The collective and the individual: the fight against organised crime, political crime and the prospects for peacebuilding

Lo colectivo y lo individual: guerra contra la criminalidad organizada, delito político y posibilidades de construcción de paz

O coletivo e o individual: guerra contra o crime organizado, crime político e possibilidades de construção de paz

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Abstract The article examines the tensions between individualist and collectivist conceptions of war, organised crime and peace, and their impact on the prospects for building a lasting peace in Colombia. The central argument maintains that the individual and the collective not only shape the way in which the conflict with criminal organisations is defined and governed, but they also determine the future of peace in communities, particularly those marked by structural exclusion. From this perspective, the study highlights the need to rethink the traditional categories used to address war, organised crime and political crime. Methodologically, the article adopts a theoretical-legal and socio-political approach, based on a critical analysis of the specialist literature and a reflection on the Colombian case. The results show that approaches centred on individual security and predominantly punitive or militarised responses are insufficient to capture the complexity of contemporary organised crime, in which individual motivations, collective dynamics, and political and social functions in marginalised communities are intertwined. In this context, the article

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argues that peace cannot be reduced to the control of violence or the cessation of hostilities, but must be conceived as a constitutional peace aimed at guaranteeing human security, social inclusion and the effective fulfilment of fundamental rights.

Keywords
Organised crime; war and peace; political crime; human security; constitutional peace

Resumen

El artículo analiza las tensiones entre concepciones individualistas y colectivistas de la guerra, la criminalidad organizada y la paz, y su impacto en las posibilidades de construir una paz duradera en Colombia. El argumento central sostiene que lo individual y lo colectivo no solo condicionan la manera en que se define y se gobierna el conflicto con las organizaciones criminales, sino que también determinan el futuro de la paz en las comunidades, especialmente en aquellas marcadas por la exclusión estructural. Desde esta perspectiva, el trabajo plantea la necesidad de repensar las categorías clásicas con las que se han abordado la guerra, la delincuencia organizada y el delito político. En el plano metodológico, el artículo adopta un enfoque teórico-jurídico y sociopolítico, basado en el análisis crítico de la literatura especializada y en la reflexión sobre el caso colombiano. Los resultados muestran que las lecturas centradas en la seguridad individual y en las respuestas predominantemente punitivas o militarizadas resultan insuficientes para captar la complejidad de la criminalidad organizada contemporánea, en la que se entremezclan motivaciones individuales, dinámicas colectivas y funciones políticas y sociales en comunidades excluidas. En este marco, el artículo argumenta que la paz no puede reducirse al control de la violencia ni al cese de hostilidades, sino que debe concebirse como una paz constitucional orientada a la garantía de la seguridad humana, la inclusión social y la satisfacción efectiva de los derechos fundamentales.

Palabras clave
Criminalidad organizada; guerra y paz; delito político; seguridad humana; paz constitucional

Resumo

O artigo analisa as tensões entre as concepções individualistas e coletivistas da guerra, do crime organizado e da paz, e seu impacto nas possibilidades de construir uma paz duradoura na Colômbia. O argumento central sustenta que o individual e o coletivo não apenas condicionam a maneira como o conflito com as organizações criminosas é definido e governado, mas também determinam o futuro da paz nas comunidades, especialmente naquelas marcadas pela exclusão estrutural. Nessa perspectiva, o trabalho levanta a necessidade de repensar as categorias clássicas com as quais se abordam a guerra, o crime organizado e o crime político. No plano metodológico, o artigo adota uma abordagem teórico-jurídica e sociopolítica, baseada na análise crítica da literatura especializada e na reflexão sobre o caso colombiano. Os resultados indicam que as abordagens centradas na segurança individual e nas respostas predominantemente punitivas ou militarizadas são insuficientes para captar a complexidade da criminalidade organizada contemporânea, na qual se entrelaçam motivações individuais, dinâmicas coletivas e funções políticas e sociais em comunidades excluídas. Nesse contexto, argumenta-se que a paz não pode ser reduzida ao controle da violência nem à cessação das hostilidades, mas deve ser concebida como uma paz constitucional voltada para a garantia da segurança humana, para a inclusão social e para a satisfação efetiva dos direitos fundamentais.

