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The Construction of a State Peace Policy and the Process of Conflict Resolution

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Resumen

La literatura académica especializada en procesos de resolución de conflictos se ha centrado en el estudio de cómo la intervención de terceras partes y la labor de mediación pueden contribuir a poner fin a los conflictos violentos, sin embargo, también ha ignorado el rol potencial del estado en aquellos países afectados por la guerra interna. Este artículo llama la atención sobre la necesidad de estudiar al estado no sólo como la fuente de los conflictos contemporáneos, sino como un colaborador potencial en procesos de resolución de conflictos. Se sugiere que es necesario y también posible involucrar al estado en este tipo de procesos de una manera más efectiva a través de la implementación de una Política de Estado centrada en la Paz. El argumento central es que algunos de los elementos claves que deben guiar la acción del estado cuando éste se enfrenta a la lógica destructiva de la guerra y la violencia, pueden ser efectivamente tratados a través de una política pública que de prioridad a la construcción de la paz. Luego de sugerir una definición general y destacar algunos de los principales atributos de ésta clase de Política de Estado, el artículo reconoce que ésta podría también orientar el proceso

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inacabado de consolidación del estado en Colombia y en otros países afectados por conflictos internos. El rol del estado en el proceso para resolver los conflictos es crucial, sin embargo hay algunos aspectos normalmente ignorados durante el proceso de formulación de políticas que deben ser tomados en cuenta seriamente para eliminar las estructuras que perpetúan el conflicto y que retrasan la consolidación de la paz sostenible.

Palabras clave: *poder colectivo, transformadores genéricos del conflicto, poder infraestructural, paz negativa, legitimidad, paz positiva, transformación del conflicto, consolidación del Estado, política de Estado centrada en la paz.*

Abstract

The academic literature specialized on processes of conflict resolution has focused on how third party intervention and mediation can contribute to end violent conflict, however it has also ignored the potential role of the state in countries affected by internal war. This article calls for a better understanding of the state, not only as a source of contemporary conflict but as a potential advocate of conflict resolution processes. It suggests that it is necessary and possible to involve the state in more effective processes of conflict resolution through the implementation of a State Peace Policy. The central argument is that some of the critical elements that should guide the state action when confronting the destructive logic of war and violence can be effectively undertaken through a public policy focused on building peace. After suggesting a general definition of State Peace Policy and highlighting some of its main attributes, the article recognizes that this sort of policy can also orientate the unfinished process of state consolidation in Colombia and other countries affected by internal conflict. The role of the state in the process of conflict resolution is crucial; however there are some issues normally ignored within the policy-making process, they must be seriously taken into account in order to eliminate the underlying structures that perpetuate conflict and delay the consolidation of sustainable peace.

Key words: *Collective power, generic transformers of conflict, infrastructural power, negative peace, legitimacy, positive peace, conflict transformation, State consolidation, State Peace Policy (SPP).*

The reality of recurrent intra-state conflicts has been placed high on the international agenda and it has been commonly accepted that those conflicts require some kind of multilateral action to be resolved. Some approaches have been developed to orientate different kinds of non-state agencies in the difficult task of building lasting peace, ranging from the use of Track I, Track II, Track III and multitrack diplomacy, good offices, conciliation, to various modes of muscled mediation, peacekeeping and peace enforcement operations.

Conflict Resolution field has gained its recognition in the attempt to end violent conflicts in different countries giving special attention to the role of third party intervention and mediation. However the ambitious agenda of this field in addressing the root causes of violent conflict represents a “radical programme for non-violent transformation of societies in violent conflict”¹ that demands an advance in the study of the state and its role in war-torn societies. The nature and features of this actor could be used as instruments to develop peacemaking capacity within political institutions that can guarantee the peaceful management of conflict in societies trapped by long-lasting conflicts, like the Colombian society.

Theoretical and practical achievements reached by this field can support not only the formulation of effective policies that prepare the ground for the peaceful resolution of conflicts between defined parties, but also that orientate necessary transformations in the macro-institutional structure of society, represented by the State. Well oriented public policies can promote societies better prepared to respond peacefully to the changing and demanding reality of the international system, as Ian Clark recognizes in his analysis, the state still has a crucial role as a mediator between the “increasingly potent international pressures” of globalization, and the forces of fragmentation represented by “heightened levels of domestic discontent that will inevitably be brought in their wake”.²

¹ Miall, Hugh. Ramsbotham, Oliver, & Woodhouse, Tom. *Contemporary Conflict Resolution: The Prevention, Management and Transformation of Deadly Conflicts*. Polity Press. 1999, Cambridge. p 152.

