

Victims, Nonvictims and Their Opinions on Transitional Justice: Findings from the Colombian Case

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ABSTRACT¹

Victims of armed conflict are often seen as driven by trauma-related stark emotions that differentiate them from nonvictims. Based on this premise, they should hold different views from people who have not been directly affected by war about punishing perpetrators of violence, remembering human rights violations, seeking truth and receiving reparations. The resilience literature, on the contrary, has downplayed the role of traumatic experiences in shaping people's views and rather stressed their ability to cope with adversity. In this article, we ask whether there are any differences in attitudes toward transitional justice mechanisms between victims and nonvictims, using a representative sample of the Colombian population ($n = 1,843$, of whom 315 are conflict victims). We find almost no statistically significant differences. Psychological resilience among victims may account for this counterintuitive finding. However, we suggest that social desirability biases, a pervasive impact of the long conflict beyond the victim/nonvictim divide and social proximity between victims and perpetrators may also be relevant explanations. Our results are relevant for scholars and policy makers, as they question elements of common (yet untested) wisdom about the political and social impact of violence on individuals' attitudes and about the prospects of peaceful coexistence.

KEYWORDS: Victims, trauma, resilience, reconciliation, Colombia

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INTRODUCTION

Political violence has been shown to shape people's lives, opinions and attitudes in many ways.² But how does it affect the opinions and attitudes of victims in terms of their views and expectations of transitional justice,³ the policy framework that has been developed primarily to address their needs? In particular, do victims and non-victims think any differently about transitional justice?

Given the hardship and distress conflict victims have been exposed to, international normative frameworks, foremost the Rome Statute,⁴ have singled them out as preferential policy targets. Scholars, practitioners and human rights activists, who are immersed in international networks, have contributed to norm diffusion and to the frequent assumption that victims should have different attitudes toward transitional justice mechanisms than nonvictims.⁵ This view is derived from research findings suggesting that having lost loved ones as well as material goods and land may predispose people to be less empathetic and understanding of perpetrators of violence, more inclined to seek punitive justice and less able to forget the traumatic events surrounding their victimization. Fears of vengeance cycles – or eye-for-an-eye postconflict violence that carries on for generations and leads to a culture of violence⁶ – further feed into this image of victim particularism. Despite these common assumptions and a growing debate about effective transitional justice mechanisms that put the interests of victims front and center, we still know little about how victims think about transitional justice as compared to nonvictims and, indeed, whether they think differently at all.

This article complements a growing body of literature on attitudes toward transitional justice and impacts of transitional justice policies. Surveys exploring attitudes have been conducted in countries as diverse as Burundi, Northern Ireland, Iraq and

- 2 See, e.g., Daphna Canetti, Brian J. Hall, Carmit Rapaport and Carly Wayne, 'Exposure to Political Violence and Political Extremism: A Stress-Based Process,' *European Psychologist* 18(4) (2013): 263–272; Orla T. Muldoon, 'Understanding the Impact of Political Violence in Childhood: A Theoretical Review Using a Social Identity Approach,' *Clinical Psychology Review* 33(8) (2013): 929–939; Karin Dyrstad, 'Does Civil War Breed Authoritarian Values? An Empirical Study of Bosnia-Herzegovina, Kosovo and Croatia,' *Democratization* 20(7) (2013): 1219–1242; Joanna Pozen, Richard Neugebauer and Joseph Ntaganira, 'Assessing the Rwanda Experiment: Popular Perceptions of Gacaca in Its Final Phase,' *International Journal of Transitional Justice* 8(1) (2014): 31–52.
- 3 We understand transitional justice here as 'a set of judicial and non-judicial measures ... to redress the legacies of massive human rights abuses.' International Center for Transitional Justice, 'What Is Transitional Justice?' <http://ictj.org/about/transitional-justice> (accessed 27 March 2015).
- 4 The Rome Statute was adopted in 1998 and established the International Criminal Court (ICC), which is responsible for the investigation of four core international crimes: genocide, crimes against humanity, war crimes and the crime of aggression. Before the Rome Statute, international criminal justice was centered on perpetrator prosecution, instead of acknowledgment and reparation of victims. For more information, see, Ernesto Kiza, Corene Rathgeber and Holger Rohne, *Victims of War: An Empirical Study on War-Victimization and Victims' Attitudes towards Addressing Atrocities* (Hamburg: Hamburger Edition, 2006).
- 5 See, e.g., Angelika Rettberg, *Reparación en Colombia ¿Qué quieren las víctimas?* (Bogota: Deutsche Gesellschaft für Technische Zusammenarbeit, 2008); Annika Oettler, 'Transitional Justice: Global Norms, Local Encounters: A Cross-Regional Focus on Sub-Saharan Africa and Latin America' (paper presented at the 'Adapting Institutions: A Comparative Area Studies Perspective' conference, Hamburg, Germany, 10–11 April 2014).
- 6 Christina Steenkamp, 'In the Shadows of War and Peace: Making Sense of Violence after Peace Accords,' *Conflict, Security and Development* 11(3) (2011): 357–383.

Bosnia and Herzegovina.⁷ It also responds to the recent call for more empirical research on transitional justice, seeking to contrast and test many of the normative claims and expectations held by designers and advocates of transitional justice mechanisms.⁸

In Colombia, a significant transitional justice institutional framework has been developed over the past 10 years, as more than 50,000 fighters of all nonstate armed groups involved in the longest armed conflict of the Western Hemisphere have gradually demobilized.⁹ Implementation of transitional justice mechanisms is challenging, as more than six million victims of heinous crimes including kidnapping, child recruitment, torture, disappearance, forced displacement (over four million) and homicide have been included in an official registry.¹⁰ To cope with the magnitude of such a task, the state has budgeted \$27.5 billion for reparations between 2012 and 2021.

