



Transitional Justice and Public Policy in Colombia (2020–2024): A Systematic Literature Review from a Post-Conflict Perspective

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ABSTRACT: This article presents a systematic literature review on transitional justice and public policy in Colombia between 2020 and 2024. It aims to identify the main research trends, theoretical gaps, analytical tensions, and emerging approaches in the field. Using the Web of Science database and the PRISMA 2020 protocol, 95 articles were selected and analyzed through thematic analysis (inductive coding) and bibliometric tools (Bibliometrix, VosViewer, and Posit Cloud). The findings were grouped into six thematic clusters: (1) institutional and legal frameworks, (2) participation and reparation, (3) differential approaches, (4) justice vs development, (5) perception and legitimacy, and (6) emerging approaches. The discussion reveals a progressive transformation of the field, from normative legal perspectives to intersectoral, territorial, and symbolic approaches, as well as increasing concerns about social legitimacy, environmental justice, and reconciliation grounded in local knowledge. The study concludes that transitional justice in Colombia is currently undergoing a plural reconfiguration, which requires more participatory, redistributive, and culturally situated public policies. The article offers policy recommendations to strengthen the Integral System of Truth, Justice, Reparation, and Non-Repetition, implement intersectional frameworks, and incorporate transformative methodologies in the analysis and practice of transitional justice.

Keywords: transitional justice; public policy; Colombia; systematic review; victims; reconciliation; differential approaches.

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1. Introduction

Since the signing of the Final Agreement between the Colombian government and the FARC-EP in 2016, transitional justice has become one of the key pillars in the country's peacebuilding process. Through the creation of the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition (SIVJRNR), Colombia undertook an ambitious effort to address historical debts to the victims of the armed conflict, clarify the events that occurred, and guarantee the non-repetition of the structural violence that both caused and perpetuated the conflict (Aponte, Tabarquino, & Arango, 2025). However, eight years after its implementation, deep tensions persist between the system's legal mandate, the political and institutional dynamics surrounding it, and citizens' perceptions regarding its legitimacy and effectiveness.

In this context, academic production on transitional justice in Colombia has grown significantly, encompassing legal and normative approaches as well as intersectoral, territorial, cultural, and symbolic

perspectives. Nevertheless, this proliferation of studies poses important challenges in terms of systematization, comparison, and integrated analysis. The literature remains fragmented into thematic subfields and lacks a comprehensive overview that could help identify patterns, theoretical convergences and tensions, methodological gaps, and emerging orientations (Aponte et al., 2025). Furthermore, there is limited articulation between this body of knowledge and the design and evaluation of public policy, which restricts the effective impact of academic research on institutional decision-making.

In light of this situation, this article aims to carry out a systematic literature review on transitional justice and public policy in Colombia during the period 2020–2024, using the Web of Science as the main database and integrating thematic and bibliometric analysis tools. The review seeks to answer the following questions: What have been the main lines of research on transitional justice in Colombia over the past five years? What tensions, gaps, or contributions can be identified in the existing approaches? How can these findings inform the design of more comprehensive, participatory, and transformative public policies?

The review is structured into five sections. Following this introduction, Section 2 presents the methodology employed, framed within the PRISMA 2020 protocol and complemented with tools such as Bibliometrix and VosViewer. Section 3 outlines the review findings, organized into six thematic clusters that reflect the main analytical currents in the field. Section 4 discusses these findings in light of the identified theoretical tensions and empirical gaps. Finally, Section 5 offers conclusions and recommendations aimed at strengthening transitional justice public policies in Colombia, with emphasis on differential, territorial, and symbolic approaches.

2. Methodology

This study adopts a systematic literature review approach in order to summarize and synthesize the findings of existing research on a specific topic or field (Donthu, 2021), with the aim of identifying, synthesizing, and assessing the most relevant academic literature on transitional justice, public policy, and peace processes in Colombia published between 2020 and 2024. The review was designed to ensure methodological transparency, reproducibility, and analytical coherence by establishing strict inclusion and exclusion criteria applied to a single bibliographic database (Sánchez, Charry, & Vallejo, 2024).