² Clark, I. *Globalization and Fragmentation: International Relations in the Twentieth Century*. Oxford: Oxford University Press. 1997. p 202. Cited in: Miall, Ramsbotham, Woodhouse, *op. cit.*, p 84

A number of studies in the past few years have focused on the analysis of the outbreak and duration of civil wars giving some space to the analysis of the responsibility of the state. Some of them have concentrated their attention on the influence of domestic institutional structures over the political opportunity structure that facilitates the translation of discontent, derived from economic inequality, into violent political conflict.³ Some others have examined how the state capacity affects the conditions that favour insurgency, recognizing that “financially organizational and politically weak central governments render insurgency more feasible and attractive due to weak local policing or inept and corrupt counterinsurgency practices”.⁴ Those state-centred approaches have brought back into the debate the role of the state as an actor able to affect the opportunities of insurgents to keep fighting and to benefit from war. They have also complemented the predominant rebel-centred perspectives that have placed academics’ interest on social grievances on one side, and financial viability of rebellion on the other, as the real causes of civil war.

These academic efforts, the concentration of conflicts in the third world, and the primacy of domestic sources of conflict in the 1990’s,⁵ have given some space to study the State and its relation to the causes of contemporary conflict, however it is still necessary to deepen on the analysis of the role of the State on the endeavour of ending violent conflict and resolving its underlying sources. If the state has facilitated and affected the incidence of socio-political violence, it is necessary to turn to the question of how it can also play a role in the processes of resolving violent conflict and preparing society for always complex post-conflict situations. Such role could be facilitated if a *State Peace Policy* is formulated accord-

³ Kurt, Schock. *A Conjunctural Model of Political Conflict*. In: Journal of Conflict Resolution Vol. 40 (1) 1996, p 107

⁴ Fearon, James & Laitin, David. *Ethnicity, Insurgency and Civil War*. In: American Political Science Review 97 (1) 2003. p 1-2

⁵ Tabulations of war and conflicts made by different scholars including Holsti and Luard and figures presented in the SIPRI Yearbook 1999. Ayoob, Mohammed. *State Making, State Breaking and State Failure*. In: Aall, Pamela. Crocker, Chester. & Hampson, Osler. *Turbulent Peace: The Challenges of Managing International Conflict*. United States Institute of Peace Press, Washington, D.C. p 127

ing to the specific context and needs of the country affected by war, and using some of the theoretical and practical achievements of Conflict Resolution in the study of peace and war.

A great variety of activities and academic researches developed within Conflict Resolution field are based on a consensus over the necessity for producing changes on conflicts in order to manage them constructively, reducing violence and producing outcomes mutually accepted by the parties. Within the contributions of different theorists like Galtung, Vayrynen, Burton, Azar, Curle, among others, it has been accepted that Conflict Resolution requires certain transformations, not only in parties' interests, goals and self-definitions, but also in the social, institutional, political and psychological contexts that make ongoing violent conflict persistent.⁶ In order to address the root causes of war, those transformations should take place at different levels, incorporating various actors in what Kriesberg calls long-term strategies or short-term tactics.⁷

According to this idea of necessary transformation, Woodhouse, Ramsbotham and Miall have suggested what they call *five generic transformers of protracted conflict*.⁸ Those transformations can potentially move the conflict to a direction in which complex relationships, conflicting interest and problematic world-views are not translated unavoidably into violence. They also highlight the crucial spheres in which actions can be taken to propitiate a peaceful resolution of internal-wars and serve to support the argument in favour of the inclusion of the state in the process of ending violent conflicts.

The first transformation corresponds to the *context* in which conflicts are embedded, since they can affect in large extent the relationships existing between the parties, the issues at stake and even their relative power. The context it is not reduced to the national

⁶ Miall, Ramsbotham, & Woodhouse, *op. cit.*, p 156-158

⁷ Kriesberg, Louis. *The Growth of the Conflict Resolution Field*. In: Aall, Crocker & Hampson, *op. cit.*, p 407

⁸ Miall, Ramsbotham, & Woodhouse, *op. cit.*, p 156

level, but includes the regional and the international environment surrounding the confrontation. The second transformation should occur on the conflict *structure*, defined as the set of actors, issues, goals, and relationships that feed the conflict. The third change could occur on the *actors*, their interests, goals, or perspectives, and it can be the consequence of changes on leadership, on the constituency supporting the group or on intra-party integration.

The fourth transformer is related to changes on crucial *issues*. Certain issues or the reframing of existing ones affect the resolution of conflicts since they either open or close spaces for negotiation by producing changes on parties' positions. The fifth element is defined as *personal and group* transformation; it is related to individuals' psychological attitudes toward the conflict and their opponents. Even though in their definition the authors focus on leaders or belligerent groups' feelings toward their enemies, it is important to recognize that changes on public attitude and civil society's perceptions of conflict and the respective parties, constitute important transformers of conflict.