Palabras-Chave
Crime organizado; guerra e paz; crime político; segurança humana; paz constitucional

Introduction

In recent years, organised crime in Latin America has undergone rapid transformation and has become a problem with a growing global impact. Images of Mexican cartels, armed with state-of-the-art equipment, which mimic the training and structure of powerful armies; the enormous capacity of organisations based in Colombia, Brazil and Ecuador to control vast swathes of state territory, and the media coverage in El Salvador surrounding the management of Barrio 18 and Mara Salvatrucha, have redefined organised crime as a central problem for the stability of the state in Latin American countries and as a vital issue for building security in the region.

The growing complexity of the phenomenon, as well as of the internal structures of criminal organisations, has led to intensive efforts to understand how organised crime operates (Kalmanovitz & Bradley, 2023; Pereda, 2022, 2024) and to rethink the strategies with which Latin American state administrations have attempted to tackle it (Ariza & Tamayo, 2025). On this latter issue, the same debates seem to be resurfacing regarding how to tackle the problem, ranging from a military approach involving the pursuit, punishment or eradication of organisations through the use of force; to negotiations with criminal organisations, focused on the laying down of arms, social reintegration and the rebuilding of the social fabric.

The framework of the discussion, which oscillates between war and negotiation, is rooted in a complex relationship between individualistic and collectivist perspectives on the issue. On the one hand, liberal narratives, typically focused on the construction of individual security as the fundamental guarantee of community life, centre on a military and punitive response to a problem conceived as an act of violence perpetrated by individual actors driven by self-interest and seeking profit from illegal markets. This individualistic framework views war as a necessity to protect the state community from imminent violence and punishment as a tool to prevent, in the medium and long term, the formation of criminal organisations.

On the other hand, a collectivist view understands the problem of organised crime not as an individual matter resolved by military and punitive measures, but as a collective issue related to the unequal distribution of privileges in the State of Law, which implies the need to involve offenders in sustained peace-building processes. This perspective, in turn, redefines the problem of organised crime, no longer in terms of profit-driven selfishness, but in terms of the provision of services and the fulfilment of community needs through criminal structures (Ariza & Tamayo, 2025; Blair & Kalmanovitz, 2016; Kalmanovitz & Bradley, 2023).

In the case of Colombia, a negotiated resolution to the conflict has been strongly pursued by successive governments over the last twenty years, and peace agreements have been reached with paramilitary organisations with close links to organised crime and, subsequently, with guerrilla groups which, despite their political objectives, have remained connected to illegal markets in order to secure funding for their insurgent activities. Each of these agreements posed a challenge to the interpretation of the relationship between the political motivations of paramilitary and insurgent movements and their involvement in organised crime; and, in turn, challenged the traditional

conception of political crime, based on the idea that it can only exist when underpinned by an altruistic cause that gives it form (Cuervo & Ovalle, 2020; Posada, 2023; Rincón & Peñas, 2015; Reyes Alvarado, 2016).

Recently, the escalation of criminal violence perpetrated by organised armed groups, as well as the Gustavo Petro administration's initiative aimed at negotiating a way out of the violence caused by these groups, has reignited the debate. Some sectors, both national (Echeverry, 2025) and international (Morales, 2025), are calling for a more forceful military response. For its part, the national government insists that the only way to build a lasting peace is through the disarmament and reintegration of organised armed groups. Once again, the liberal, warmongering and punitive perspective interacts with a collectivist approach to the conflict.

In this article, we focus on analysing this problem. Our central argument is that the collective and the individual not only shape the way in which conflict with criminal organisations is constructed and managed, but also influence the future of peace in communities, particularly the most marginalised ones. This issue, in turn, requires us to rethink the traditional categories within which the problems of war and organised crime have been framed, and compels us to redefine the structure of what is considered a peaceful society, prioritising a broad conception of peace as the constitutional outcome of the fulfilment of rights and inclusion, rather than a peace based on the simple notion of security.

