

El ente policía y la política de seguridad en Colombia, 2002-2018: Estado, ciudadanía, gobernabilidad y la organización policial Rodriguez Zarate, C.M.

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## Cover Page



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## **Summary**

This study analyses security policy in Colombia between 2002 and 2018 and the role the national police force played in this strategy. During the timeframe researched, an unprecedented number of public policies were created. It also constitutes the most critical period of the internal armed conflict between state security forces, guerrillas, vigilantes and drug traffickers. A peace process was also initiated at this time, leading to a new phase of transition. As a result, traditional state-centrism models of security have been rethought but not yet implemented.

This thesis analyses a series of public policies on security, highlighting the important institutional way of dealing with public problems in Colombia, where confusion about different actors' roles in managing security has persisted. This situation reflects the reductionism surrounding national security, which has been accentuated by the very circumstances surrounding the armed conflict and drug trafficking in the second half of the twentieth century.

The first category of research analysis is that of democratic coexistence, whose scope is restricted to the uniformed police force. In this sense, coexisting precedes security and is headed up by authorities and communities in a broad exercise that boosts citizen participation.

In this study, the police refers to a concept that comes from police science and is synonymous with coexistence. Other categories of analysis include the militarisation of the police force and the policing of the military. All this has affected the political-administrative authorities' participation and responsibility as those generally in charge of the police's aim of coexisting.

In this sense, the State's response has been based on the traditional security model, in which the police force has historically been an institutional resource that reacts and responds to crime and violence. In this sense, security became a means of achieving constitutional aims and a treacherous tool to curb outbreaks of violence. All this occurred while democracy was still maturing in Latin American nations, which is why coexistence was proposed. Achieving this would mean the end of the social state of law; at the same time, it would be a precondition for security.

Incomplete structural situations can be identified in the case of Colombia that have affected the consolidation of security during the last century. These have mainly been associated with difficulties involving the industrialisation process, territorial distribution and countryside development as a result of neoliberal reform, which in itself has not actually resolved any of

these problems. As a result of governability inequality and difficulties, this is still something that is unresolved, particularly concerning democratic coexistence as a police aim.

The current climate of polarisation in Colombia is partly the result of certain peace agreements with obvious weaknesses in their formulation. In this scenario, the aim of consolidating coexistence as a democratic element of security and social and economic development has been postponed again and again.

This study points out a series of problems that emerge when limiting the process of formulating and implementing security policy to highly centralised measures that maximise the use of public force as their main resource. This restricts the participative and democratic process of the police entity, a situation that characterised both the twentieth century and the study's first period between 2002 and 2010. On the other hand, an absence of political and civil leadership can be seen in security at a territorial level.

Chapter 1 includes a historical analysis of the creation of a focus on national security in Colombia from the state perspective and based on political realism. During the second half of the twentieth century, this approach exerted an important influence on how many Latin American countries dealt with the topic of security. From the end of the nineties onwards, a move was made away from political realism, as the issue of security started to be viewed from a human development perspective. In this chapter, attention is paid to a new version of the theoretical approach to security research, which emerges from police science within the area of the social sciences.

This science is based on the concept of the police entity and its three constitutive elements: power, function and police activity. In order, these three elements refer to those legislating to regulate the exercising of rights and public liberties; those regulating territory through public office, such as political-administrative authorities and those carrying out this function - in other words, the police.

Police science in itself emerged from two schools. The first was seventeenth-century German Cameralism, in which the notion of the police is multi-voice and extends to state administration in order to guarantee order and coexistence. The second has a historical-legal basis originating from French administrative law and institutionalism. An analysis of policing studies in the United States and Europe is also added, offering a political and sociological perspective of the police's function as a liaison between society and government.

With its constitutional-civil nature, the Colombian National Police Force has continued to be demilitarised since its nationalisation in the second half of the twentieth century. This decision was made despite the historical circumstances of the armed conflict and drug trafficking that forced this body to deal with issues connected to national security. However,

the presence of state-centrism in security policy formulation has been to the detriment of the creation of a constructivist, plural and binding role for both local authorities (in the territorial management of security) and citizens (as far as coexistence is concerned).

Chapter 2 describes the historical-constructivist security policy process in Colombia from an institutionalist police approach. It analyses the creation of security policy in Latin America and the three aspects related to the country's police force that are looked into: police law, armed conflict and a sociological-institutionalist study of the force.

In the second half of the twentieth century, the police force began to be nationalised, centralised and made professional. With the emergence of guerrillas and drug traffickers, they were focused on national security and, even though this delayed their aim of coexisting, it did make an important contribution to the third element of the entity: police activity, related to the specialisation and organic and functional maturity of the National Police Force.

The first two constitutive elements of the police entity - power and function, as well as the components associated with coexistence that are related to democratising politics and citizen participation - did not experience significant developments. This was due to the fact that, from a national security perspective, the government's efforts were focused on acting against guerrillas and illegal armed groups.

The formulation of security policy in Colombia conforms to Latin America's homogenous political context, which in itself is subordinate to the state modernisation process. In this context, an institutionalist and centralised approach has prevailed, which is highly dependent on the government as far as the police are concerned. In Latin America, the rules of institutional architecture have been adjusted to the new political reality of democratic consolidation, prioritising human safety. Although some police processes have been reformed, this has not led to structural governance processes on public safety or coexistence.