The Web of Science (WoS) Core Collection database was selected due to its recognized academic rigor, indexing quality, and relevance to the social sciences. Although some authors recommend combining multiple databases to broaden the search scope, this study prioritizes precision and methodological consistency, in line with Bramer et al. (2017), who warn about the complexities of adapting Boolean search equations across heterogeneous platforms. Consequently, WoS was considered sufficient and appropriate for identifying high-quality peer-reviewed articles relevant to the Colombian context.

A Boolean search equation was constructed to capture the intersection of three conceptual categories: transitional justice, public policy, and peace processes, all within the Colombian context. The search string used was:

"TRANSITIONAL JUSTICE" OR "JUSTICE AND PEACE" OR "HUMAN RIGHTS" AND "PUBLIC POLICY" OR GOVERNANCE OR POLICIES AND "PEACE PROCESS" OR "POSTCONFLICT" AND COLOMBIA

This search was conducted within the Social Sciences Citation Index (SSCI) of Clarivate Analytics' Web of Science Core Collection™.

A five-stage filtering process was applied to ensure relevance and rigor:

Open access articles: 187 documents selected.

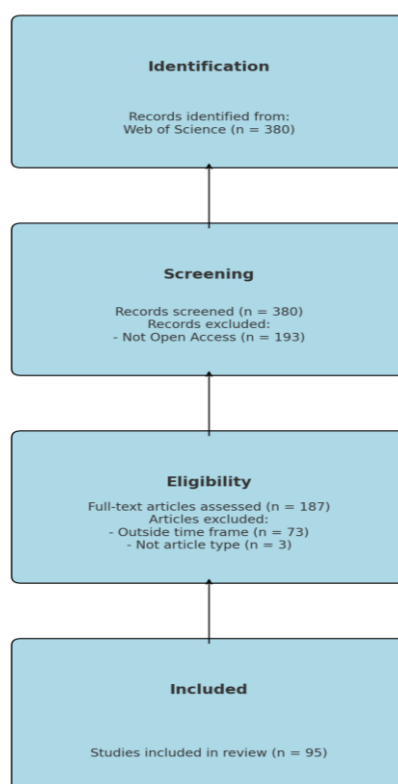
Time range: Publications between 2020 and 2024 (114 results).

Document type: Only peer-reviewed journal articles (111 results).

Language: Spanish and English only (111 results).

Research areas: Law, International Relations, Political Science, Interdisciplinary Social Sciences, Criminology, Sociology, Anthropology, and Ethnic Studies (final result: 95 articles).

PRISMA 2020 Flow Diagram (Simplified)



(Figure 1) prepared by the authors

All retrieved articles were evaluated by title and abstract to verify their alignment with the objective of the review. Duplicates and thematically irrelevant documents were excluded. The PRISMA flow diagram (Figure 1) summarizes the stages of identification, screening, eligibility, and inclusion (Alharbi et al., 2024). A full-text review of the selected documents was conducted to confirm their empirical, theoretical, or analytical contribution to the study of transitional justice and public policy in Colombia.

Data from the final 95 articles were extracted and analyzed using Posit Cloud™ (formerly RStudio), employing the Bibliometrix and Biblioshiny packages for bibliometric analysis. Thematic and network visualizations (e.g., "Three-Field Plots" and "Trend Topics") were also generated using VosViewer®. The analysis focused on identifying recurring authors, key concepts, institutional affiliations, and the temporal evolution of keywords and thematic clusters.

3. Results

The systematic review of the 95 selected articles allowed for the identification of six thematic clusters that structure recent academic production (2020–2024) on transitional justice and public policy in Colombia. These clusters not only reflect the diversity of theoretical, methodological, and disciplinary approaches converging in the field but also reveal a shift toward more critical, intersectional, and context-sensitive analyses (Sánchez, Charry, & Vallejo, 2024). Broadly speaking, the reviewed studies approach transitional justice from a multiscale perspective that articulates institutional frameworks, political subjectivities, collective memory, territorial conflicts, social imaginaries, and strategies of resistance.