To support our argument, this text is divided into three sections. In the first, we explore how the issues of war and peace have been defined in individualistic terms and how these connect with the construction and governance of the problem of organised crime. The second section examines, on the one hand, collective definitions of war and peace, and the way in which these redefine the contours of the problem of organised crime. On the other hand, it analyses the consequences of an individualistic or collectivist definition of the problem, as well as recent trends towards the construction of a constitutional peace, which involves overcoming the problem of organised crime by reducing exclusion and building widespread human security rather than merely security against violent attacks. Finally, conclusions are offered.

Individualism, war and peace

The conception of peace in the modern era is shaped by the development of a liberal model in which security against violence is a fundamental component of what we call the state. One of the state's fundamental functions is its capacity to control violence within a specific territory (Weber, 2019). This conception of the state as a provider of security, central to modern political thought (Hobbes, 1651; Tilly, 2008; Weber, 2019), produces a conception of peace in which individual security against attack is the primary objective of the state apparatus and, in turn, entails the construction of those who threaten peace as enemies of the political community (Jakobs, 2003).

The legal framework of the liberal state is structured to conceive of war and peace within this general conception of the state as a provider of security. This gives rise to an understanding of both

in individualistic terms, where war is conceived as an unjustified aggression against the political community, and peace as security against such aggressions. Although this conception of the state has been severely shaken by the emergence of welfare states and social states, with robust constitutions featuring a comprehensive set of rights and strong welfare components that demand more from the state than mere physical security, security has remained its central objective. As various authors demonstrate (Garland, 2001, 2025; Wacquant, 2004, 2009), this role of providing security has been refocused over the last century due to changes in political and economic rationales (Iturralde, 2018; Wacquant, 2009) and the process of globalisation (Bauman, 2015).

On the one hand, the spread of the neoliberal model – although uneven across different contexts and with specific implications for each society (Iturralde, 2018; Sozzo, 2018; Tamayo, 2021) – has led to the state's total or partial withdrawal from the provision of guarantees for fundamental rights (Wacquant, 2009). This withdrawal of the state from various areas of rights protection has entailed a reconfiguration of its role as a provider of security, which has led to a strengthening of the state's punitive functions as a symbol of its contemporary relevance and the return of the so-called police state, tasked with providing the basic conditions for the functioning of the market. In the case of Latin America and Colombia, whilst the specific impact of neoliberalism on changes in security governance practices has been debated (Tamayo, 2021), there is agreement that it constitutes a fundamental explanatory factor for understanding how security is conceived and governed in the region and in the country (Hernández, 2018; Iturralde, 2018, 2022; Tamayo, 2021).

On the other hand, globalisation has transformed the nation-state's coordinating role as the manager of the global space. The enormous human mobility generated by new forms of work and transport—which have created a world in which individuals relocate from the spaces that previously tied them to a specific national territory—and the mobility of capital in a global-scale economy have given rise to new forms of relationship between the individual and the state (Bauman, 2015). In response, states have reaffirmed their concept of territory, implementing strict migration regulations to determine who is permitted to move and who is not (Woude, 2025), and have strengthened their role as providers of physical security within their borders (Bauman, 2015; Garland, 2001, 2025; Wacquant, 2009).

Thus, peacebuilding in the modern era is a historical process that has been largely identified with the consolidation of the territorial state model following the resolution of a previous period of conflict (Öjendal et al., 2021). From a classical liberal perspective, building peace means building the state, society and the market. The destabilisation of the three pillars underpinning the idea of living in peace thus gives rise to the need to undertake a process of (re)constructing a specific political model for community life, always guided by the idea of individual security.

Despite changes in state models throughout the modern era, individual conceptions of war and peace have remained largely unchanged. This conception, in turn, has defined the contours of the political offence around an idea of the collectivisation of violence, which is understood as legitimate only when it opposes the structural injustice of the state. The right to resist and overthrow unjust states, central to the formation of modern political thought following the French Revolution, has been a key feature in defining political crime as an act whose nature must be not only more or less organised, but whose purpose, ultimately, must be altruistic: the violent pursuit of an ideal of justice

that stands in opposition to that of the state (Posada, 2023). Consequently, this model excludes any conception of contemporary organised crime as political, insofar as the absence of an altruistic end as the basis for the violence perpetrated by such organisations deprives it of any possibility of being politicised.

