justice*. Basingstoke, Palgrave Macmillan.
- Dixon, P. (2016). “Reparations, Assistance and the Experience of Justice: Lessons from Colombia and the Democratic Republic of the Congo”. In: *International Journal of Transitional Justice*, 10 (1), 88-107.
- Engels, B. (2014). “Räpresentationen, Diskurse und Machtfragen: Postkoloniale Theorieansätze in der Friedens- und Konfliktforschung”. In: *Zeitschrift für Friedens- und Konfliktforschung*, 1 (3), 130-150.
- Galtung, J. (1969). “Violence, peace, and peace research”. In: *Journal of Peace Research*, 6 (3), 167-191.
- García-Godos, J. (2016). “Review Essay: Victims in Focus”. In: *International Journal of Transitional Justice*, 10, 350-358.
- Granada Vahos, J. & González Díaz, S. (2009). “Acción colectiva de las organizaciones de población desplazada en Medellín. Ciclos, contextos, repertorios y perspectivas”. In: *Estudios Políticos*, 35, 107-130.
- Jelin, E. (2015). “Citizenship and Identity: Final Reflections”. In: Staab, S. & Razavi, S. (eds.). *Gendered Dimensions of Development*. Geneva, UNRISD.
- Kapur, R. (2002). “The Tragedy of Victimization Rhetoric: Resurrecting the “Native” Subject in International/Post-Colonial Feminist Legal Politics”. In: *Harvard Human Rights Journal*, 1, 1-37.
- Kent, L. (2016). “After the Truth Commission: Gender and Citizenship in Timor-Leste”. In: *Human Rights Review*, 17, 51-70.
- Lambourne, W. (2009). “Transitional Justice and peacebuilding after mass violence”. In: *International Journal of Transitional Justice*, 3, 28-48.
- Lambourne, W. & Carreon, V. (2016). “Engendering Transitional Justice: A Transformative Approach to Building Peace and Attaining Human Rights for Women”. In: *Human Rights Review*, 17, 71-93.
- Lemay Langlois, L. (2018). “Gender Perspective in UN Framework for Peace Processes and Transitional Justice: The Need for a Clearer and More Inclusive Notion of Gender”. In: *International Journal of Transitional Justice*, 12 (1), 146-167.

- Lyons, A. (2010). "For a Just Transition in Colombia". In: Lyons, A. & Reed, M. (eds.). *Contested Transitions: Dilemmas of Transitional Justice in Colombia and comparative Experiences*. Bogotá, Opciones Gráficas.
- Mayring, P. (2016). *Einführung in die Qualitative Sozialforschung: eine Anleitung zu qualitativem Denken*. Weinheim, Basel.
- McCall, L. (2005). "The complexity of intersectionality". In: *Signs: Journal of Women in Culture and Society*, 30 (2), 1771-1800.
- Meertens, D. (2002). "Desplazamiento e identidad social". In: *Revista de Estudios Sociales*. 11, 101-102.
- Meertens, D. (2015). "Discursive Frictions: the Transitional Justice Paradigm, Land restitution and Gender in Colombia". In: *Papel Político*, 20 (2), 353-381.
- Meertens, D. & Zambrano, M. (2010). "Citizenship Deferred: The Politics of Victimhood, Land restitution and Gender Justice in the Colombian (Post?) Conflict". In: *International Journal of Transitional Justice*, 4, 189-206.
- Méndez, J. E. (2016). "Victims as Protagonists in Transitional Justice". In: *International Journal of Transitional Justice*, 10 (1), 1-5.
- Naranjo Giraldo, G. E. (2001). "El desplazamiento forzado en Colombia. Reinención de la identidad e implicaciones en las culturas locales y nacionales". In: *Scripta Nova*, 94 (1), 1-17.
- Naranjo Giraldo, G. E. (2015). "El nexa migración-desplazamiento-asilo en el orden fronterizo de las cosas. Una propuesta analítica". In: *Estudios Políticos*, 47, 265-284.
- Ní Aoláin, F. (2006). "Political Violence and Gender During Times of Transition". In: *Columbia Journal of Gender and Law*, 15, 829-849.
- Olsen, T. D., Payne, L.A. & Reiter, A. G. (2010). "Coming to terms". In: Olsen, T. D., Payne, L.A. & Reiter, A. G. (eds.). *Transitional Justice in Balance: Comparing Processes, Weighting Efficacy*. Washington, United States Institute of Peace.
- O'Rourke, C. (2015). "Feminist scholarship in transitional justice: a de-politicizing impulse?" In: *Women's Studies International Forum*, 51, 118-127.
- Rowen, J. R. (2016). "We Don't Believe in Transitional Justice: Peace and the Politics of Legal Ideas in Colombia". In: *Law and Social Inquiry*, 42 (3), 622-647.
- Rubio-Marín, R. (2009). "The Gender of Reparations in Transitional Societies". In: Rubio-Marín, R. (ed.). *The Gender of Reparations. Unsettling Sexual Hierarchies while Redressing Human Rights Violations*. Cambridge, Cambridge University Press.
- Rubio-Marín, R. & De Greiff, P. (2007). "Women and Reparations". In: *International Journal of Transitional Justice*, 1, 318-337.