The findings show a significant concentration of work focused on the design and application of normative frameworks—such as the Special Jurisdiction for Peace (JEP), the Constitutional Court, and national legislation—as well as on the challenges of implementation in relation to economic actors, territorial

dynamics, and demands for differential recognition. In addition, there is an increasing emphasis on citizen perceptions, media discourse, and the sociopolitical legitimacy of transitional mechanisms, particularly in contexts marked by polarization and resistance to the peace agreement. Notably, new methodologies and theoretical approaches are emerging that enrich the field, incorporating artistic practices, ancestral knowledge, spiritual justice, embodied narratives, and feminist and decolonial epistemologies.

Within this framework, the organization of the results is presented through six analytical axes:

Clústeres Temáticos de la Justicia Transicional en Colombia (2020-2024)
Institucional y normativo JEP, Corte, normas internacionales
Participación y reparación Víctimas, reparación, memoria
Enfoques diferenciales Género, etnicidad, territorio
Justicia vs desarrollo Reparación vs inversión económica
Percepción y legitimidad Opinión pública, medios, confianza
Enfoques emergentes Arte, cuerpo, espiritualidad

(Figure 2) prepared by the authors

This categorization allows for a deeper understanding of the advances, gaps, and contradictions that shape the field of transitional justice in Colombia, providing a solid foundation for critical discussion and future projections.

3.1. Institutional and Normative Approaches to Transitional Justice

This cluster brings together studies focused on the design, implementation, and evolution of institutional and legal frameworks related to transitional justice, including:

Special Jurisdiction for Peace (JEP); Constitutional Court and constitutional review; Victims and land restitution laws; Role of international law and the Rome Statute.

Key authors: Gutiérrez Salazar (2022), Bernal (2022), Choachí-Jaramillo & Gutiérrez-Urbe (2020), Botero (2020).

One of the most consolidated thematic clusters in the recent literature on transitional justice in Colombia is the analysis of institutional and normative frameworks that have shaped peace processes from 2005 through the implementation of the Final Agreement with the FARC-EP in 2016. This line of research is characterized by a legal-political approach centered on the role of the Special Jurisdiction for Peace (JEP), the Constitutional Court, national legislation (such as Law 975 of 2005 and Law 1448 of 2011), and the interaction between domestic law and international human rights law.

Gutiérrez Salazar (2022) identifies three key moments in the performance of the Constitutional Court, highlighting its role as a guarantor of the balance of powers during the peace agreement's implementation, through rulings on the legislative “fast track” and regulations concerning political participation and the creation of the JEP. These decisions helped stabilize the legal process in a context of high political polarization, reaffirming the Court’s role as a central constitutional actor in Colombia’s transitional justice process.

Complementing this, Vernal (2022) analyzes the legitimacy dilemmas stemming from the failed 2016 plebiscite, arguing that the Constitutional Court’s intervention, through constitutional review, was crucial in conferring legal legitimacy to the agreement’s implementation despite its rejection at the polls. This point

is echoed by Alviar-García and Betancur-Restrepo (2022), who emphasize that international law was strategically employed by various actors during the negotiations—both as a constraint and an enabler of the agreement—depending on the political agendas at play.

Another recurring theme within the normative cluster is reparation as a fundamental right. Restrepo (2023) argues that, from both constitutional jurisprudence and international humanitarian law, reparation should not be reduced to material compensation, but rather constitutes a guarantee of human dignity, linked to truth, justice, and non-repetition. This conception aligns with the UN's guiding principles and reinforces a comprehensive approach to transitional justice in the Colombian context.