Each one of these elements represents in the Conflict Resolution approach to end conflict, a space for action and intervention in a complex succession of transformations that can affect the dynamic of conflict. The resulting model suggested by the authors is a multitrack approach in which different actors at different levels can contribute to structural changes in the conflict.

This framework and the following analysis of the institutional particularities of the modern state suggest that its nature, attributes, and its simultaneous international and national vocation can favour the process of building lasting peace in countries like Colombia.

In order to develop this idea it is necessary to explore the definition of state. In Michael Mann's perspective the state can be defined as a *differentiated set of institutions and personnel embodying centrality, in the sense that political relations radiate to and from a center to cover a territorially demarcated area over it exercises some degree of authoritative, binding rule making,*

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*backed up by some organized physical force*⁹ While enclosing the four interrelated elements of the traditional Weberian definition of state: monopoly, territory, legitimacy and force, Mann's definition also draws a line between the autonomous logic of the political institutions of the state arisen in the course of previous power struggles,¹⁰ and the government as a mere administrative institution of the state. This distinction is pertinent when identifying opportunities for building peace in countries affected by intra-state conflicts.

As it happens in Colombia there is a fundamental difference between the strategy adopted by each government to deal with the conflict – normally limited to sporadic negotiations or military actions, and the existence of state policies that can eventually address the deep-rooted causes of social injustice, inequality, insecurity, exclusion, crime and violence that feed the conflict. The construction of peace in countries affected by war certainly requires more than the occasional commitment of governments in power, it is the wide institutional system of the state what can better guarantee the integration of different actors at different levels to pursue national projects, like the one of peace.

There is another assumption on this definition relevant to the capacity of the state in conflict resolution processes. As Weber also recognized, through the bureaucratization of the western modern states, the state acquired an important capacity to penetrate its territories with both law and administration. This is what Mann calls the *Infrastructural Power*, it is an important attribute because it reflects the state competence to penetrate and logistically implement its decisions coordinating social life through state infrastructures.¹¹ However this state's impact on society also creates channels for civil society to exert influence over the state. In other words, at the same time that coercive and administrative organizations maintain the state power, new institutions are created through which social interests

⁹ Mann, Michael. *The Sources of Social Power: The rise of classes and nation-states, 1760-1914*. Vol II. Cambridge University Press. Cambridge, 1993. p 55

¹⁰ Mann, *op. cit.*, p. 52

¹¹ Mann, *op. cit.*, p. 59-61

are represented in the state policymaking process, and through which nonstate actors are mobilized to participate in policy implementation.¹² In the case of intra-state war it is common that these institutions are insufficient and even eliminated, and the channels available for society to affect the state power are severely restricted.

It is the collective state power of the modern state which embodies a multiplicity of institutions penetrating, tightening state-society relations and opening spaces for a more active and politicized civil society. This power is expressed in bureaucratic effectiveness, in the monopoly of means of coercion and in democratic institutions that guarantee the territorial consolidation of the state. Many conflicts occur where there is not consolidation of this power and where the state legitimacy has been undermined or never established.

The insufficient state penetration of its territories and its consequent failure in fulfilling its basic security, legal, redistributive, and administrative functions, also affects the construction of citizenship. Sometimes formal state institutions remain blurred to parts of society that do not receive benefits from belonging to the state, while their rights as citizens are scarcely protected and their socio-economic expectations remain unattended. It could be said that the collective power of the modern state is the most important aspect of the interaction between society and formal institutions, because this power affects the way in which politicized actors communicate and collaborate creating a framework for the management and resolution of present conflicts.

In this context, the State can be rightly characterized as the space in which the wars of the late twentieth century have occurred, but also as an actor with the potential capacity for guiding social relations through authoritative institutionalization. The successful resolution of conflicts as a result, extremely depends on the state and its ability to create spaces for the peaceful resolution of social conflicts.

¹² Skocpol, , *op. cit.*, p 29

State Peace Policy (SPP)

The former interpretation of the state suggests that it is possible and necessary to adapt its institutional particularities to the requirements of conflict resolution processes through effective public policies. Conflicts are certainly different and the state action in each case should be defined according to specific society's needs and to conflict singularities, however it is possible to conceive a general definition of what could be an effective state policy intended to support peace in countries at war.

A State Peace Policy can be defined as a set of public policies that integrates all the different institutions of the state in the project of ameliorating the effects of the war in society, creating safe spaces for the peaceful resolution of conflicts and preparing the country for a challenging post-conflict situation. The main purpose of this policy is the institutionalization of efforts for building peace carried out by different actors at different levels while consolidating the state-society relation and the collective power of the state. Even though this policy should be designed in accordance to other national policies, its priority is Peace.