Teitel, R. (2003). "Transitional Justice Genealogy". In: *Harvard Human Rights Journal*, 16, 69-94.

Tsing, A. L. (2005). *Friction: An Ethnography of Global Connections*. Princeton, Princeton University Press.

Uribe de Hincapié, M. T. (1999). "Las soberanías en disputa: ¿conflicto de identidades o de derechos?". In: *Estudios Políticos*, 15, 23-45.

Vargas, J.F. & Caruso, R. (2014). "Conflict, Crime, and Violence in Colombia". In: *Peace Economics, Peace Science and Public Policy*, 20 (1), 1-4.

Walker, M. U. (2016). "Transformative Reparations? A Critical Look at a Current Trend in Thinking about Gender-Just Reparations". In: *International Journal of Transitional Justice*, 10, 108-125.

Weber, S. (2018). "From Victims and Mothers to Citizens: Gender-Just Transformative Reparations and the Need for Public and Private Transitions". In: *International Journal of Transitional Justice*, 12, 88-107.

Wienand, S. & Tremaria, S. (2017). "Paramilitarism in a Post-Demobilization Context? Insights from the Department of Antioquia in Colombia". In: *European Review of Latin American and Caribbean Studies*, 103, 25-50.

Williams, S. & Palmer, E. (2016). "Transformative Reparations for Women and Girls at the Extraordinary Chambers in the Courts of Cambodia". In: *International Journal of Transitional Justice*, 10, 311-331.

Reports:

Centro Nacional de Memoria Histórica (2015). *Una nación desplazada. Informe nacional del desplazamiento forzado en Colombia*. Bogotá, Imprenta Nacional Colombia. <http://www.centrodehistoria.gov.co/micrositios/desplazamientoForzado/>

Díaz Gómez, C., Sánchez, C. & Uprimny, R. (2009). *Reparar en Colombia: los dilemas en contextos de conflicto, pobreza y exclusión*. Bogotá: Centro Internacional para la Justicia Transicional (ICTJ) and Centro de Estudios de Derecho, Justicia y Sociedad (Dejusticia).

Martinez Cortés, P. (2013). *The Victims and Land Restitution Law in Colombia in context*. Berlin: Copy House. <https://www.tni.org/es/publicacion/ley-de-victimas-y-restitucion-de-tierras-en-colombia-en-contexto>.

Portilla Benavides, A. C. & Correa, C. (2015). *Estudio sobre la implementación del Programa de Reparación Individual en Colombia*, Colombia: ICTJ. <https://www.ictj.org/es/news/estudio-reparacion-individual-victimas-colombia>

Online Sources:

CARR Center and EVAL (2015). *Evaluación de medidas para reparaciones integrales en Colombia. Logros y Retos*. http://static.iris.net.co/semana/upload/documents/Documento_409315_20141116.pdf

El Tiempo (2018). Asesinatos de líderes sociales aumentaron un 45 por ciento. www.eltiempo.com/colombia/otras-ciudades/asesinatos-de-lideres-socialesaumentaronun45-por-ciento-en-el-2017-168592. (Last accessed on the 15th of March 2018).