This debate was particularly pronounced in the Colombian case, concerning the question of whether paramilitary organisations could be regarded as organisations with altruistic political aims and, consequently, whether they could be classified under the traditional concept of political crime. The controversy over whether the Justice and Peace Law 975 of 2005 could be regarded as the result of a peace process with political organisations, or of a process of demobilising organised criminals, was intense (Grajales, 2011; Pérez, 2007; Uprimny, 2011), but the focus on providing security pursued by the paramilitaries in the face of the state's failure to provide adequate protection allowed them to be understood as organisations with an altruistic purpose that did not oppose the state, but rather sought to strengthen it.

Despite the growing acceptance of the concept of political crime in the context of the demobilisation of paramilitary organisations, the individualistic view of war and peace continued to prevail; not only because the political nature was framed within the very same discursive apparatus of the organisation's political unification, but also because the idea of organised crime as a primarily individual act continued to stand in opposition to a view that restricted the political to the imposition of a particular model of justice. It would seem, then, that without an explicit ideal of justice, political crime has no place in the traditional model, for the absence of such an ideal reveals the individualistic and self-serving nature of criminal organisations' violent projects.

This recent history defined the problem of political crime in Colombia in two distinct yet deeply interconnected ways. On the one hand, it allowed the relationship between the collective and the individual to be expanded in a way that would prove crucial to the peace process that would take place ten years later with the Revolutionary Armed Forces of Colombia, insofar as it was acknowledged that crimes committed to finance organised violence pursuing a political end could be considered political in themselves. On the other hand, it reinforced the idea that, in the absence of a shared and declared vision of justice within the organisation, one could not speak of crime of a political nature, which, in turn, has shaped the way contemporary criminal organisations are understood, as being more focused on illegal economies than on the violent imposition of a shared model of justice.

Added to this is the fact that the definition of the nature of organised crime is shaped by international relations, which frame the problem as a matter of individual profit that becomes collective solely to maximise gains and which threatens the stability of communities across the globe. Whilst political crime, despite its involvement in illegal markets with a global impact, has been regarded as a problem of internal sovereignty for countries unable to consolidate a state that guarantees security, organised crime is conceived as a matter of global impact that does not attack the stability of specific states, but rather the social order established in different places. The war on drugs, perhaps the most emblematic case for understanding the nature of the problem, views drug trafficking as a globalised illegal market, with varying impacts in different places, yet connected by the functioning of the business. In light of this, powers in the Global North have had an enormous

capacity to define the concept of crime and decide what may be considered political and what may be subject to peace transition processes. This approach, however, overlooks the role played by organised groups in marginalised communities, where organised violence is on the rise, accompanied by a complex system of rights fulfilment and the provision of security (Blair & Kalmanovitz, 2016).

When the operational dynamics of criminal organisations in marginalised communities are factored into the equation, their political nature emerges in contrast to an individualistic model. The collective is linked to the individual, and organised crime becomes political due to its impact on the daily lives of communities (Ariza & Tamayo, 2025). Organised violence, though brutal, also funds basic rights that states are unable to provide and brings about social inclusion based on illegal markets and extreme forms of violent control. This brutal reality compels us to rethink the framework of political crime in order to recognise that the everyday routine is political, even when there is a lack of uniform ideals within the organisation and the strategies to meet needs are directed towards creating the conditions for the organisations to maintain power and ensure control of the illegal market. Before analysing its effects on peacebuilding, in the following section we will show how, in recent times, a broader vision of security and the political sphere has emerged.