The State Peace Policy should be a national strategy, rather than a presidential policy normally restricted by electoral politics. In order to address the root causes of conflict the SPP needs to establish national objectives through an inclusive dialogue between different social actors and the state institutions. This can guarantee that national efforts are focused on long-term projects rather than short-term plans seeking the victory of a specific government over the rebels. In consequence, the State Peace Policy cannot depend exclusively on the government in power but on the social and institutional consensus over the collective construction of peace.

Since the SPP reflects a *national* project and it is carried out by formal institutions in alliance with the civil society, it can exist even if there are not formal negotiations between a specific government and the rebels, or if those negotiations do not include all the armed groups opposing the government.

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As it happens in Colombia the idea of formulating a State Policy to face the challenges imposed by internal conflict is normally associated to the commitment of different governments to engage in negotiations with the armed groups in order to propitiate the resolution of the conflict through political means. Those peace processes and negotiations depend on limited strategies designed by each administration and make necessary to enlarge the notion of State Peace Policy according to social, political and economic responsibilities possessed by the state in relation with its society. The special circumstances of a war-torn society compel the state to use its unique institutional singularities to create spaces for building peace, at different levels and involving various actors as suggested by the multitrack approach of Conflict Transformation.

Central to the idea of constructing this kind of State Policy is the acceptance of *Positive Peace* as a priority. Peace understood not only as the absence of violence but also as social justice¹³ should be the priority of the institutions of the state. Each institution according to its specific mission has a vital role in building peace, therefore the SPP should integrate the military, the judiciary, the administrative, the parliamentary and the local governments in this national strategy. The participation of those institutions is necessary as a result of the challenges facing societies affected by conflict. It could be necessary to promulgate new laws or to reform existing ones; the interpretation of justice will require avoiding impunity while opening spaces for reconciliation and dialogue, and security and order will be required but as a mean to guarantee democratic institutions to be effective in conflictive zones.

For a SPP it is also important to guarantee *strategic continuity*, since it is necessary to connect the efforts of one administration to the next. This element differentiates State Policies from presidential

¹³ The concept of positive refers to a situation where human beings are not impeded from fully developing their life-span and where there is not a denial of their basic needs as consequence of structural violence. This sort of peace is possible in a social context characterized by justice and freedom. Fetherson, A. B. *Peacekeeping, Conflict Resolution and Peacebuilding: A Reconsideration of Theoretical Frameworks*. In: Woodhouse, Tom, and Ramsbotham, Oliver (Eds). *Peacekeeping and Conflict Resolution*. Frank Cass. London. 2000.

strategies and it is an important indicator of how much the project of construction of peace is the result of national consensus. It guarantees that successful programs and learned institutional experiences are accumulated and valued by next administrations as well. Continuity secures that achievements and failures from past governmental policies and even from their peace processes and negotiation attempts, can be transformed into inputs for the next administration success.

Additionally, it is necessary to recognize that war frequently has its most devastating effects over the most isolated and poor regions in which the State presence is insufficient. Accordingly a SPP should strengthen the peace building capacity of local institutions, organizations and actors, creating safe and protected environments for democracy and peace-work. Regarding this aspect some authors have introduced the concept of *local knowledge*,¹⁴ which is the information about who is doing what in areas of rebel presence and where counterinsurgency actions are performed. According to this concept the local knowledge is what allows rebels to threaten sanctions on people for denouncing illegal activities and it is also a difficult element in counterinsurgency strategies since it makes problematic the distinction between rebels and non-combatants. Through the formulation of a SPP the state should be able to improve its local knowledge, not only because it can trigger insurgency capabilities, but because it is an indicator of state penetration in conflictive regions.

According to the SPP suggested here, the state military and police capabilities must guarantee the presence of the state in those regions by protecting the civil society that normally gets trapped between the rebel violence and the counterinsurgency activities, they must also serve to the consolidation of governmental and democratic institutions in those regions. Improving the local knowledge of the state guarantees that social workers and civil population are not put in danger, but also that effective state institutions are able to promote safe democratic participation and peace-building activities.

¹⁴ Fearon, & Laitin , *op. cit.*, p 80

It is important to highlight that the presence and the power of the state are not represented exclusively by the military capacity of its army. The modern state penetrates its territories through law and bureaucratic effectiveness and it creates channels of interaction with the society through its institutions. For a SPP it is important to restore the institutional authority of the state creating a framework for peaceful resolution of conflicts. As some authors recognize it, that effectiveness is a main component of the state capacity in civil wars. It is related to the legitimate process of recruiting bureaucrats, the protection of those bureaucrats from political pressure or threats from illegal groups, and the continuation of institutional services even in the face of government changes,¹⁵ and according to the specific local needs of the population, specially in those places where the war takes place.