For their part, Choachí-Jaramillo and Gutiérrez-Urbe (2020) provide a technical analysis of the special constitutional action (*tutela*) regime against rulings of the JEP. Based on the 2017 constitutional reform, the authors document how a differentiated jurisprudence has developed to balance respect for the autonomy of the special jurisdiction with the effective protection of fundamental rights, incorporating specific grounds for admissibility such as substantive, organic, and procedural defects.

Botero (2020) examines how decisions issued by the JEP—particularly those related to restorative sanctions—affect public trust in the transitional justice system. Based on experimental evidence, the author concludes that less punitive measures garner less public support than those perceived as exemplary sanctions, revealing a structural tension between legal legitimacy and social legitimacy in the implementation of Colombia's transitional justice model.

The studies grouped in this cluster reveal a complex and dynamic legal landscape in which constitutional institutions, international law, and transitional justice bodies operate as fundamental pillars of post-conflict governance. However, they also warn of the need to strengthen mechanisms for public communication, citizen participation, and inter-jurisdictional dialogue in order to foster broader social ownership of legal instruments and consolidate the democratic legitimacy of the transition.

3.2. Victim Participation and Reparations Mechanisms

This cluster includes studies that examine the centrality of victims in the design of public policies, with a focus on:

Symbolic and material reparation; construction of collective memory; access to truth and participation in judicial processes.

Key authors: Restrepo (2023), Jones et al. (2023), Latorre Iglesias et al. (2021), Uribe et al. (2023)

The effective participation of victims in transitional justice processes has been one of the discursive and normative pillars of the Final Peace Agreement in Colombia, as well as a recurrent analytical focus in the specialized literature reviewed between 2020 and 2024. This thematic cluster brings together studies that examine both formal reparation mechanisms and the social dynamics of agency, memory, and victim representation, highlighting the complexity of implementation in contexts marked by institutional fragmentation, ongoing violence, and structural inequality.

Restrepo (2023) argues that reparation should be understood as a fundamental right within the framework of Colombia's constitutional order and international humanitarian law. From this perspective, judicial, administrative, and symbolic mechanisms must ensure not only financial compensation but also the restoration of victims' dignity through access to truth, justice, and guarantees of non-repetition. This holistic conception of reparation is echoed by authors such as Jones et al. (2023), who examine the notion of procedural justice in the context of enforced disappearance. Their study reveals that institutional respect, empathy, and access to truthful information are as crucial as judicial outcomes in restoring victims' sense of agency and dignity.

From a sociocultural perspective, Latorre Iglesias, Olarte Molina, and Sáenz Correa (2021) introduce the concept of anamnestic justice, understood as a form of reparation aimed at safeguarding historical memory and preventing the recurrence of massacres that occurred during the Colombian armed conflict. Their

analysis of the Mejer Esquina massacre highlights the importance of memory as a tool for justice, denouncing the risk of impunity when collective harm is neither acknowledged nor symbolically repaired. Along similar lines, Velásquez-Ruiz and Olarte-Bácares (2022) emphasize the role of collective memory as an alternative mechanism of symbolic reparation, particularly when non-state actors such as private companies engage in commemorative practices and dialogue without assuming direct responsibility.

The study by Uribe et al. (2023) offers a critical perspective on the identity construction of victims, analyzing how individuals affected by the conflict in the department of Tolima navigate between the identities of “victims” and “survivors.” This finding suggests that transitional justice not only addresses harm but also produces new political subjectivities that challenge established legal categories. It also underscores the limitations of reparation policies that, despite their transformative aims, face structural barriers to effective implementation.

The comparative study by Botero Martínez and Rojas Betancur (2023) on truth commissions in Latin America highlights the impact of victims as political actors in shaping the content, scope, and modalities of collective reparation. This perspective emphasizes that participation should not be reduced to consultation or testimony, but must instead involve co-creation of truth and justice within institutional processes.

The works included in this cluster warn that, although victim participation has been normatively prioritized in the design of transitional justice mechanisms, its implementation faces significant barriers related to access, recognition, and effectiveness. The reviewed studies converge in pointing out that truly reparative justice requires not only institutional reform but also the strengthening of the link between individual victims’ rights and their collective, symbolic, and territorial dimensions.