A collective understanding of war and peace

It has been pointed out that, despite agreements on the key issues that must be addressed to overcome this state of affairs—which has plunged people and societies into violence and suffering for generations—there are no universal formulas that can be applied to any context at any time. It is the specific circumstances of each process and context that define the path to peace. The journey along these paths is fraught with violence, fear and mistrust. The hope of living in peace can vanish in an instant with the roar of explosions that serve as a stark reminder of the dominance of violence in these territories. At times, the very act of defending what has been built prevents further progress. The belief that peacebuilding is carried out solely with those with whom, despite everything, one shares the common language of defending or seizing the state, limits the scope of efforts made to address the various sources that generate fear.

Every political community is compelled to confront its own horrors in order to forge its own unique paths towards peace, with an unknown destination. Victims and perpetrators are the protagonists. There is no ready-made recipe for peace. The routes are built together. The path to peace is trodden as a community. Like any process of construction, the idea of a peaceful life after war and conflict has its own methodological sequence (Vargas et al., 2020). The trajectory of this process centres on the design and development of effective peace negotiations leading to the signing of agreements; it is then hoped that these agreements will reflect a commitment to the task of reconciliation and thus enable democratic elections to be held, with the aim of strengthening state institutions capable of participating in stable governance. The ultimate outcome of this path is democratic consolidation (Öjendal et al., 2021).

When this perspective is adopted as the basis for peacebuilding, the characterisation of the actors who generate and perpetuate violence must respond to specific political needs and not – although this is relevant – to the extent to which they fit into static political and legal categories. Processes situated and rooted in specific contexts must be guided by a framework that encompasses the full experience of individual and communal well-being, in conditions that foster political ecosystems free from violence and acute deprivation. This entails the promise of a community which, as a whole, aspires for daily life to unfold within a setting of multidimensional peace, where violence is residual, incidental and accidental. To build peace, it is essential to address all organised sources of fear within the territories; their specific characteristics must be taken into account and their distinctive features responded to in order to find paths for negotiation.

If we wish for peace to be an experience that permeates everyday life, both individually and collectively, we must therefore address the various spheres in which the concepts of good living are defined and unfold. Peace-building must be nourished by the lessons and insights regarding the challenges that must be addressed in the design of public institutions suited to good living, both individual and collective. What good living means, the various forms it takes, and which public institutions make it possible have been the questions that have inspired Western political philosophy. Grounding the community in good living has been the historical task of political thought. Good living is a material, political and spiritual experience that must be filled with content drawn from what Taylor (1996) calls the 'range of possibilities' offered by pluralism, diversity, nature and culture.

Individual autonomy, as well as the development of projects that express the essence of personal development, is rooted in the community, in communal experience, and in a political ecology that is in harmony with nature. It is not possible to live well if others live poorly. It is not possible to live well if nature suffers. It is not possible to live well if the political community suffers. If the land is mined and the rivers polluted. If access to rights is limited by insurmountable barriers. If living in peace becomes the privilege of a few who manage to fortify themselves in the safe zones of large cities, which offer "a family life with comforts and security linked to the purchasing power of the city's upper class, yet which in turn exhibit high rates of social exclusion" (Laverde, 2013; McKenzie, 1994). We cannot live well, nor in peace, as a community, if not everyone can access the basic right to live well and in peace. The experience of good living, both individual and collective, must be the result of the peace-building process in territories characterised by the presence of organised armed groups which, despite sharing similar traits, do not fit the labels and categories that have been constructed precisely to enable these peace-building processes.

Human security is the access to this basic good, within specific contexts of peacebuilding and the resolution of conflict and violence, which enables the definition and development of projects for individual and collective well-being, rooted in the community, nature and sustainability. Without security, there can be no stability or stabilisation. Security is essential for daily life to be peaceful, tranquil and free from excessive personal and collective risks. Access to multidimensional security is a basic asset for peacebuilding.

However, this is not just any notion of security, even though it does involve some strategies and institutions typical of conventional models. Human security, in the context of peacebuilding, is concerned with guaranteeing the basic conditions at different levels that allow daily life to unfold

free from multidimensional fear. A multidimensional approach to fear, as a fundamental political emotion rooted in specific contexts of violence, precariousness and exclusion, enables us to identify the factors that generate existential insecurity (Nussbaum, 2019). People have the right to live without fear of violent death and enforced disappearance; without fear of displacement and forced abandonment; without fear of confinement; without fear of poverty and illness. Once fear has been cast aside, the political emotion that must bind the lives of communities in rural areas and cities together must be solidarity and compassion as the core of good living.