Additionally, a public policy for Peace cannot be constructed if the social contract that is deeply damaged by the conflict is not restored. This Social Contract is a framework of widely agreed rules both formal and informal¹⁶ that requires institutions' participation and civil society involvement represented by academics, social workers, NGO's, interest groups, individuals, etc. The endeavour of building peace must be sustained by a solid political and public support independently of the fluctuating political, economic and strategic interests of the confronted parties. As it is recognized by Daniel Garcia-Pena -a former Colombian High Commissioner for Peace, creating and sustaining political support for the peace process is essential for its feasibility given the highly volatile nature of public opinion and the fragility of civil society that ostensibly affect the way in which peace agreements or peace policies are transformed into tangible and visible realities.¹⁷

¹⁵ Sobek, David. Derouen, Karl R. *The Dynamics of Civil War Duration and Outcome*. In: Journal of Peace Research Vol 41 (3) 2004. Sage Publications. London.

¹⁶ Murshed, Mansoob S. *Conflict, Civil War and Underdevelopment: An Introduction*. In: Journal of Peace Research. Vol 39 (4) 2002. p 387-393

¹⁷ Garcia-Pena, Daniel. *In search of a New Model for Conflict Resolution*. In: Garcia-Duran, Mauricio.(Ed). *Accord: Alternatives to War. Colombia's Peace Processes*. 2004 Available online: <http://www.c-r.org/accord/col/accord14/newmodel.shtml>

In order to restore the social contract it is important to propitiate and reinforce interaction and cooperation between the State and diverse actors that work for peace in local contexts. NGO's, community and grassroots organizations are strategic allies in developing peacebuilding capacity within society. A SPP must then be aware of their importance and must create spaces for dialogue with such actors.

For the consolidation of a broadened notion of State Peace Policy it is also necessary to recognize the importance of strategic thinking and planning of post-conflict situations. Peace building activities in ongoing conflicts are important for two main reasons: they can precipitate and influence the end of the conflict, and they can be more effective if they are implemented even before an agreement is reached, thus preparing the environment for peace.¹⁸ Although the objectives of the State Peace Policy belong to a long-term perspective, they also demand immediate attention to humanitarian assistance to victims and internally displaced populations, demobilization and reintegration of ex-combatants, as well as process of reconciliation, reconstruction of infrastructure and productive capacity, and creation of transitional justice mechanisms; without such considerations any public policy aimed to build positive peace will fail.

The State Peace Policy must also facilitate the creation and consolidation of alliances with other countries, multilateral and international organizations, and NGO's in order to guarantee international assistance. The international support -through activities of mediation, facilitation and verification in processes of negotiation, is essential for transforming the conflict, for reinforcing the legitimacy of the state's attempt to use its power as a force in the process of building lasting peace.

In addition, international support can contribute to ameliorate the difficult situation of countries facing the destructive effects of inter-

¹⁸ Rettberg, Angelika. Camacho, Alvaro. Chaux, Enrique. Garcia, Arturo. Iturralde, Manuel. Sanchez, Fabio. Sanz de Santamaria, Alejandro. & Wills, Laura. *Preparar el Futuro: Conflicto y Post-Conflict en Colombia*. Alfaomega & Universidad de los Andes & Fundacion Ideas para la Paz. Bogota. 2002. p xviii

nal conflict. The process of reconstruction is demanding in resources and the State capacity is frequently insufficient to face the costs. Looking for strategic friends in the construction of peace is a crucial task for the SPP, however those alliances must be established for the long-term and they should not depend on the international sympathy for the president in power, but on the acknowledgment of the continued peace building efforts of the State and its society.

Although surprisingly in Colombia the formal institutions of the state have been characterized by an exceptional stability and the civilian elites have ruled the country invoking democratic principles, the state is still unable to coordinate public policies that can eliminate the structural conditions that sustain the internal conflict. According to the definition of SPP developed, the state in Colombia could participate with other influential actors in a process of Conflict Transformation while preparing national and democratic structures for ending conflict and for the future consolidation of peace. It is clear that much can be done amidst the escalation of conflict to capitalize the state action in favour of peace; the formulation of a State Peace Policy could certainly serve to that purpose but also, to a wider process of state consolidation in countries affected by internal war, where it is still necessary to forge representative and competent states.

A Problematic Consolidation

In the context of intra-state wars the traditional functions of the State and the normal life of society have been deeply undermined by a destructive logic of violence and chaos. The price of war is expensive in terms of lives, development and stability, producing grievances that need to be addressed in order to restore the collective power that secures the relationship between the State and its society. It is important to consider how internal conflicts have deeply affected the processes of consolidation of both, state and civil-society, and how certain strategies to tackle those conflicts can affect the opportunity structure for continuing the unfinished and intricate process of state construction.