3.3. Differential Approaches: Gender, Ethnicity, and Territory

This cluster brings together studies that integrate perspectives of intersectionality and differentiated rights:

Gender and LGTBQ+ perspectives; territorial rights of Indigenous and Afro-descendant communities; environmental and territorial justice as components of reparation.

Key authors: Garrido Ortolá (2023), Pastor & Santamaría (2021), Peña-Huertas et al. (2021), Huneus & Rueda Sáiz (2021)

Recent literature on transitional justice in Colombia has increasingly emphasized the need to incorporate differential approaches that recognize the diversity of experiences and harms produced by the armed conflict, particularly in relation to gender, ethnicity, and territoriality. This thematic cluster includes studies that explore the tensions between the normative design of transitional mechanisms and the effective practices of inclusion and recognition of historically marginalized populations—especially women, LGTBQ+ individuals, and Indigenous and Afro-descendant communities.

One of the most significant advances has been the mainstreaming of a gender approach within the Final Peace Agreement, through the creation of a Gender Subcommission and the inclusion of specific measures in favor of women and LGTBQ+ populations. However, scholars such as Garrido Ortolá (2023) and Gómez & Montealegre (2021) agree that, while this approach was normatively innovative, its implementation faces structural barriers—particularly in terms of real access to justice, comprehensive protection, and recognition of differentiated experiences of violence. These challenges are exacerbated in peripheral regions, where institutional resources are scarce and women face conditions of re-victimization, exclusion, or stigmatization.

From an ethnographic and decolonial perspective, Pastor and Santamaría (2021) document the spiritual advocacy practices of Wiwa women in the Sierra Nevada de Santa Marta, who have been doubly affected by the conflict and by institutional invisibilization. Their study highlights the need to adopt intercultural approaches that recognize Indigenous normative systems, territorial worldviews, and spiritual practices as legitimate sources of justice, healing, and reparation. Similarly, Huneus and Rueda Sáiz (2021) argue that recognizing the territory as a victim—particularly in Indigenous and Afro-Colombian communities—

requires a redefinition of harm that goes beyond the individual and includes damage to cultural, spiritual, and ecological ties.

The role of territory as a differentiating dimension is also addressed by Peña-Huertas et al. (2021) and Ruiz González et al. (2021), who analyze land restitution processes in Afro-descendant communities in Colombia's Pacific region. Both studies stress that although the law provides for collective restitution, its implementation has been limited by adverse conditions such as the continued presence of armed actors, institutional weakness, and conflicts with extractive or infrastructure interests. These limitations obstruct effective access to territorial rights and disproportionately affect ethnic communities.

Regarding the intersectional approach, Rettberg et al. (2022) show that feminist activism and gender-related academic production in Colombia have been historically shaped by the armed conflict agenda. This dynamic has made it possible to highlight the experiences of women as both victims and social agents, but it has also restricted the development of other structural issues such as political participation, economic autonomy, or non-military institutional violence. This fragmentation of the gender approach—between urban and peripheral contexts—represents a key analytical and operational tension in transitional justice.

The studies grouped in this cluster emphasize that, despite normative advancements, differential approaches still face major challenges related to implementation, cultural legitimacy, and territorial sustainability. The literature review shows that transitional justice can only be considered transformative if it effectively incorporates the voices, practices, narratives, and worldviews of historically marginalized groups—not merely as passive beneficiaries, but as active subjects in the construction of truth, reparation, and reconciliation.

3.4. Tensions Between Transitional Justice and Economic Development

This section highlights the analysis of how economic growth, investment, and governance agendas affect the implementation of transitional policies, particularly in:

Conflicts between land restitution and extractive projects; Influence of corporate actors; International investment law.