Each of these aspects of human security is closely linked to peacebuilding as constitutional peace; that is, to ensuring the basic conditions within the national territory so that, on the one hand, individual freedoms can be fully exercised and, on the other, the principle of the social rule of law can be realised in a systematic and progressive manner. The notion of security, in the specific context of building a multidimensional peace, entails a review of the conventional approaches to security that have been implemented in Colombia over recent decades.

The conventional approach to security in Colombia over recent decades has had two dimensions and a common thread: a punitive approach. In the context of reaffirming state sovereignty over the national territory and reclaiming the monopoly on legitimate violence, security has entailed processes of militarisation and pacification in areas where armed conflict has taken place (Aguilera, 2004). In this context, security is, to a large extent, equivalent to the presence of the state through the military apparatus (González, 2003). It has generally been a one-dimensional approach to security focused on pacification and military hegemony.

In the context of safeguarding everyday interactions in urban settings, and to ensure the proper functioning of the social model, public safety policies have focused on developing strategies for the control and suppression of common crime (Mejía et al., 2014). Classic strategies such as situational crime control (Inzunza & Carlsson, 2023), to relatively novel approaches such as 'hotspots' (Collazos et al., 2021), right through to the implementation of surveillance technologies (Privacy International, 2015), have been deployed to control and suppress criminal behaviour targeted by standard criminal policy: offences against life and personal integrity, against property, and those related to drug trafficking.

Despite their apparent separation and divergence, the two conventional approaches to security in Colombia – the sovereignty approach and the public safety approach – have converged in several respects, most often with undesirable consequences in institutional, social and legal terms. The first point of convergence arises when the security model, based on the restoration of sovereignty, is transferred to urban spaces to control common forms of conflict. The militarisation of cities and the criminalisation of social protest, through the use of criminal offences such as terrorism, show that citizen security becomes a matter of the presence and control of sovereignty in cities in order to defeat a criminal subject who is constructed as an internal enemy (Aponte, 2008).

The second convergence occurs when the sovereignist logic of security permeates ordinary criminal policy and the very principles underpinning public safety. The formulation of the 'enemy criminal law' model, emergency criminal law or exceptional justice (Iturralde, 2008), which are based on the creation of criminal offences, the restriction of procedural safeguards and the

prioritisation of long-term imprisonment, have been the main strategies of this model. Constructed as a system of exceptional justice, it has gradually integrated its main institutions into ordinary criminal justice, prioritising the deprivation of liberty as a strategy and an achievement of security policies. Within this framework, crime prevention barely figures into the formulation of security policies. Security becomes the mass incarceration of socially disadvantaged groups.

The undesirable effects of applying previous models are evident at an institutional level in the humanitarian crisis within the prison and correctional system, whilst crime and victimisation rates have not fallen significantly. The conflation of the security model's success with problematic indicators, such as rising incarceration rates, has generated a humanitarian crisis unparalleled in any other institutional sector of the state. Security, understood in this way, undermines public trust and legitimacy in the institutions dedicated to providing security.

Security models have been linked (and reduced) to the policing or military dimension of governance and the maintenance of public order, overlooking their close connection to the social and distributive dimensions of social conflict. The security forces have been constructed as an apparatus geared towards producing security in terms of public order, rather than guaranteeing individual and collective well-being. In part, this occurs because insecurity has been understood exclusively as a phenomenon generated by individual criminal behaviour, unrelated to community contexts. In the design of public policy, security policy is conceived as distinct and separate from social policy, even though every decision on security is also a distributive decision. Public safety must become human security in the context of peacebuilding.

The lessons learned from decades of security policies based on the two previous approaches highlight the need to adapt the prevailing concept of security to peace-building processes. Human security is the core principle that underpins peace-building. Security policies must respond to and be consistent with the specific aims guiding this historical phase of peacebuilding; that is, with the assurance of conditions and guarantees that enable the development of individual and collective projects for a good life. Peace, as the totality of the experience of a good life, is founded on the pursuit of humane and secure conditions of existence.