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Different from the powerful consolidated states of the twentieth century in west Europe and north America, the contemporary states immersed in internal conflicts have confronted the emergence of actors keen to exert monopoly of violence and coercion in regions where the state institutions are weak, where it has not been consolidated the relation between the state and its society or where this relationship is incipient or problematic. At the same time that the conflict reveals the failure of the state in building its infrastructural power in those regions, it compels the state to mobilize its capacities to defend its claimed monopoly of coercion and to attain the regulation of social life where the state power is in danger. The evolution of the state largely responds to junctures of time and space and it can take place according to threatening forces to its power. In other words, the conflict induces the state reaction and motivates its consolidation by threat better than by the state's initiative itself.

Paradoxically internal conflicts not only constitute strong forces pressuring for the construction of contemporary states around the logic of violence and war, but they also promote singular relations between the state and its civil society. In the same way the industrialization process, the social and labour movements, and the increasing working class demands helped in the consolidation of the state in Europe, in countries affected by war, the dynamics of conflict are constructing and promoting certain kind of state-society relations defined within the framework of war.

As some authors have highlighted in their studies of war zones, internal conflicts create identity forms in the population and develop national and regional stereotypes around the violent zones where the state is forced to develop singular strategies for addressing the conflict.¹⁹ The state resources and its institutions are organized to respond to the challenges imposed by conflict in the same extent that civil-society develops its own strategies for surviving amidst the war. In conflictive zones, both state and society's strate-

¹⁹ Uribe, María Teresa. *Las Soberanías en Disputa: ¿ Conflicto de Identidades o de Derechos?*. In: Uribe, María Teresa. *Nación, Ciudadano y Soberano*. Corporación Región. Medellín, 2001. pp. 259-260.

gies coexist, they can cooperate or interfere with each other creating problematic relations between them.

It is interesting that public policies implemented during the conflict are normally focused on recovering the state monopoly of coercion and exerting legitimate presence in those contested regions. The idea of a SPP suggests that if those policies are understood beyond the traditional idea of restoring security and order as central aims of state action, they could be part of a more comprehensive approach to penetrate not only conflictive territories but also their social groups. In that way the state could strengthen its relation with the society, reinforce its legitimacy and enhance internal sovereignty. While transforming peace into a national project, the SPP could also continue the process of state consolidation and create national referents.

During violent conflict civil society and state reveal their fundamental attributes, not only their weaknesses but also their abilities to deal with the incalculable obstacles imposed by it. The strategies to overcome those obstacles can be part of a project of consolidation of the collective power of the state, they can also increase civil-society participation on processes of policy making, and open legitimate spaces for the construction of peace. The challenges confronted by each society are different in each historical moment, but for countries trapped in internal wars the consolidation of competent, representative and legitimate states is a *sine qua non* requirement for addressing the underlying causes of conflict.

Nevertheless there are still many obstacles to the institutionalization of a SPP, like the state absence throughout the national territory that reflects the deficiency of security institutions but also of effective democracy and adequate economic and social intervention. The fact that policymakers and governments are keen to give priority to short term strategies to deal with specific aspects of the conflict is another limitation, since it makes difficult to establish a national dialogue for the definition of long term priorities and guidelines able to secure lasting peace.

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On the other hand the weakness of the citizenship and the inconsistency of a threatened civil society affect the possibilities of involving social actors in the process of designing national policies. The violence and the establishment of alternative coercive orders in contested territories fractionalise civil society, undermine collective solidarities, and damage confidence in institutional referents of the state. It is important to recognize that the civil-society structure and its competence to impact the state are bound to the development of institutional structures. While the state resources and the civil-society power are divided, the internal conflict remains as the driving force of present and of a disillusioning future for the country.

As Conflict Resolution suggests, the process of ending violence and restoring peace requires key transformations in order to eliminate the elements that sustain violence and to develop peacemaking capacity within societies. It is suggested here that the state and its civil-society could play an important role in the conflict transformation process, at the same time, that a State Peace Policy could reinforce the collective power of the state, continuing its consolidation but concentrating social and institutional forces on the requirements of peace.

Consolidating the state and its effective democratic institutions in countries at war can reinforce (i) its inter-institutional nature, (ii) its capacity to create democratic channels to impact and to strengthen civil society, (iii) its legal and coercive means to protect those channels and institutions, and (iv) its capacity to conciliate the international and national requirements for peace. The successful participation of the state in the process of conflict resolution depends on those aspects and also on the state capacity to materialize public policies orientated toward the transformation of other elements prolonging the conflict.