There have been exceptions in Colombia, however, in the implementation of some of these policy mechanisms, due to the internal armed conflict that lasted up to the last decade. However, this does not mean that there was no interest in the subject of public policies related to security. In Colombia specifically, this process experienced its greatest growth in the period studied (2002-2018).

Chapter 3 analyses security policy from the beginning of the millennium, moving from the excessive use of 'states of exception' up to 1980 and a high number of norms to regulate security to the implementation of new citizen participation mechanisms. For the first time, a state policy for security was created in 2002: the Democratic Security Policy (PSD in Spanish). A public agenda was drawn up based on three criteria as pillars of the relationship between the State and its citizens: centralism, the exercising of state authority and territorial control.

The police component was limited to carrying out police activity through the force-institution itself, postponing the consolidation of coexistence as a police aim.

The government's plan was extremely dependent on centralising security as a precondition for social and economic development under the Executive. The same was valid for maximising the use of legitimate state force and its resources of power. Regarding the police, it is inferred that there was functional exploitation to comply with this policy's aim and not the aim of the police themselves – in other words, coexistence. As a result, drawing up the basis for public policy in this area by the civil service has been postponed. During the time this policy existed, the relationship of other forces with illegal armed groups such as guerrillas broke down, favouring the State. This initially forced the guerrillas into a strategic retreat, then into a peace process and eventually lead to a transformation in the approach to security policy.

Chapter 4 analyses reconceptualising security policy based around citizen security and the police. However, this was not something that emerged from the public policy formulation phase and was not effectively implemented between 2010 and 2018. On one hand, the aim was to combine action with a much more active deployment of the national police force. On the other, the aim was for the government to make an effort to negotiate with the Revolutionary Armed Forces of Colombia (FARC in Spanish). All this was an attempt to end the armed conflict that had lasted for more than 50 years.

A broad understanding of the police was understood as necessary for the State in this new security policy phase because of the social changes the country was going through. It was also seen as a key factor in setting the scene after the peace process. In any case, as far as its scope and the new challenges for the governance of coexistence were concerned, security policy was unfinished. However, a state-centric vision was maintained and the approach restricted to one involving the creation of regulations and the activity of the police – in other words, of the uniformed police force.

The dichotomy and tension between the national security model and the arrival of new security schemes involving citizens and coexistence put pressure on governments to make the transition towards updating state outlooks. These new schemes have looked to improve institutional effectiveness, as well as the policies related to protecting the individual, based on certain conditions of human development from a coexistence perspective.

Chapter 5 describes the impact of security policy at a territorial level through the eyes of police captains. Two relationships can be identified within the police institution: a) a vertical one with citizens and a horizontal one with the local authorities responsible for territorial security and b) a completely horizontal one with both. They say they incorporate and

recognise citizen security in a new public policy framework, without losing sight of the difficulties of local security governability or of implementing, carrying out and evaluating public policy.

There is a high level of dependency and functional specialisation within the police force-institution. This is reflected in the pattern of hierarchical political-institutional relationships at central (national government), regional and local levels. This is also reflected in the lack of understanding of this institution's mission and function. In this study, coexistence is restricted to recent regulatory tools, such as the new National Citizen Security and Coexistence Policy (PNSCC in Spanish). However, a phase to effectively construct citizen participation democratically has not yet been entered into.

By analysing this case, this study suggests strengthening the functional pyramid of democratic coexistence and safety. This must involve three fundamental elements: public policy, institutional architecture and coordination and interaction mechanisms. This explains the historical rift between the lack of awareness about institutional roles and the consolidation of a security model. Responsibility for the latter falls exclusively on the police and the need to promote a public coexistence agenda among citizens. Local authorities also lack knowledge of how to manage security territorially, of the regulations that apply to it, of political and interinstitutional coordination mechanisms and of the correct use of public force.

This study contributes a different and broader perspective to the debate from a public policy perspective, in which police activity can help strengthen democracy by constructing security in a participative way. This study concludes that the fact that the Colombian National Police Force is the only one in Latin America to depend on the Ministry of Defence should be material for debate. However, the police culture, severe national polarisation, blatant favouritism and dangerous antidemocratic and populist narratives could divert the police's mission towards favouring the interests of the political elite. Given this, there are solid arguments for not moving them to a different ministry, at least not until after the process of state modernisation and political reform is more consolidated.

This study also suggests the need to move forward on three fronts. The first involves defining a new security doctrine that sets the limits between interior security and human security and, therefore, coexistence. Then comes implementing a police model that widely promotes citizen participation and the functional role of local authorities. Public policy in security should be systematically planned, formulated, implemented and evaluated. In addition, knowledge of the police and local political leadership is required to create democratic coexistence. To achieve this, social and political control mechanisms to manage security

territorially are needed, for which other branches of public power should be held jointly responsible.

Finally, the increasing number of advances made in academic studies from an analytical political science perspective should be highlighted. This helps to reinforce the proposal of a functional democratic coexistence and security pyramid within a larger public security system.