- 7 A more comprehensive list includes Spain, the Czech Republic, Colombia, South Africa, Rwanda, Eastern Europe in general, Northern Uganda and the Democratic Republic of the Congo. See, Paloma Aguilar, Laia Balcells and Héctor Cebolla-Boado, 'Determinants of Attitudes Toward Transitional Justice: An Empirical Analysis of the Spanish Case,' *Comparative Political Studies* 44(10) (2011): 1397–1430; David Backer, 'Watching a Bargain Unravel? A Panel Study of Victims' Attitudes about Transitional Justice in Cape Town, South Africa,' *International Journal of Transitional Justice* 4(3) (2010): 443–456; Miklos Biro, Dean Ajdukovic, Dinka Corkalo, Dina Djipa, Petar Milin and Harvey M. Weinstein, 'Attitudes toward Justice and Social Reconstruction in Bosnia and Herzegovina and Croatia,' in *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*, ed. Eric Stover and Harvey M. Weinstein (Cambridge: Cambridge University Press, 2004); Roman David and Susanne Y.P. Choi, 'Forgiveness and Transitional Justice in the Czech Republic,' *Journal of Conflict Resolution* 50(3) (2006): 339–367; Roman David and Susanne Y.P. Choi, 'Getting Even or Getting Equal? Retributive Desires and Transitional Justice,' *Political Psychology* 30(2) (2009): 161–192; Fundación Social, *Percepciones sobre justicia, paz, verdad, reparación y reconciliación en población rural colombiana* (2008); James L. Gibson, 'Does Truth Lead to Reconciliation? Testing the Causal Assumptions of the South African Truth and Reconciliation Process,' *American Journal of Political Science* 48(2) (2004): 201–217; International Center for Transitional Justice and Human Rights Center, *Iraqi Voices: Attitudes toward Transitional Justice and Social Reconstruction* (2004); Timothy Longman, Phuong N. Pham and Harvey M. Weinstein, 'Connecting Justice to Human Experience: Attitudes toward Accountability and Reconciliation in Rwanda,' in *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*, ed. Eric Stover and Harvey M. Weinstein (Cambridge: Cambridge University Press, 2004); Monika Nalepa, *Skeletons in the Closet: Transitional Justice in Post-Communist Europe* (Cambridge: Cambridge University Press, 2010); International Center for Transitional Justice and Human Rights Center, *Forgotten Voices: A Population-Based Survey of Attitudes about Peace and Justice in Northern Uganda* (2005); International Center for Transitional Justice, Human Rights Center and Payson Center for International Development, *When the War Ends: A Population-Based Survey on Attitudes about Peace, Justice and Social Reconstruction in Northern Uganda* (2007); Rettberg, supra n 5; Cyrus Samii, 'Who Wants to Forgive and Forget? Transitional Justice Preferences in Postwar Burundi,' *Journal of Peace Research* 50(2) (2013): 219–233; Human Rights Center, Payson Center for International Development and International Center for Transitional Justice, *Living with Fear: A Population-Based Survey on Attitudes about Peace, Justice and Social Reconstruction in Eastern Democratic Republic of Congo* (2008).
- 8 Hugo van der Merwe, Victoria Baxter and Audrey R. Chapman, *Assessing the Impact of Transitional Justice: Challenges for Empirical Research* (Washington, DC: US Institute of Peace Press, 2009); Oskar N.T. Thoms, James Ron and Roland Paris, 'State-Level Effects of Transitional Justice: What Do We Know?' *International Journal of Transitional Justice* 4(3) (2010): 329–354; Tricia D. Olsen, Leigh A. Payne and Andrew G. Reiter, *Transitional Justice in Balance: Comparing Processes, Weighing Efficacy* (Washington, DC: US Institute of Peace Press, 2010).
- 9 Enzo Nussio, *La vida después de la desmovilización: Percepciones, emociones y estrategias de exparamilitares en Colombia* (Bogotá: Universidad de los Andes, 2012).
- 10 Centro Nacional de Memoria Histórica (CNMH), *¡Basta Ya! Colombia: Memoria de guerra y dignidad* (2013).

In addition, Colombian law requires that victims be allowed to participate in the design of transitional justice policies. About 3,000 organizations of victims seek to represent their plight in this debate.¹¹ This occurs in a context of widespread support for the cause of victims' reparations across Colombian society.¹²

Against this background, policy makers have attempted to draw a clear line between those who can be considered victims and the rest of society. Here, we ask whether this differentiation policy coincides with differing opinions and attitudes. The present article addresses this question by means of the Justice and Peace Survey conducted in 2012 in Colombia ($n = 1,843$). A series of statistical analyses provide a test of differences between victims and nonvictims with respect to different aspects of transitional justice. While the question whether victimization has an impact on attitudes toward transitional justice is theoretically and empirically relevant, we do not derive any ethical claim from our findings. The right of victims to truth, reparation and justice is independent from any attitudinal difference we might empirically identify.

In the remainder of this text, we first present and discuss the main insights provided by the academic literature on the expected impact of political violence on public opinion and attitudes, specifically focusing on the experience of victimization and psychological resilience. Second, we briefly describe the Colombian context of transitional justice. Third, we introduce the survey database. Fourth, we analyze the data with respect to the question of whether there are any differences in opinion between victims and nonvictims, using controlled regression tests as our main analytical device and reporting several robustness checks. Fifth, we suggest a series of possible explanations for our main findings. Finally, we conclude and point to new research avenues.

POLITICAL VIOLENCE AND ITS EFFECTS ON INDIVIDUALS' OPINIONS AND ATTITUDES

The literature on whether and how the experience of exposure to political violence affects opinions and attitudes is split between those arguing in favor of violence's lasting impact on people's lives at many levels (including attitudes), and those underscoring resilience, or people's ability to overcome severe adversity unscathed. Gayla Margolin and Elana Gordis, for example, make a strong case for the lasting impact of violence on children's emotional and cognitive development into adulthood.¹³ Maarten Voors et al., who studied Burundi, found that large adverse shocks can alter people's savings and investment decisions for years.¹⁴ In reference to Serbia, Stephan

11 Angelika Rettberg, 'Victims of the Colombian Armed Conflict: The Birth of a Political Actor,' in *Colombia's Political Economy at the Outset of the 21st Century: From Uribe to Santos and Beyond*, ed. Bruce Bagley and Jonathan Friedman (New York: Lexington Books, 2015).

12 Centro Nacional de Memoria Histórica, *Encuesta nacional ¿Qué piensan los Colombianos después de siete años de justicia y paz?* (2012).

13 Gayla Margolin and Elana B. Gordis, 'The Effects of Family and Community Violence on Children,' *Annual Review of Psychology* 51(1) (2000): 445–479.

14 Maarten J. Voors, Eleonora E.M. Nillesen, Philip Verwimp, Erwin H. Bulte, Robert Lensink and Daan P. Van Soest, 'Violent Conflict and Behavior: A Field Experiment in Burundi,' *American Economic Review* 102(2) (2012): 941–964.

Parmentier et al. found that 20 years after the wars in the former Yugoslavia, the ongoing debate on the need for truth and reparations shows a persistent desire for material reparation, truth and acknowledgment of wrongdoings on all sides involved in the conflict.¹⁵ Regarding political attitudes, Daphna Canetti et al., who studied the protracted Israeli–Palestinian conflict, found that people exposed to violence are more inclined toward political extremism, defined as support for militant policies and violence toward the conflict out-group as well as a shift away from compromise and conciliatory politics.¹⁶ Similarly, using survey data from postwar Bosnia and Herzegovina, Kosovo and Croatia, Karin Dyrstad illustrates that war-related violence may lead people to embrace authoritarian values.¹⁷ In turn, Eran Halperin’s study of Jewish Israelis suggests that emotions – specifically fear, anger and hatred – may lie at the root of these attitudes.¹⁸

In contrast to these views, Brian Barber conducted a review of the literature on the effects of serious life adversities and extreme trauma, including political violence and war.¹⁹ Most studies reviewed show weak correlations between war exposure and negative (primarily psychological) functioning, suggesting there is a tendency to exaggerate the effects of war-related adversity. Resilience, in Barber’s words, ‘is far more ordinary than it is unusual.’²⁰ George Bonnano and Gary Stix, too, found that resilience to stress and trauma is not exceptional but relatively commonplace in processes of grief and bereavement, for individuals and communities alike.²¹ Instead of lingering pain and feelings of hatred toward perpetrators and culprits, the average person appears to develop protective mechanisms once a certain amount of time has passed. Even for former child soldiers, some scholars have found surprising levels of resilience.²² These findings at the psychological level are compounded by Roger Mac Ginty, who suggests that informal rules and social practices may produce what he terms ‘everyday’ peace, or an ability within divided communities to avoid the topic of what is dividing them in daily encounters, focusing instead on subjects unrelated to conflict (such as the weather).²³ This bottom-up social capital can be pacific and contribute to the de-escalation of conflict. To sum up, while exposure to violence has

15 Stephan Parmentier, Mina Rauschenbach and Elmar Weitekamp, ‘Repairing the Harm of Victims after Violent Conflict: Empirical Findings from Serbia,’ *International Review of Victimology* 20(1) (2014): 85–99.