Other Issues at Stake

It has been suggested that the resolution of conflict makes necessary some changes in socio-political and economic structures of society and also that the state could be a crucial actor in producing

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those changes. However there are some structural conditions that could affect the policy-making process in countries at war. They must be recognized given that they constitute important limitations for the consolidation of a State Peace Policy.

State Neutrality

Traditional studies of conflict explain its origin and degradation through the incapacity of the state institutions in fulfilling its basic functions. In consequence, those studies promote the strengthening of the existing establishment in order to guarantee order and stability of the given political system. This attempt is problematic because in countries at war the state is accessible to certain sectors, but remains isolated from other parts of society. It is clear that in those cases, for resolving the conflict it is necessary to question the legitimacy of the unequal distribution of power within the political system.

According to power-structure theories of the state, the wealth and the personal and social connections used by powerful actors to affect the policymaking process, deny the autonomy of political institutions. In societies at war the state is not a neutral referee adjudicating between competing interests in society, but an instrument for the domination of society.²⁰ In Colombia for example, the policy making process has been deeply affected by the historical influence exerted by business, landowning elites and powerful economic actors. They have unquestionably affected the formulation of national policies, regarding not only major social and economic issues, but also the resolution of the conflict.

In Colombia, as in many other countries at war, national policies are formulated according to the interests of influential sectors of society and other international actors, rather than to the interest of rural civilians terrorized by the intensification of the war and affected by contra insurgent policies. The policies available to po-

²⁰ Miliband. *The State in Capitalist Society*. Weidenfeld & Nicolson, London. 1969. In: Held, David. (Ed). *States & Societies*. Blackwell Publishers & Open University. Oxford & Cambridge. 1983, p. 32.

litical leaders regarding the resolution of the conflict have been constrained by the influence of economic elites in preserving the existing political order to accumulate capital without the threat of kidnapping or extortion, and on the other hand, by the interests of powerful international actors such as the United States.

Giving priority to these interests when designing policies to end the conflict explains why there is so much emphasis on the outcomes of the military and the security policies and the contra insurgent strategies implemented by the government.²¹ In Colombia, it is the United States' interest on the militarization of wars on drugs and terrorism, what progressively undermines the neutrality of the state when resolving the conflict.

State Power and Notions of Peace

Analysing the nature of state power and its relation with processes of conflict transformation is crucial for the consolidation of a State Peace Policy. In this regard, Michael Foucault suggests in his analysis of power that the State normally exercises a form of negative meta-power, conceived as a series of prohibitory powers that can be reproduced in conflict resolution approaches.²² This kind of power tends to restrict the state action to an attempt to discipline and normalize modes of thought and action in the society, instead of propitiating new forms of social interaction that can contribute to conflict resolution process.

According to this approach, a state can emphasize on militaristic attempts to re-establish juridical power and territorial control as the main tools to end the conflict, creating the conditions for what Galtung has called negative peace.²³ This limited idea of peace demands from the state an effort to address the immediate symptoms of war and to stop the use of force and weapons, however it does

²¹ Aviles, *op. cit.* p 31-55

²² Foucault, M. *Power and Knowledge, Selected Interviews and Other Writings (1972-1977)*. Harvester Wheatsheaf, New York. p 122. In: Fetherson, *op. cit.* p 199

²³ Galtung, Johan., Jacobsen, Carl G. & Frithjof, Kai. *Searching for Peace: The Road to Transcend.* Pluto Press & Transcend. London, 2000.

not guarantee the elimination of structural violence and other conditions embedded in society that sustain the conflict.

Given the complexity of contemporary conflicts and the diversity of elements that exacerbate them, conflict resolution processes require from the state the implementation of policies based on a more integral and comprehensive understanding of peace. Such notion of peace is *positive peace*, understood as real conditions for social justice through equal opportunities, fair distribution of power and resources, and equal protection and impartial enforcement of law;²⁴ only this kind of peace can make SPP sustainable.

The construction of positive peace forces the state to challenge its negative meta-power and to reform the current socio-economic and political structures of society, ameliorating the social effects produced by the degradation of conflict, reforming the economic and political structures that perpetuate violence and exclusion, and opening truly democratic spaces for the peaceful resolution of conflicts. These are the requirements for both, the consolidation of the state in times of conflict and the construction of lasting peace.

The Social Context of War

The continued combats between armed groups have important implications for the governmental attempt to retake territories and for the monopolization of legitimate force in the whole territory. The historical competition of different armed actors for controlling territories has produced a critical absence of institutional referents in social life, and high levels of distrust among the population regarding the state institutions. In addition, the armed groups have replaced the state and obtained certain paralleled legitimacy given the coercive, socio-politic and economic power that they exert in some territories.