Human security prioritises the protection of individuals and communities over state security as a means of preserving sovereignty (Duffield, 2007), creating spaces and territories where people can live free from want and fear. Traditionally, this perspective on security has focused, on the one hand, on the protection of people's lives and physical integrity and, on the other, on the inclusion of development as a strategy for building long-term security (Kaldor, 2007). It prioritises resource distribution policies that guarantee decent living conditions for individuals and communities who, in the context of armed conflict, have seen their situation of poverty and precariousness worsen.

Broadening the concept of security to include issues that traditionally did not form part of this notion – such as the distribution of goods and services – risks creating "or legitimising interventionist, neocolonial and neo-imperialist activities" (Peterson, 2013), within an unequal framework of exchanges between the Global North and South or, in the case of processes taking place within a state, between the state's centre and periphery. Without the adequate and meaningful participation of communities in defining priority issues, human security becomes a strategy of governance and subordination that perpetuates contexts of subjugation.

Although it is an important component, security in peacebuilding must not be confused with the securitisation of the process (Newman, 2010), nor with the militarisation of development (Christie, 2012). Lessons from comparative experience suggest that it is necessary to move beyond the conventional approach to the security-development nexus typical of stabilisation processes after – and during – war. Indeed, a different perspective on the concepts of security and development is essential to forge a virtuous link between, on the one hand, the transformation of communities' material contexts through distributive justice programmes and, on the other, the guarantee of a multi-purpose state presence that prevents the reproduction and recurrence of conflict.

Comparative evidence shows that equating development with an 'economisation' of the conflict resolution process can generally lead to three types of unintended consequences (Zyck, 2012). Firstly, the emphasis placed on the volume of economic aid for development, whilst neglecting the participatory and community-based design of interventions, creates problems of trust and legitimacy regarding the programmes from the perspective of the recipient communities. Secondly, perverse incentives are created which, paradoxically, generate instability and the recurrence of conflict in the competition for the allocation of scarce resources. Finally, where there is no guarantee that the presence of illegal organisations in the intervention areas is minimal, there is a risk that resources will be diverted to end up funding them.

Peacebuilding, human security, sustainability and community participation must incorporate socio-economic and development concerns, whilst recognising the importance of political stability, for the successful transition towards communities organised around the experience of 'good living' (Cockell, 2000). Communities' understanding of what they mean by human security is key to the process taking root, to the design of programmes, and to ensuring that their implementation creates contexts that enable the realisation of individual and collective projects of good living. Peacebuilding must be based on non-harmful intervention.

Drawing on decades of experience gained through peacebuilding programmes and interventions, a body of critical literature has emerged known as the liberal peacebuilding paradigm (Berg, 2020). Broadly speaking, this paradigm is based on the idea that peacebuilding is equivalent to the replication and transplantation of a specific liberal form of state based on the strengthening of the market, democratic institutions and territorial pacification. The idea of 'opening up markets' and 'opening up societies' has become a dominant framework for peacebuilding, insofar as conflict is seen as causing communities to close themselves off from state-regulated capital flows (Tadjbakhsh, 2011).

The problems do not lie solely or primarily in the way the liberal paradigm understands peacebuilding, as some of its elements and strategies are key to any process seeking to establish a post-conflict political model. The main challenge is the lack of legitimacy of processes based on the belief that this model can – and must – be adapted to any context, that recipient communities must adapt to the liberal way of life, and that the emphasis must be on overcoming the barriers that prevent the model from succeeding in diverse cultural and socio-political contexts (Kurtenbach, 2010).

The emancipatory dimension of human security offers a perspective that moves away from the dominant liberal view and highlights the importance of questioning the hegemony of the political,

social and economic models that are sought to be implemented, as well as the power relations that are created and reproduced. For an emancipatory perspective, it is essential to have mechanisms for intervention that are non-harmful, consensual and promote the freedom to build peace (Peterson, 2013).