16 Canetti, Hall, Rapaport and Wayne, supra n 2.

17 Dyrstad, supra n 2.

18 Eran Halperin, ‘Emotional Barriers to Peace: Emotions and Public Opinion of Jewish Israelis about the Peace Process in the Middle East,’ *Peace and Conflict: Journal of Peace Psychology* 17(1) (2011): 22–45.

19 Brian K. Barber, ‘Annual Research Review: The Experience of Youth with Political Conflict – Challenging Notions of Resilience and Encouraging Research Refinement,’ *Journal of Child Psychology and Psychiatry* 54(4) (2013): 461–473.

20 Ibid., 463.

21 George A. Bonanno, ‘Loss, Trauma, and Human Resilience: Have We Underestimated the Human Capacity to Thrive after Extremely Aversive Events?’ *American Psychologist* 59(1) (2004): 20–28; Gary Stix, ‘The Neuroscience of True Grit,’ *Scientific American* 304(3) (2011): 28–33.

22 Christopher Blattman and Jeannie Annan, ‘The Consequences of Child Soldiering,’ *Review of Economics and Statistics* 92(4) (2010): 882–898; Alpaslan Özerdem and Sukanya Podder, *Child Soldiers: From Recruitment to Reintegration* (London: Palgrave Macmillan, 2011).

23 Roger Mac Ginty, ‘Everyday Peace: The Extraordinary Peace-Making and Tolerance of So-Called “Ordinary People” ’ (paper presented at the ‘Adapting Institutions: A Comparative Area Studies Perspective’ conference, Hamburg, Germany, 10–11 April 2014).

been shown to be a life-changing experience in many domains, evidence provided by this second group of scholars suggests that the across-the-board impact may have been overestimated, or that people at the local level develop skills aimed to cope with lingering conflict that have been insufficiently analyzed.

This raises the question as to whether, how and for how long victimization – a more acute form of exposure to political violence – affects people’s opinions and attitudes. The assumption that victimization requires a differentiated approach guided Ernesto Kiza et al., who conducted a comparative study in 11 regions of the world on types of victimization, victim–offender relations and victims’ preferences regarding different institutional settings for dealing with the past, and Angelika Rettberg, who studied the opinions and preferences of victims in terms of reparations in Colombia.²⁴ Unfortunately, both studies did not include the views of nonvictims so as to compare to what extent the opinions can be linked to the experience of victimization (or reflect a general stance of the relevant segments of society). Paloma Aguilar, Laia Balcells and Héctor Cebolla-Boado for the case of Spain and John Brewer and Bernadette Hayes for the case of Northern Ireland suggest that victimization explains some individual opinions and attitudes.²⁵ These authors found that those claiming victimhood status, especially Catholics, were more likely to adopt a partisan stance when identifying the main culprits of the conflict. Aguilar et al. further found that more recent victimization is more important for accepting truth commissions. Also, David Backer compared South African victims’ opinions of transitional justice mechanisms after the Truth and Reconciliation Commission (TRC) in 2003 and 2008.²⁶ Noting dwindling victim support for amnesty concessions between both moments, he warned that victim opinions are contingent on the ability of transitional justice mechanisms to deliver on promises and expectations. For his part, Cyrus Samii provides a somewhat puzzling finding in his study about Burundi: while victims of rebels are more likely to prefer punishment, they are less likely to prefer truth seeking.²⁷ He argues that this finding is related to ethnic belonging and partisanship rather than to victimization as such. These few studies leave open the debate as to how and whether victimization can be traced in individuals’ opinions and attitudes. The assumption that it does – a phenomenon that we refer to as victim particularism – appears to be a consequence of a risky extrapolation from what has been studied with respect to exposure to political violence in the general population, and not so much a result of rigorous and comparative studies of victims as opposed to nonvictims in the same society.

Besides truth and punishment, it is the topic of reparations that is expected to reflect major opinion divergences between victims and nonvictims. The costly effort of reparations tests societies’ willingness not only to acknowledge victims’ particular status but also to commit resources in the attempt to redress severe wrongdoings. In this respect, Roy Brooks has cautioned that reparation efforts are frequently met

24 Kiza, Rathgeber and Rohne, supra n 4; Rettberg, supra n 5.

25 Aguilar, Balcells and Cebolla-Boado, supra n 7; John D. Brewer and Bernadette C. Hayes, ‘Victims as Moral Beacons: Victims and Perpetrators in Northern Ireland,’ *Contemporary Social Science* 6(1) (2011): 73–88.

26 Backer, supra n 7.

27 Samii, supra n 7.

with indifference and sometimes actively opposed.²⁸ Solution feasibility (the belief that reparations are realistic and can and will actually be made) has been proposed by Katherine Starzyk et al. as an enhancing factor for the likelihood of popular support for reparations.²⁹ Héctor Carvacho et al. found that political ideology in Chile has an impact on support for reparations, with those with left-leaning ideologies more prone to favor reparations.³⁰ In South Africa, group-based or collective guilt was key for producing initial support for out-group reparations, although this waned after the transition to a postapartheid regime was completed and the perception of unfavorable social change increased.³¹ This latter finding underscores the importance of analyzing popular support for reparations against specific socioeconomic and political backgrounds.

The literature reviewed so far points in different directions depending on what type of attitudes we emphasize and what aspect of transitional justice is under examination. As explained below, the Colombian case provides us with a valuable opportunity for evaluating these diverse, sometimes competing, explanations of the impact of political violence on opinions and attitudes.

CONTEXT: TRANSITIONAL JUSTICE IN COLOMBIA

With varying intensity, the armed conflict in Colombia has cost thousands of lives and produced millions of displaced people.³² In addition, the country has paid a large material cost owing to the destruction, military effort and lack of opportunities resulting from decades of protracted war.³³ Surprisingly for many outsiders, however, over the past decade the tide seems to have turned. An assertive military strategy supported by US aid packages helped the Colombian government to gain the upper hand over the various groups of insurgents fighting in the country, beginning with the leftist Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, or FARC) and National Liberation Army (*Ejército de Liberación Nacional*, or ELN), reflected in a stark decrease of homicides.³⁴ In addition, steps were taken to facilitate the massive demobilization of various paramilitary

28 Roy L. Brooks, ed., *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (New York: New York University Press, 1999).