This context demands a more comprehensive understanding of conflict dynamics affecting social life in conflictive areas, and the

²⁴ *Ibid.*

recognition of the multifaceted nature of the armed groups. It cannot be ignored that war and violence fracture communities and everydayness on the “war zones”. As the study of Carolyn Nordstrom and other theorists have demonstrated, the lack of connection between conflict resolution approaches and the social reality of war zones where violence produces social damages and serious psychosocial effects in the population, prevents those approaches from addressing the main sources of conflict.

A better understanding of the social context in which conflict takes place could ameliorate the social impact of traditional counter-terrorist and counter-narcotics campaigns carried out to solve the conflict. Without understanding this local context of war it will be impossible to address the social effects of conflict and the historical unresolved issues that feed social decomposition.

The reality in many warzones not only demands an increment on the number of soldiers and police units, but also the expansion of economic and social responsibilities of the state in those territories. It is necessary to transform rural areas –normally the main theatre of war, into the first scenario for the construction of peace.

This is one of the main challenges in the consolidation of the state legitimacy, and the construction of a State Peace Policy. Such legitimacy exists if current political institutions and economic structures are regarded as the most appropriate ones for the society, but also, if the state fulfils its social, economic, juridical and democratic responsibilities integrating territories to the notion of nation. The conflict resolution capacity of the state depends more on demonstrating that the social order created by the public authorities differs from the one imposed by illegitimate armed groups, since it is based on the protection of political, economic and cultural rights of citizens. The state can certainly contribute to conflict resolution if it can defend the civil society’s autonomy from violent actors and if it can create safe spaces for the peaceful resolution of conflicts within society.

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Conclusion

Traditionally the Conflict Resolution field regarded the State as the critical factor in the outbreak of contemporary conflicts. It has become popular to accept that the sources of such conflicts are due to incompetent, fragile or authoritarian governments that prevent the state from satisfying the needs of individuals.²⁵ However, there are limited studies that focus on the potential role of the state in effective processes of conflict resolution and positive conflict transformation. Indeed the relevance of the state as guarantor of the social order, vested with authority to govern and use force to regulate society, has been underestimated within the existing approaches for conflict resolution.

The Conflict Resolution field has developed different approaches for addressing the root causes of violent conflict, it has also advanced in understanding the dynamics of war and has contributed to the identification of the requirements for peace. It is suggested here that these conceptual and practical contributions could be useful in the formulation of public policies, in harmony with the social, political and economic singularities of societies in countries at war while contributing to the consolidation of the state.

The nature and attributes of the state in some countries affected by war certainly restrict their capacity to contribute to the resolution of conflicts. However in countries like Colombia where the idea of a “failed state” does not correspond to the evolution and historical expansion of state’s institutional capacities, it is necessary to advance in the formulation of flexible and inclusive Conflict Resolution approaches. They could orientate public policies able to contribute to the resolution of long-lasting conflicts.

It is clear that the state has a crucial role to play in the process of conflict resolution, for the reason that it can produce the required changes in the socio-political and economic structures of society using its interinstitutional capacity, because it can create institutionalized

²⁵ Azar, E. *The Management of Protracted Social Conflict: Theory and Cases*. Dartmouth. Idershot, 1990, p. 10.

mechanisms for the non-violent resolution of conflicts in the affected society through its infrastructural power, and also, because it can be the legitimate guarantor of a new social order, collectively constructed in accordance to the requirements of positive peace.

It is important to point out that the conflict resolution capacity of the state depends on, first, the coordination of institutions and national policies according to long-term objectives, second, the reconstruction of the state legitimacy; third, the implementation of strategies to ameliorate the effects of war on society, and finally, the commitment to address the rooted causes of conflict.

The analysis carried out in this work suggests that those tasks can be integrated to an extensive State Peace Policy which materializes the potential contribution of the state in the construction of peace. The strongest point of this strategy is its capacity to create an inclusive dialogue between the state and social actors in the definition of policies able to address crucial issues in the process of conflict resolution.

The State Peace Policy should not be restricted to the establishment of official negotiations between governments in power and the armed groups; it should be a national project for the institutionalization of policies able to create conditions for lasting peace. In conclusion, State Peace Policy is a general framework for adapting the policy-making process in Colombia to the requirements of the internal conflict resolution, this is why it aims to connect the efforts of one administration to the next one, and to strengthen the civil society involvement in the definition of priorities to solve the conflict.

The political, economic and institutional evolution of the state in Colombia, the stability of the formal democratic system traditionally ruled by civil authorities, and the long record of governmental attempts to reach a negotiated solution of the internal conflict, all confirm that it is feasible to consolidate a State Peace Policy. However it is still necessary that academics, policymakers and governments recognize the positive transformation of the conflict and the construction of peace as national priorities for the state action.

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