Key authors: Vargas Ibáñez (2023), Prieto-Ríos et al. (2023), Wesche (2021), Cárdenas et al. (2021)

One of the most relevant findings in recent literature on transitional justice in Colombia is the identification of structural tensions between state-driven economic development policies and the mechanisms of reparation and rights implementation established in transitional frameworks. This thematic cluster brings together research that analyzes how strategic interests in growth, competitiveness, and investment—often aligned with extractivist logics and global integration—can come into conflict with victims' rights, particularly those related to land restitution, access to territorial justice, and collective reparation.

Vargas Ibáñez (2023) offers a critical analysis of the 2014–2018 National Development Plan, showing how the goals aimed at Colombia's accession to the OECD prioritized economic competitiveness over transitional justice. Her study reveals that this tension directly affected processes such as land restitution, which became subordinated to the interests of mining, infrastructure, and agribusiness. From this perspective, the author identifies a normative and practical disconnection between the civil-political and economic dimensions of human rights, resulting in unresolved conflicts between justice and development.

This conflict is particularly evident in the works of Prieto-Ríos et al. (2023) and Wesche (2021), who document how international investment law has acted as a deterrent for the Colombian state when implementing land restitution. When dispossessed lands coincide with areas granted to foreign investors, national authorities have often avoided revoking titles or taking legal actions that could trigger litigation before international arbitration tribunals. These findings reveal a field of tension between the state's obligations to provide reparations to victims and the pressures arising from transnational arbitration, with direct consequences for the effectiveness of collective territorial rights.

Cárdenas et al. (2021) complement this line of argument by highlighting the dual role of corporate actors: on one hand, they may facilitate reparation processes through voluntary corporate social responsibility practices; on the other hand, they may actively obstruct restitution when their interests clash with those of dispossessed communities. This corporate ambivalence underscores the need for a more robust regulatory framework that holds the private sector accountable in transitional contexts.

From an ethnographic perspective, Lazala Silva Hernández (2022) documents how, in rural areas of Nariño, the "dispensable memories" of peasant women—those that do not fit within the state's formal categories—have been excluded from reparation processes for not aligning with dominant narratives. Her study shows how institutional mechanisms can reproduce structural inequalities when economic development becomes the guiding principle, relegating everyday experiences of suffering, dispossession, and resistance.

This thematic cluster reveals a central paradox of transitional justice in Colombia: while the normative framework promotes a rights-based transition, the operational level frequently prioritizes an economic development agenda that undermines the effective realization of those very rights. The literature suggests that these tensions are not marginal, but rather constitutive of the governance model adopted in the post-conflict period. This calls for an urgent reconsideration of regulatory frameworks, public policy coherence, and the alignment between investment, development, and reparation.

3.5. Citizen Perceptions, Legitimacy, and Public Opinion

This section analyzes the role of civil society, public opinion, and the media in the acceptance or rejection of transitional justice mechanisms, including:

Political participation of former combatants; punitivism and restorative justice; media narratives and political polarization.

Key authors: Carlin et al. (2020), Botero (2020), Quiroga-Villamarín (2023), Foringer (2022)

A transversal component in the analysis of transitional justice in Colombia has been the study of citizen perceptions, institutional legitimacy, and the construction of public opinion—particularly in contexts of political polarization, misinformation, and post-conflict social fatigue. This thematic cluster brings together research that explores social attitudes toward transitional justice mechanisms, the effects of political and media discourses on public opinion, and the factors that condition support for or rejection of key measures such as restorative sanctions or the political participation of former combatants.

One of the most influential studies in this field is that of Botero (2020), who examines the effects of decisions made by the Special Jurisdiction for Peace (JEP) on citizen trust. Drawing on experimental evidence from the AmericasBarometer, the author shows that restorative sanctions—though normatively robust—garner lower levels of public support compared to traditional punitive measures. This suggests a disconnection between legal legitimacy and social legitimacy, insofar as the transitional legal framework fails to be embraced by broad sectors of the population who equate justice with harsh punishment.