IPC/Instituto Popular de Capacitación (2013). Desplazamiento Intraurbano en Medellín: Cíclico e invisible. www.ipc.org.co/agenciadeprensa/index.php/2013/12/10/desplazamiento-intraurbano-en-medellin-ciclico-e-invisible/

Olsvik, V. (2010). *Multiple and repeat victimization of women with physical disabilities*. Retrieved from <http://www.ostforsk.no/old/images/notater/072010.pdf>.

RUV (2018). *Figures of displaced: Víctimas por tipo de hecho victimizante*. <https://rni.unidadvictimas.gov.co/RUV> (Last accessed on the 27th of March 2018).

United Nation Resolution 60/147 (2005). General assembly resolution 60/147 (Basic principles and guidelines on the right to a remedy and reparation for victims of gross violations of international human rights law and serious violations of international humanitarian law) http://legal.un.org/avl/pdf/ha/ga_60-147/ga_60-147_ph_e.pdf

Victims Unit (2015) Colombia's reparation process is the most comprehensive and successful in the world. www.unidadvictimas.gov.co/en/reparaci%C3%B3n/colombia%E2%80%99s-reparation-process-most-comprehensive-and-successful-world/13316 (Last accessed on the 30th of April 2018).

Victims Unit (2018 a). Guía de Trámites. <http://www.unidadvictimas.gov.co/es/ruta-de-atencion-asistencia-y-reparacion-integral-individual/286> (Last accessed on the 15th of March 2018).

Victims Unit (2018 b). Enfoques Diferenciales. www.unidadvictimas.gov.co/es/atencion-asistencia-y-reparacion-integral/enfoques-diferenciales/473 (Last accessed on the 15th of March 2018)

Victims Unit (2018c). Reparación Colectiva. ¿Qué es la reparación colectiva? www.unidadvictimas.gov.co/es/atencion-asistencia-y-reparacion-integral/reparacioncolectiva/119 (Last accessed on the 30th of April 2018).

Laws and Court Sentence:

Law 1448 (2011). Ley de Víctimas y Restitución de Tierras. www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=43043

Corte Constitucional (CC). Sentencia C-052 de 2012. www.corteconstitucional.gov.co/relatoria/2012/C-052-12.htm

Interviews:

Mayra (Interviewee 1), (2017). Interview in Medellín, Unidad de Víctimas and Library EPM.

Angélica (Interviewee 2), (2017). Interview in Medellín, Unidad de Víctimas.

Marticela (Interviewee 3), (2017). Interview in Medellín/Barrio la Honda.

Carolina (Interviewee 4),(2017). Interview in Medellín/Café Medellín/ Casa de la Memoria.

8. Appendix

Background Information/Methodological Framework:

The data for this work has been gathered with desk research provided from written studies and organizational and legal documents and reports during my studying period as an exchange student at the Universidad de Antioquia (U. de A.) in winter 2016. In between February and March 2017 I have conducted qualitative interviews with eight persons in Medellín and Bogotá with spokesmen and women from governmental, non-governmental and community organizations. Also, I conducted eight semi-structured/problem-centred interviews (Mayring, 2016: 67f) with individual activist who have been forcibly displaced in Medellín to understand forced displacement from a subjective point of view. These interviews shaped my general understanding of victimhood and struggles around victims' rights in Colombia. Out of the latter eight interviews I chose to focus on four interviews with women to study the compound experiences of multiple victimizations (GSBV, child recruitment and torture etc.) within the experience of forced displacement. For a comprehensive gender perspective the gendered impacts on forcibly displaced men would need to be studied complemented. However, I chose to focus on women because of the slight majority in the figures of forcibly displaced women in Colombia. Secondly I focused on women's victimization experiences because of the underlying structural problem of GSBV that makes women experience violence often differently. Interviews lasted 50 to 90 minutes and were conducted in Spanish and subsequently professionally translated and transcribed. In addition, I analyzed relevant parts of the Victims Law (ley 1448 de 2011) that is seen as a “local” adaption of the dominant international TJ-paradigm. It was the most relevant TJ-law that addressed the situation of forcibly displaced people and the government’s responsibility to provide integral reparations for victims of the conflict at that time. The data from interviews and documents have been analyzed and evaluated through qualitative content analysis (Mayring, 2016: 114).