29 Katherine Starzyk, Danielle Gaucher, Gregory D.B. Boese and Katelin H. Neufeld, 'Framing Reparation Claims for Crimes against Humanity: A Social Psychological Perspective,' in *Reparation for Victims of Crimes against Humanity: The Healing Role of Reparation*, ed. Jo-Anne M. Wemmers (London: Routledge, 2014); Katherine B. Starzyk and Michael Ross, 'A Tarnished Silver Lining: Victim Suffering and Support for Reparations,' *Personality and Social Psychology Bulletin* 34(3) (2008): 366–380.

30 Héctor Carvacho, Jorge Manzi, Andrés Haye, Roberto González and Marcela Cornejo, 'Consenso y disenso en la memoria histórica y en las actitudes hacia la reparación en tres generaciones de Chilenos,' *Psykhe* 22(2) (2013): 33–47.

31 Kitty Dumont and Sven Waldzus, 'Group-Based Guilt and Reparation in the Context of Social Change,' *Journal of Applied Social Psychology* 44(4) (2014): 331–341.

32 CNMH, *supra* n 10.

33 Juan F. Vargas, 'Costos del conflicto y consideraciones económicas para la construcción de paz,' in *Construcción de paz en Colombia*, ed. Angelika Rettberg (Bogotá: Universidad de los Andes, 2012).

34 Soledad Granada, Jorge Restrepo and Andrés R. Vargas, 'El agotamiento de la política de seguridad: Evolución y transformaciones recientes en el conflicto armado colombiano,' in *Guerra y violencias en Colombia: Herramientas e interpretaciones*, ed. Jorge Restrepo and David Aponte (Bogotá: Pontificia Universidad Javeriana, 2009).

groups as well as the desertion of individual fighters from all groups.³⁵ At the same time, foreign direct investment and gross domestic product (GDP) growth have gone up and unemployment has decreased. Summing it up, the *Financial Times* in June 2013 described the country as ‘The New Colombia.’³⁶

Following in the footsteps of countries such as Argentina, Chile, Guatemala and Peru, over the past decade Colombia has begun to confront its violent past, including a vast record of human rights violations. The resulting transitional justice framework reflects a new domestic interest and increased international attention to the Colombian case.³⁷ The framework includes comprehensive mechanisms and institutions to identify and punish perpetrators, define and register victims, design mechanisms for truth seeking and preserve the memory of the dead and wounded.

Paramount among the various attempts to define transitional justice rules in Colombia has been the Law for Justice and Peace (No. 975) from 2005. The law provided the groundwork for the current, mostly state-funded transitional justice framework.³⁸ To strengthen attention to victims, the Law for Victims and Land Restitution (No. 1448) was passed in 2011. Adding to previous efforts, this so-called Victims’ Law created the Victims’ Unit, an institution endowed with a generous budget (approximately \$27.5 billion to be invested between 2012 and 2021, amounting to 1 percent of GDP in 2012 and 0.4 percent in 2021) designed to register and provide reparations to an estimated six million people over the coming decade.³⁹

The definition of the term ‘victim’ in this law has guided policy formulation ever since. The law states that ‘victims are people who have individually or collectively suffered harm since January 1, 1985 as a result of violations of International Humanitarian Law or other grave violations of International Human Rights norms,’⁴⁰ as well as their partners (including same-sex partners), parents, siblings and children. Third parties who were harmed while intervening to prevent victimization are also considered victims, as are members of the armed forces. Members of illegal armed groups are not considered victims except if they were recruited as minors.

The development of a transitional justice framework enjoys widespread support among the Colombian population, as it is expected ultimately to bring about reconciliation. This logic is reflected, for example, in the survey underlying this study: over two-thirds of respondents stated that the Peace and Justice Law supports reconciliation. Over 70 percent stated that victims’ reparations lead to the same result,

35 Nussio, supra n 9; Álvaro Villarraga, ‘Experiencias históricas recientes de reintegración de excombatientes en Colombia,’ *Colombia Internacional* 77 (2013): 107–140.

36 ‘The New Colombia 2013,’ *Financial Times*, 3 June 2013.

37 Javier Ciurlizza, ‘Justicia transicional en Colombia: Un modelo para desarmar,’ in *Construcción de paz en Colombia*, ed. Angelika Rettberg (Bogotá: Universidad de los Andes, 2012); Angelika Rettberg, *Entre el perdón y el perdón: Preguntas y dilemas de la justicia transicional* (Bogotá: Universidad de los Andes, 2005).

38 Elvira María Restrepo and Bruce Bagley, eds., *La desmovilización de los paramilitares en Colombia* (Bogotá: Universidad de los Andes, 2011).

39 Conpes 3712, *Plan de financiación para la sostenibilidad de la Ley 1448 de 2011* (Bogotá: Departamento Nacional de Planeación, 2011).

40 The decision to limit the period of application of the law was contentious, as there is general consensus that the armed conflict began in 1964 with the creation of FARC and ELN as insurgent movements. However, 1985 was decided as the cutoff date.

beyond prosecuting perpetrators, finding out the truth and work with public memory building about atrocities. Almost half the sample even favored raising taxes to fund reparation efforts. A feeling of collective or group-based guilt may partially explain these responses, as suggested by the fact that, right after blaming leftist guerrillas, most respondents stated that ‘all of us Colombians’ are responsible for national violence.⁴¹ However, future research should examine more closely why Colombians in general hold broadly favorable attitudes toward transitional justice – a question that surpasses the scope of this article.

Objections to the prevailing transitional justice framework have been voiced on all sides and include fears of rampant impunity for gross human rights violations because of: the limited capacity of the Colombian judicial and penitentiary system; concerns over political instability should actors shy away from demobilization due to fear of criminal punishment; fears that truth about the long record of atrocities that have occurred in the country may reopen old wounds; and the financial burden implied by a massive and lengthy reparations program.⁴² However, despite the large scale of reparations, this aspect of transitional justice has been overshadowed in the public debate by discussions over whether and how the different types of perpetrators will be punished for the harm they have inflicted upon the Colombian population.⁴³

One notable effect of the discussion about the transitional justice framework is the raised awareness of the plight of victims. As has become increasingly visible, the many victims in Colombia have had heterogeneous experiences. While forced displacement is by far the most frequent form of victimization in Colombia (80 percent are affected by it), other forms of victimization are also relatively common, including kidnapping, forced disappearance, child recruitment and homicide. In addition, multiple forms of victimization through time are common for many people.⁴⁴

Today, victims’ rights and needs have become profoundly enmeshed in the Colombian government’s concerns and policy priorities and are represented in a vast set of institutions. In addition to granting benefits such as individual and collective reparations for specific groups, the state is required to encourage victims to participate in policy design, implementation and monitoring, including the definition of memory and remembrance sites and other pedagogical work (Article 192 of Law No. 1448). The Justice and Peace Law further suggests that victim status should be used as a criterion for affirmative action in the job market. This contrasts with previous periods in Colombian history, when victims were either ignored or only partially acknowledged. In the following analysis, it is our intention to contribute to a differentiated understanding of the recently introduced category of victims.