A similar finding is presented by Carlin, Love, McCoy, and Subotić (2020), who analyze the impact of former combatants' political participation on public support for the peace process. Using experimental techniques (vignettes and conjoint analysis), the authors conclude that this element elicits more public rejection than the justice mechanisms themselves. In particular, citizens perceive the political integration of former FARC members as a threat to democratic legitimacy—an issue exploited by political sectors opposed to the peace accord to undermine its sustainability.

Media narratives also play a key role in shaping public perceptions. In his study of the radio program *Las Voces del Secuestro*, Quiroga-Villamarín (2023) analyzes how the media can be instrumentalized to construct collective memories that, while highlighting the pain of victims, also fuel punitive or anti-reconciliation discourses. The author notes that this platform, initially focused on emotional accompaniment, was later appropriated by conservative political actors to weaken the legitimacy of the JEP and reinforce opposition to restorative sanctions.

From an institutional perspective, Foringer (2022) shows how legal definitions of "victim" in the Colombian Congress were shaped by elite historical narratives, excluding those affected by the conflict prior to 1985. This temporal delimitation reveals how institutional legitimacy depends not only on legal principles but also on symbolic processes of inclusion/exclusion, which generate hierarchies of victimhood with significant implications for public perceptions of the process.

Ramírez-Gutiérrez and Quiroga-Villamarín (2022) highlight how the JEP has sought to sustain its legitimacy in the face of punitive populism and misinformation by appealing to international human rights standards. While this normative grounding has provided legal stability, the authors caution that it has not always translated into effective social support—especially in rural or politically conservative areas, where distrust toward peace accord institutions persists.

This cluster reveals that the legitimacy of transitional justice cannot be understood solely from a normative or institutional logic; it requires a broader socio-communicative reading. The reviewed evidence shows that social acceptance of justice mechanisms depends on the ability of the state and civil society to generate inclusive, culturally sensitive, and politically sustainable public narratives capable of translating the principles of truth, justice, and reparation into socially validated practices.

3.6. Methodological Innovations and Emerging Approaches

This section examines the novel theoretical and methodological contributions to the analysis of transitional justice, such as:

Embodied memories and transformative justice; spiritual justice and Indigenous advocacy practices; storytelling, spatial resilience, art, and performativity.

Key authors: Clark (2020), Santamaría et al. (2020), Strandberg Hassellind (2022), Martín de Almagro et al. (2024)

The analysis of the literature reviewed between 2020 and 2024 reveals a growing interest in exploring alternative methodological approaches and theoretical innovations that go beyond traditional normative frameworks of transitional justice. This cluster brings together studies that incorporate perspectives from anthropology, political philosophy, decolonial studies, critical feminism, participatory methodologies, and art as a form of resistance, thereby broadening the epistemological horizons of the field.

One of the most notable innovations is the use of embodied memories as a source of truth and justice. Clark (2020) proposes a transformative reading of sexual violence experiences in conflict contexts, suggesting that victims' bodies carry memories that are not always translatable into legal language. This perspective introduces elements of somatic justice and calls for a rethinking of documentation and reparation methods through a bodily sensitivity, especially in cases of gender-based violence and forced displacement.

From an intercultural perspective, Santamaría et al. (2020) and Pastor and Santamaría (2021) introduce the concepts of body mapping and spiritual justice, used by Indigenous women in local truth and reparation processes. These methodologies enable the reconstruction of memory through ancestral practices, ties to Mother Earth, and sacred territories, challenging state-centric victimization frameworks and promoting a decolonial approach to transitional justice.

Another emerging line links art, culture, and transformative justice. Martín de Almagro et al. (2024) examine how collective performances — such as music, dance, and feminist rituals — function as mechanisms of denunciation and symbolic expressions of justice. In the Colombian context, the *Enkelé* collective exemplifies how artistic practices can channel collective trauma, construct alternative narratives, and foster symbolic reparation in the absence of formal justice.