This also proposes a different approach to conflict and how it is handled, focusing on transforming it rather than mitigating or resolving it.

Conclusions

This text has explored the frictions between different perspectives on how to tackle the problem of organised crime and how these relate to the plan of building lasting peace in Colombia, as a general example of the Latin American context and, to some extent, of the Global South, given that their subordinate position in the global distribution of power places them in similar situations. In particular, we have focused on understanding how the definition of the problem presents us with challenges in understanding the meaning of war as a result of individual decisions or structural forms of violence; of peace as a matter of personal security or human security; of crime as a political or self-serving decision; and of possible solutions to the violence caused by organised crime through military or negotiated means.

In developing our argument, we demonstrate how the growing complexity of organised crime can be better understood through an approach that recognises how the individual and the collective are so intertwined that the motivations driving criminal behaviour become indistinguishable; consequently, the solution to the problem must be conceived in collective terms in order to accurately capture the social significance and intricate nature of organised crime. Whilst it is undeniable that contemporary organised crime is structured around lucrative illegal markets, this cannot prevent us from recognising that criminal organisations fulfil important political functions and meet needs within marginalised communities. This creates a brutal situation in which the violence perpetrated by criminal organisations is combined with their ability to address needs that the state proves incapable of meeting.

At the crossroads between the brutal violence perpetrated by criminal organisations against marginalised communities and their role as providers of employment and guarantors of rights, the issue of war and peace is being redefined. This necessitates a rethinking of traditional conceptions of political crime and, in doing so, shapes the prospects for achieving a sustainable peace, characterised not only by the cessation of hostilities, but also by the resolution of the structural issues that prevent the communities most affected by organised violence from fully enjoying their fundamental rights and participating in the nation's political project.

In this context, peace must be understood as a guarantee of human security, as the construction of a constitutional peace that overcomes exclusion and safeguards fundamental rights. The modern

view of peace as protection against violence gives way to a broader perspective which, whilst retaining individual security as part of its essence, evolves towards a more complex understanding of what it means to live in safety. In this sense, there are multiple lines of research open to understanding how the meaning of security is shaped differently by communities that are most tolerant of organised crime, and how illegal armed actors conceive of an ideal of security beyond the selfishness and altruism of the categories of common crime and political crime.

The shift from an individualistic to a collective view of armed conflict poses profound challenges for peacebuilding and for determining the role of the law in that process. As regards peacebuilding, it requires a more inclusive negotiation process; one that does not limit itself to those groups whose political motivation has been openly recognised, but also includes those whose capacity to provide goods and services, create employment and guarantee the rights of vulnerable communities makes them relevant social actors. It also entails including not only leaders and ringleaders—the traditional spokespersons for negotiations in the past—but also seeking ways to engage all levels within insurgent, paramilitary, or criminal organisations. As for the role of the law, a collective vision rethinks not only the individualistic logic of criminal responsibility, but also the very meaning of punishment in contexts where the state has failed to provide guarantees which, albeit in an extremely violent manner, are ultimately met by organisations operating outside the law.

Whilst some contemporary theories of punishment (Cigüela, 2017) suggest that shared responsibility can be incorporated into criminal law through exclusion or mitigation on the basis of social factors influencing the decision to commit a crime, these theories tend to limit their application to serious crimes, such as those committed by insurgents, paramilitaries and organised crime groups in Colombia. However, these theories, typically devised for societies in the Global North that do not experience social problems as profound as those found in countries of the Global South, fail to account for the social complexity of organised crime and ultimately make a political commitment to deterrence without any empirical basis. Consequently, the legal system in countries of the Global South faces the challenge of constructing a legal framework capable of addressing intricate problems; this necessitates that the collective and the individual be integrated to a greater extent than is accepted in the contexts of the Global North.

Conflict of interest

No conflict of interest arose during the conduct of this academic research. We declare that we have no financial, professional or personal ties that could influence the design of the study, or the interpretation and publication of the results obtained. Furthermore, we confirm compliance with ethical standards and scientific integrity, in accordance with the guidelines established by the academic community and by this journal.

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