41 Centro Nacional de Memoria Histórica (CNMH), *Encuesta nacional ¿Qué piensan los Colombianos después de siete años de Justicia y Paz?* (2012).

42 Organizations on both sides of the political spectrum have voiced criticisms related to the fear of impunity for human rights violations, including the center-right *Centro Democrático* political party, led by former President Álvaro Uribe, and several left-leaning human rights organizations.

43 According to a study by the Carr Center at Harvard University, the Colombian reparations program is one of the most ambitious programs worldwide, both in terms of the sheer number of victims covered (an estimated 14% of the population), and in terms of the expected costs of compensations. See, ‘El diagnóstico de Harvard para la Unidad de Víctimas,’ *El Espectador*, 18 October 2014.

44 Rettberg, *supra* n 5.

DATA: THE JUSTICE AND PEACE SURVEY

We use data from the *Justice and Peace Survey* commissioned by the International Organization for Migration to learn about the opinions and attitudes of a representative sample of the Colombian population regarding transitional justice measures adopted in the country in the past years.⁴⁵ The survey's descriptive results were published in 2012.⁴⁶

The survey's questionnaire was discussed and agreed on within the group of researchers involved in the study, a consortium of researchers at the *Centro Nacional de Memoria Histórica* (CNMH), *Universidad de los Andes* and *Fundación Social*. A pilot study was performed before the final data collection took place from 6 January until 21 February 2012. The final instrument consisted of 90 questions, including items about forgiveness, truth seeking, historical memory, prosecution and victim reparations. Surveys lasted between one and one and a half hours and were conducted by 98 enumerators hired by the private consulting agency *Ipsos-Napoléon Franco*. Survey questions were read to respondents, who were also handed response cards for some of the items.

The procedure consisted first of the selection of 42 municipalities within the six Colombian macroregions. Second, a random sample of house blocks was drawn within these municipalities. Third, five households in each selected block were randomly surveyed. With this procedure, surveys were initiated in 1,981 households, of which 138 abandoned the study, resulting in a total sample size of 1,843 completed questionnaires. The sample was divided between those 'affected' (victims) and those 'not affected' by human rights violations in terms of Law No. 1448. Of the respondents, 315 qualify as victims according to the law.

The Justice and Peace Survey can be considered representative of the urban Colombian population but does not explicitly include rural areas, which the conflict ravaged more intensely. Due to this urban bias in the sampling procedure, we replicated some of the statistical tests shown below with a survey conducted in 2013 by the Latin American Public Opinion Project (LAPOP) for Colombia, which included both a sample representative of the national population (urban and rural) and a separate sample representative of 111 conflict-affected municipalities in mostly rural areas.⁴⁷

Table 1 reports a sample of the type of questions included in the survey, which were aimed at getting a general grasp of attitudes toward transitional justice and covered dimensions such as truth, memory, punishment, forgiveness and reparation.

We see at one glance that the answer proportions are very similar for victims and nonvictims (this is also true for a large series of additional questions not included in the table). The largest difference can be observed for the topic of reparations, with 9

45 Agreement DDR-360-1, 'El saldo pedagógico de la Ley de Justicia y Paz,' as part of Cooperation Agreement 245 (DDR-360). Funding was provided by several other organizations as well: *Acción Social* (now *Departamento de Prosperidad Social*), the *Comisión Nacional de Reconciliación y Reparación* (which ceased operations in 2011 and whose functions were transferred to the Victims' Unit) and the US Agency for International Development. Surveying followed the ethical guidelines of the European Society for Opinion and Marketing Research.

46 CNMH, *supra* n 41.

47 The LAPOP survey data are publicly available at Vanderbilt University, 'Latin American Public Opinion Project: Colombia,' <http://www.vanderbilt.edu/lapop/colombia.php> (accessed 27 March 2015).

Table 1. Answer Proportions for Different Options of Transitional Justice

	Victims (<i>n</i> = 315)	Nonvictims (<i>n</i> = 1,528)
<i>Do you agree that . . . ?</i>		
<i>Those responsible for human rights violations ask victims and communities for forgiveness</i>	0.727	0.752
<i>Those responsible for human rights violations tell all the truth</i>	0.883	0.902
<i>Those responsible for human rights violations serve prison terms</i>	0.892	0.898
<i>Acts of commemoration of victims be made</i>	0.743	0.738
<i>It is better for victims to know the truth about what happened, who did it and why, than to leave it in the past</i>	0.739	0.738
<i>Creating memory stimulates hatred and vengeance, more than it helps victims to overcome their problems</i>	0.321	0.345
<i>It is unfair that victims receive reparation, while the rest of the people in the country are suffering from many unsatisfied needs</i>	0.092	0.138

percent of victims and 14 percent of nonvictims stating that it is unfair that victims receive reparations while the rest of the population is suffering from unsatisfied basic needs. However, the statistical significance of this difference is weak, and the support for reparations remains overwhelmingly high among both victims and nonvictims.

To achieve a better understanding of the victim population, we also disaggregated this category in subcategories of victims, according to the victimizing group (guerrilla versus others), according to the time that has elapsed since their victimization (before and after 1991) and according to whether they report having received any kind of reparation from the government or not. There are no relevant differences in attitudes about transitional justice among these subcategories of victims (comparisons between them are reported in an online appendix).⁴⁸

EMPIRICAL STRATEGY AND FINDINGS

To answer our research question more systematically (Do victims think any differently about transitional justice than nonvictims?), we use controlled regression analysis. Using this strategy we can filter out the independent explanatory power of the victim variable for different attitudes about transitional justice. Since victims and nonvictims may have different individual characteristics, may have lived in municipalities with differing institutional and economic conditions and may have been embedded in geographic areas with a varying exposure to conflict violence, we use a test scheme that includes a series of control variables.

The dependent variables for these controlled tests correspond to attitudes about different dimensions of transitional justice. The first variable, *Transitional Justice*

48 See, Programa de Investigación sobre Conflicto Armado y Construcción de Paz (ConPaz), <http://con-paz.uniandes.edu.co/es/> (accessed 27 March 2015).

Overall, reflects attitudes about different elements of transitional justice. The second one, *Punishment*, specifically measures attitudes toward punishment versus forgiving of perpetrators. The third, *Truth-Memory*, corresponds to attitudes about truth seeking versus forgetting. And the fourth, *Reparations*, represents an indicator of favorability toward victim reparations. These dependent variables reflect the main dimensions of transitional justice as indicated in key definitions⁴⁹ and the three dimensions of transitional justice as contemplated in Colombian legislation: truth, reparation and justice. A further element of transitional justice, institutional reform of armed forces, police and courts, is not included in our analysis, as there are no such reforms in place in Colombia yet and planning is at an exploratory stage.

The dependent variables were constructed using different survey items related to each of these dimensions. This strategy of aggregating measures increases the sensitivity of each variable to identify subtle differences that might not be easily detected with responses to individual items. In the case of each of our dependent variables, we made use of items sharing the same response categories, so that no bias could emerge from aggregating data using different measurement scales.⁵⁰ We are cautious about aggregating incompatible scales, and therefore opt for separate analyses of attitudes to each transitional justice component. In all cases, we aggregate the corresponding items by means of principal component factor analysis and estimate scores using one-factor solution coefficients.