Semi-structured/problem-centred Interviews

Interviewee	Date	Place
Mayra (Interviewee 1) (first one accompanied by staff member of the UV)	01.03.2017 04.03.2017	Medellín/Unidad de Víctimas and Library EPM
Angélica (Interviewee 2)	08.03.2017	Medellín/Unidad de Víctimas
Jóven del Barrio la Honda	09.03.2017	Medellín/Barrio la Honda
Marticela (Interviewee 3)	11.03.2017 18.03.2017	Medellín/Barrio la Honda
Community Leader	11.03.2017	Medellín/Barrio la Honda

Researcher U. deA.	15.03.2017	Medellín/U. de A.
Community leader of Mujeres del Fenix	16.03.2017	Medellín
Carolina (Interviewee 4)	17.03.2017	Medellín/Café Medellín/ Casa de la Memoria

Expert-Interviews

Interviewee /Organizations	Date	Place
CODHES (NGO)	27.02.2017	Bogotá
Unidad de Víctimas (governmental organization)	27.02.2017	Bogotá
Sisma Mujeres (NGO)	26.02.2017	Bogotá
Pares Fundación Paz y Reconciliación (NGO)	27.02.2017	Bogotá
Unidad de Víctimas (governmental organization)	01.03.2017	Medellín
Mujeres Caminando por la Verdad (NGO)	15.03.2017	Medellín
Casa Diversa Comuna 8/LGBTI Leader (community organization)	21.03.2017	Medellín
Unidad de Víctimas (governmental organizations)	24.03.2017	Bogotá

Background and biographical Description of Interviewees (All personal names used in the text are pseudonyms to protect the anonymity of the interviewees):

Angélica works as a teacher and LGBT and victims' activist. She was born in Medellín where her father, who is from a Palenque community, was forced to displace himself to. Angélica is an Afro-Colombian woman in her mid-30s who openly identifies as lesbian and lives with her female partner and children. Her sexual identity and her open activism for LGBT issues and rights were the reasons for her multiple and continuous experiences of violence by armed actors and paramilitary who violated and tortured her repeatedly and made her displace herself with her family twice within and around the city of Medellín in 2012. Similarly, to Angélica, Mayra is a community leader and victims' activist in her mid-30s. Both work as well as writers in a female victims' organization.

Mayra as well was born in Medellín but has not always lived there. When she was 15 years old she was recruited by a guerrilla organization. She was sexually violated within that group and had to displace herself after several months from the countryside, where she stayed with the guerrilla group to the city of Medellín, leaving behind her family. In 2002 she experienced an intra-urban displacement together with her children and family. She still fights without success for the inclusion of the forced disappearance of her husband into the victims' registry. Carolina and Marticela are both women who were not born or raised in the city and experienced a forced displacement from different rural parts in Antioquia to the city of Medellín where they now live in officially unrecognized neighborhoods.

Carolina has always worked as a community leader and human rights activist which was the reason for her forced displacement due to severe threats by three armed actors (guerrilla, paramilitary and the army) in 2000. Carolina, who is at the beginning at her 40s, has been living in Medellín for 17 years. Currently, she lives in comuna 8/Villa Hermosa in

an unrecognized neighborhood with her children without having received reparative means apart from humanitarian aid.

Maricela is in her early 70s and was a political leader. She had to displace herself in 1996 due to her political activism in the Patriotic Union (UP)¹⁴ that posed a threat to her by paramilitary forces in the rural area of Urabá where she lived. As a consequence of her internal displacement she became a women's' and victims' rights activist and recently participated in the peace dialogues in Bogotá. She also experienced an intra-urban displacement after her husband was killed in 2002. Since then she lives alone with her mother and children in an unrecognized neighborhood within the comuna 3/Manrique.

¹⁴ The UP (*Unión Patriótica*) is a leftist political party that was co-founded by former FARC members. In the 1980s and the beginnings of the 1990s many members of this political party were systematically disappeared or assassinated.