To build our first dependent variable, *Transitional Justice Overall*, we relied on answers given by participants to whether they agreed or disagreed on demands for those responsible for human rights violations to (1) publicly ask for forgiveness to victims and communities, (2) tell the truth about committed atrocities, (3) contribute to locating victims of forced disappearance and/or kidnapping and (4) serve prison terms. Additionally, they were asked whether society should (5) honor and commemorate their victims.⁵¹ These measures indicate how intense people's demands for key components of transitional justice are (e.g., forgiveness, truth seeking, reparation, punitive justice and memory), with higher values indicating a more demanding combination of transitional justice mechanisms.

For our second dependent variable, *Punishment*, the survey includes four items that capture respondents' expectations in terms of punishment for (1) those directly responsible in the commission of human rights violations, (2) their immediate commanders, (3) top heads of the responsible organizations and (4) their political or financial sponsors.⁵² The resulting variable after aggregation measures whether people moderate their demand for prison terms, legal benefits or outright release depending

49 See, e.g., Louis Bickford, 'Transitional Justice,' in *Encyclopedia of Genocide and Crimes against Humanity*, ed. Dinah Shelton (New York: Macmillan Reference, 2004).

50 For instance, the five Likert-type items used to build our *Transitional Justice Overall* measure consistently follow the same structure of five-category scales, ranging from disagree strongly to agree strongly. Our *Punishment* measure is a composite of four items using a three-category response scale. The *Truth-Memory* measure adds two binary responses. Only our *Reparations* measure represents responses to just one binary-response item.

51 Loadings for a one-factor solution were 0.707, 0.859, 0.868, 0.826 and 0.645 for items 1, 2, 3, 4 and 5, respectively.

52 High loadings for all four items in a one-factor solution principal component analysis suggest they can be reasonably added. For items 1, 2, 3 and 4, loadings are 0.836, 0.919, 0.921 and 0.870, respectively.

on who is being charged for crimes. Higher scores reflect a more consistent claim for incarceration.

In the case of our third dimension under study, *Truth-Memory*, survey respondents were asked whether they thought it was better for victims to know who committed the atrocities and why, rather than leaving the past behind, stopping inquiries and moving on with their lives. And they were asked if they thought that memory-building measures stimulate hatred and vengeance or help victims overcome their suffering and move on. Aggregation of these dichotomous response options resulted in a measure of how strongly respondents associated truth seeking and memory building to conflict termination.⁵³

Our final dependent variable, *Reparations*, relies on answers provided to the question of whether directing the nation's resources to repair war victims could be considered fair or not, taking into consideration the similarly urgent social needs to be fulfilled in larger segments of Colombian society. This binary measure directly addresses the question of whether Colombians do not just agree with reparation in a general sense, but are also willing to assume the economic burden it requires.

The independent variable of interest for our analysis is whether a person has been a victim of the armed conflict in Colombia or not. We prefer this variable that inquires about the type of victimization (surveyed persons chose from a list) and the family relation to victims (only first-degree family relations qualify) to more perception-based indicators.⁵⁴ The main advantage of this variable is that it strictly coincides with the stipulated definition in the Victims' Law. This not only provides us with a meaningful operationalization of the victim category, but also guarantees that we are comparing those victims who are a new political actor in Colombia with those who are not considered victims by the law.

In our analysis, we use a series of individual- and municipal-level control variables to filter out potentially spurious and confounding relationships between our independent variable of interest and attitudes toward transitional justice. There are several individual characteristics that may be associated with attitudes toward transitional justice and may confound the relationship with the victim variable. We include standard demographic variables like age, gender and education, which have been found to be relevant predictors of attitudes in Spain, the Czech Republic and Rwanda.⁵⁵ Religious beliefs, measured through church attendance, were the most significant explanatory factor for forgiveness in a study by Roman David and Susanne Choi.⁵⁶ Another element often highlighted in studies about transitional justice attitudes is political identities. Aguilar et al. measure it on a left–right scale, whereas Samii uses party affiliation and ethnoregional identity.⁵⁷ For James Gibson, rather than political identity, political mobilization is the relevant category for predicting

53 Loadings in a principal component one-factor solution are 0.746 for both items.

54 However, results of the controlled test are robust to using a perception-based indicator of victimization (Do you consider yourself a victim of the armed conflict and grave human rights violations?).

55 Aguilar, Balcells and Cebolla-Boado, *supra* n 7; David and Choi, 2006, *supra* n 7; Longman, Pham and Weinstein, *supra* n 7.

56 David and Choi, 2006, *supra* n 7.

57 Aguilar, Balcells and Cebolla-Boado, *supra* n 7; Samii, *supra* n 7.

reconciliation in South Africa.⁵⁸ We opt for a different way of measuring ideology more consistent with an ongoing conflict setting by focusing on the favorability toward the main illegal conflict actors (guerrillas and paramilitaries) that are eligible for transitional justice mechanisms. Since transitional justice is designed to accompany peace processes with nonstate armed groups, the view people hold toward these groups might have a large influence on their general attitudes toward transitional justice.

The geographic context, captured here at the municipal level, provides a series of additional characteristics that might influence people's attitudes about life in general and transitional justice in particular.⁵⁹ Economic and institutional conditions might be associated with more or less favorable attitudes through frustration or satisfaction with the state and the general well-being.⁶⁰ We use two indicators at the municipal level to control for this theory (provided by the Colombian Department of Statistics): satisfaction of basic needs and institutional capacity. A series of studies have further theorized that past, current and expected insecurity is related to attitudes toward transitional justice.⁶¹ We use two indicators located at the municipal level to control for the potential effect of violence on attitudes toward transitional justice. First, we include combat activity between guerrilla groups and government forces to capture the main recent line of conflict throughout its period of heightened confrontation.⁶² Second, since forced displacement has been the most common form of victimization in Colombia, we also control for displacement per municipality (proportional to its population). The results of our controlled regression tests are shown in Table 2, where each column represents each transitional justice dimension – our dependent variables.

The variable of interest (*Victim*) is not significantly related to any of the four dependent variables. Even for the reparation variable, which displayed the largest difference in answer proportions between victims and nonvictims (Table 1), the difference is nonsignificant once we control for other variables that might have an effect according to existing literature. While we only show the four full models in Table 2, we also conducted alternative models with different outcome variables and alternative model specifications. In very few model specifications, the variable *Victim* made any difference. The hypothesis that victims think differently than nonvictims does thus not hold against empirical evidence derived from a controlled regression test. We replicated this test with a second survey conducted by LAPOP in Colombia in 2013 and found essentially the same results.⁶³ Also, for the purpose of conducting

58 Gibson, supra n 7.

59 Aguilar, Balcells and Cebolla-Boado, supra n 7.

60 Longman, Pham and Weinstein, supra n 7.

61 Aguilar, Balcells and Cebolla-Boado, supra n 7; Backer, supra n 7; Longman, Pham and Weinstein, supra n 7; Samii, supra n 7.

62 Vicepresidency of Colombia, for the period 2002–2007.

63 A similar controlled regression test with a reduced number of control variables (only including individual-level controls) and somewhat different dependent variables (attitudes about truth seeking, punishment and reparation) were produced using the LAPOP survey (for results, see the online appendix). As described in the 'Data' section, the LAPOP survey was conducted for two independent samples: one was nationally representative and the other represented only conflict-affected areas. We were thus able to test the three independent variables constructed with the LAPOP survey in two different samples. With the

Table 2. OLS Regression Models for Transitional Justice Overall, Punishment, Truth-Memory and Reparation

	TJ Overall	Punishment	Truth-Memory	Reparation
<i>Victim (1 = victim, 0 = nonvictim)</i>	0.026 (0.077) <i>p</i> = 0.732	-0.088 (0.062) <i>p</i> = 0.165	-0.037 (0.074) <i>p</i> = 0.618	-0.024 (0.023) <i>p</i> = 0.291
Individual-level controls				
<i>Age</i>	-0.002 (0.001) <i>p</i> = 0.091	-0.001 (0.001) <i>p</i> = 0.233	-0.000 (0.001) <i>p</i> = 0.921	0.000 (0.000) <i>p</i> = 0.203
<i>Gender</i>	-0.044 (0.047) <i>p</i> = 0.357	0.021 (0.056) <i>p</i> = 0.715	0.109 (0.040) <i>p</i> = 0.011	-0.015 (0.016) <i>p</i> = 0.354
<i>Education</i>	-0.002 (0.001) <i>p</i> = 0.073	-0.000 (0.002) <i>p</i> = 0.880	0.003 (0.001) <i>p</i> = 0.036	0.001 (0.000) <i>p</i> = 0.030
<i>Religion</i>	0.019 (0.033) <i>p</i> = 0.573	-0.141 (0.046) <i>p</i> = 0.004	0.017 (0.029) <i>p</i> = 0.567	0.028 (0.010) <i>p</i> = 0.007
<i>Guerrilla validation</i>	0.244 (0.142) <i>p</i> = 0.095	-0.016 (0.081) <i>p</i> = 0.846	-0.029 (0.084) <i>p</i> = 0.726	0.022 (0.026) <i>p</i> = 0.420
<i>Paramilitary validation</i>	0.170 (0.059) <i>p</i> = 0.008	0.189 (0.077) <i>p</i> = 0.807	-0.018 (0.052) <i>p</i> = 0.739	0.044 (0.034) <i>p</i> = 0.207
Municipal-level controls				
<i>Institutional capacity</i>	-0.006 (0.003) <i>p</i> = 0.042	0.004 (0.003) <i>p</i> = 0.127	0.001 (0.002) <i>p</i> = 0.517	-0.002 (0.001) <i>p</i> = 0.008
<i>Unsatisfied basic needs</i>	-0.010 (0.005) <i>p</i> = 0.067	0.004 (0.004) <i>p</i> = 0.304	0.002 (0.003) <i>p</i> = 0.428	-0.001 (0.001) <i>p</i> = 0.300
<i>Combats 2002–2007</i>	-0.002 (0.003) <i>p</i> = 0.420	-0.004 (0.002) <i>p</i> = 0.131	-0.002 (0.002) <i>p</i> = 0.339	0.000 (0.001) <i>p</i> = 0.929
<i>Displacement 1996–2011</i>	0.000 (0.000) <i>p</i> = 0.943	0.000 (0.000) <i>p</i> = 0.069	-0.000 (0.000) <i>p</i> = 0.302	-0.000 (0.000) <i>p</i> = 0.958
<i>Constant</i>	-0.425 (0.349) <i>p</i> = 0.234	0.156 (.345) <i>p</i> = 0.653	-0.224 (0.266) <i>p</i> = 0.405	0.875 (0.065) <i>p</i> = 0.000
<i>N (valid)</i>	1,412	1,394	1,379	1,412

Coefficients are reported after clustering S.E. at the municipal level.

an additional robustness check, we wanted to make sure we were actually contrasting individuals who reasonably resemble each other in key observable features, except for the presence or absence of a victimization experience. For this test, we used matching estimation and did not find any significant differences.⁶⁴

While providing a full explanation of attitudes falls beyond the scope of this article, it is interesting to note that systems of beliefs, in our case religion, help to get a preliminary understanding, according to results shown in Table 2. For instance, declaring to be a Catholic, rather than any other type of Christian or follower of a different religion, is positively related to stronger support for punishment and lower support for deferential treatment for victims in terms of reparations. This result is consonant with the relevance of Catholic faith to attitudes in the Northern Ireland case. Also, right-wing ideological stances such as justifying the action of paramilitary forces is significantly associated to support for a more demanding model of transitional justice overall. In the case of sociodemographic variables, it is worth noticing that men rather than women are the ones who tend to pursue more actively the implementation of truth and memory mechanisms. Additionally, in places with a higher institutional capacity people tend to support to a lesser degree favorable treatment of victims in terms of reparations. Each of these pieces of evidence suggests hypotheses that might be explored in the future to explain the level of support for transitional justice mechanisms.

POSSIBLE EXPLANATIONS AND AVENUES FOR FUTURE RESEARCH

Our findings are both startling and puzzling. Why are there no substantial differences between Colombian victims and nonvictims in terms of their stated opinions on transitional justice matters? In this section, we explore several explanations which outline a future research agenda.

One possible source of similarity between victims and nonvictims may derive from the central tenets of the resilience literature.⁶⁵ Given that victimization has been going on for decades in Colombia, providing victims with ample time to heal their wounds unassisted, our findings may reflect that Colombian victims, too, may eventually overcome their pain, and that their traumatic experience may be less determinant of their views and attitudes. This possible explanation of course risks serving a nonintervention model of public policy, aimed at letting people cope on their own, which may be interpreted as sheer neglect of the more vulnerable. However, a focus on individual and community coping strategies in war-torn societies such as Colombia may be a fruitful research endeavor in the future. Also, instead of measuring victimization *per se*, future survey instruments on transitional justice attitudes should include additional questions about persisting trauma and related emotions

exception of truth seeking in the sample of conflict-affected areas, our variable of interest (*Victim*) was not significantly related to any of the dependent variables.

64 Instead of calculating average differences between the two groups as in the controlled regression test, we used matching estimation, which allows us to establish attitudinal differences between pairs of individuals who fit this criterion. Using propensity scores, we matched pairs who resemble each other according to the control variables, as included in the regression models. Propensity score matching results indicate that the average effect of victimization (average effect of treatment on the treated) on all of the four dependent variables is nonsignificant.

65 See, e.g., Bonanno, *supra* n 21; Stix, *supra* n 21; Barber, *supra* n 19.

of fear, hatred and vengeance that might determine attitudes of victims, and also nonvictims.

In addition, methodological limitations of public opinion surveys are especially sensitive in realms such as transitional justice. In a context in which citizens have been increasingly educated on transitional justice-related processes (over three-quarters of the surveyed population stated they had drawn information from the public and private media)⁶⁶ and exposed to public discourse about its goals, the likelihood for social desirability to shape responses is high. Social desirability can be defined as the ‘tendency of individuals to deny socially undesirable traits and behaviors and to admit to socially desirable ones.’⁶⁷ In other words, it refers to an individual’s need to blend in with general opinion and behavior. In the specific case of the survey examined here, social desirability may explain the large support of the innocence of victims (one survey question asked whether victims were generally victimized unjustly or as a consequence of their links to armed groups, and 70 percent of respondents considered victims to be innocent) and of the need for reparations to redress wrongs. However, high levels of distrust expressed toward people developing opportunistic behavior when seeking benefits from reparations, both among the general population and among victims themselves, suggest that respondents were not motivated by desirable answers alone (one survey question asked whether people who benefit from the Victims’ Law pose as victims or are real victims, and about half of both victims and nonvictims stated that opportunistic posing was predominant). Social desirability may manifest itself in yet another way. The fact that in many Colombian communities demobilized ex-combatants continue to enjoy superior social status may lead victims to express opinions similar to the mainstream – so as to offset distinctiveness – in reflection of their fear that perpetrators may seek vengeance. This form of social desirability points to the politically strategic value of seeking to blend in and draws from Samii, who suggests this explanation for the case of Burundi.⁶⁸ To overcome social desirability biases in surveying transitional justice matters, innovative survey techniques like list experiments may be used to produce more accurate self-reporting answers in the future.

An additional possible explanation of this study’s results has to do with the Colombian armed conflict’s long duration. In some cases, protraction could create incentives for victims and nonvictims alike to leave the past behind,⁶⁹ including demands for truth and justice as well as feelings of hatred, as a result of sheer exhaustion and resignation.⁷⁰ In the Colombian case, although conflict has affected some areas more than others, the long duration may have contributed to a consistent and broad effect on people’s views, blurring the line between formally recognized victims and indirectly affected nonvictims, moving their attitudes in the same direction.

66 CNMH, *supra* n 41.

67 Wilfred J. Zerbe and Delroy L. Paulhus, ‘Socially Desirable Responding in Organizational Behavior: A Reconception,’ *Academy of Management Review* 12(2) (1987): 250.

68 Samii, *supra* n 7.

69 And also perpetrators of violence. See, Enzo Nussio, ‘Emotional Legacies of War among Former Colombian Paramilitaries,’ *Peace and Conflict: Journal of Peace Psychology* 18(4) (2012): 369–383.

70 Nicholas Sambanis and Michael Doyle, ‘International Peacebuilding: A Theoretical and Quantitative Analysis,’ *American Political Science Review* 94(4) (2000): 779–801.

A generally pervasive effect on both victims and nonvictims may thus be seen as an explanation for our main finding. A study of a diverse case with respect to war duration could provide evidence about the validity of this potential explanation.

The previous point is related to an additional possible explanation. Different scholars of transitional countries have studied social proximity among victims and perpetrators – that is, similar geographical and socioeconomic origin – as a cause of lower intercommunal barriers.⁷¹ Brewer and Hayes refer to this as ‘relational closeness,’ or the extent to which people in a society ‘share a common cultural and legal framework which determines due process and rules of fairness and justice afterwards.’⁷² In contrast with countries in which the vying parties are geographically, socially and ethnically distant, countries in which there is greater social proximity between victims and perpetrators as well as weak group membership may reduce mutual distrust, facilitate an understanding of the other’s perspective as well as greater willingness to engage in conciliatory activities, and produce shared frames of social reference in relation to armed conflict.

In fact, social proximity among Colombian victims and demobilized combatants is quite high.⁷³ Juan Diego Prieto explored the implications of social proximity in several Colombian communities and found that, contrary to common expectations regarding deep-seated divisions and hatred, victims and former combatants have been peacefully sharing workspaces, schools and sometimes even lives.⁷⁴ The expected extreme positions victims may hold toward perpetrators (based on hatred, vengeance and fear) may thus be diluted by social proximity. In this sense, high social proximity between victims and perpetrators may partially explain why there appear to be no great divisions among victims and nonvictims in our case. The counterfactual case with low social proximity might be represented by ethnic conflicts where violence is predominantly targeted at representatives of the respective out-group. In this context, the line between perpetrator and victim might be less blurred and, as a consequence, attitudes toward transitional justice might depend more on ethnic belonging and victimization and the associated feelings of hatred and rage, as for example in the Israeli–Palestinian conflict.⁷⁵ The social proximity hypothesis could thus be further examined in a context of ethnic conflict.

CONCLUSIONS

Transitional justice policy has been designed and implemented based on the assumption that victims and nonvictims are fundamentally different social groups. This assumption is partially derived from a normative consensus that victims deserve special

71 Kiza, Rathgeber and Rohne, *supra* n 4.

72 Brewer and Hayes, *supra* n 25 at 75.

73 Rettberg, *supra* n 5; Angelika Rettberg and Juan Diego Prieto, ‘Víctimas, victimarios y vecinos: Proximidad social y actitudes de las víctimas frente a la reparación, la justicia y la paz,’ in *Reparación en Colombia ¿Qué quieren las víctimas? Retos, desafíos y alternativas para garantizar la integralidad*, ed. Ernesto Kiza and Angelika Rettberg (Bogotá: Profis Deutsche Gesellschaft für Internationale Zusammenarbeit, 2010).

74 Juan Diego Prieto, ‘Together after War While the War Goes On: Victims, Ex-Combatants and Communities in Three Colombian Cities,’ *International Journal of Transitional Justice* 6(3) (2012): 525–546.

75 Halperin, *supra* n 18.

attention for the wrongs they have suffered. We found that differences between victims and nonvictims are small when it comes to attitudes toward several aspects of transitional justice, like punishment of perpetrators, truth seeking, historical memory and reparations. Our results are important for scholars and policy makers in terms of how victims are handled as analytical units and as targets of public policy, because the findings suggest that there is a risk in separating victims from nonvictims in transitional justice policies and debates. The fact that the overall population's attitudes toward transitional justice match those of the victimized collective reflects how transitional justice measures matter to society at large, and not only to a fraction of it.

In an attempt to interpret our findings, we offered several potential explanations. Theories drawn from resilience, social desirability, pervasive impact of war beyond the victim/nonvictim divide and social proximity among war victims put our main finding in perspective and open up an agenda for future research. Generally speaking, future research will have to tackle the possible explanations offered above as well as define whether, after all, people's opinions and attitudes toward transitional justice may potentially be better explained by the classical factors brought forth by public opinion research (income, gender, age and education) or attitudes toward life in general (optimism, trust and happiness) instead of the experience of victimization.

Further research will also need to study to what extent the development of an institutional framework and budget addressing the needs of victims in itself provides an incentive for the differentiation of victims and the development of a victim-centered agenda by hundreds of fledgling victims' organizations, beyond actual differences in political preferences and opinions between victims and other groups. This point underscores the malleability of individuals' opinions and practices, as well as their dependence on the ability of the current transitional justice framework to deliver on expectations and promises. Attitudes toward transitional justice are thus not only context- but also time-bound. A renewed study at a future point will produce a better understanding of whether our findings reflect a moment in time or a lasting tendency.