Approaches that interrogate the spatiality of violence and justice have also emerged. Clark (2020) and Strandberg Hassellind (2022) propose concepts like spatial resilience and judicial storytelling, emphasizing that the geographic distribution of vulnerability and the fragmentation of territory impact the

possibilities for reconciliation. Incorporating these dimensions allows the analysis to move beyond normative texts toward local practices, languages of suffering, and imaginaries of peace.

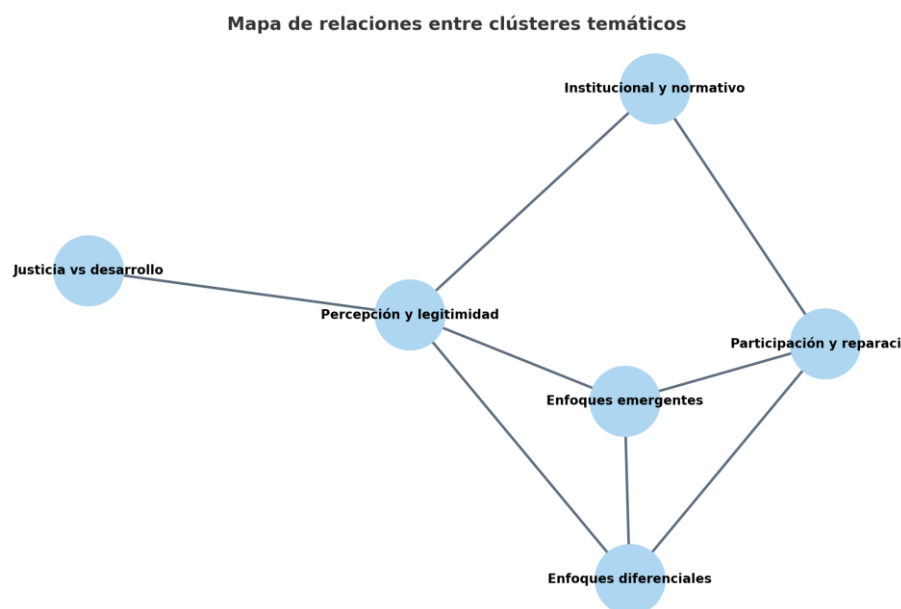
In the field of legal theory, Gyr (2023) revisits Ronald Dworkin's theory of justice to propose an integrated model encompassing truth, freedom, and equality, in which the transitional justice process is conceived as a deliberative practice guided by democratic values. This approach seeks to rebalance the tensions between individual reparation and social cohesion, highlighting the need to integrate structural, symbolic, and procedural dimensions into a robust model of justice.

Similarly, attention is drawn to proposals that promote plural epistemological perspectives, such as those by McEvoy, Lawther, and Moffett (2022), who examine the role of non-state armed groups (NSAGs) as agents of reparation. Their research suggests that effective reintegration and accountability can be strengthened if ex-combatants are allowed to participate in symbolic and material collective reparation processes, through a restorative and community-based approach.

This thematic cluster highlights a significant renewal in the field of Colombian transitional justice, aimed at overcoming its institutional, legal, and punitive limitations. These emerging methodologies not only enrich academic analysis but also offer new forms of intervention, recognition, and healing in contexts deeply marked by pain, exclusion, and historical inequality. This turn toward epistemic and methodological plurality represents a critical promise for strengthening a genuinely transformative and contextually grounded justice.

Relational Synthesis and Conclusion of Results

The thematic structure identified through the systematic analysis reveals not only the diversity of approaches that shape the field of transitional justice in Colombia but also the relational density among its analytical components. The following figure illustrates a map of relationships between clusters, allowing for a visualization of the critical convergences and articulations among the institutional, social, territorial, and symbolic axes addressed by recent literature.



(Figure 3; own elaboration)

As can be seen, the "Participation and Reparation" cluster (C2) occupies a pivotal position, establishing direct links with both normative approaches (C1) and differential approaches (C3), emerging approaches (C6), and citizen perceptions (C5). This centrality suggests that victim participation and reparation mechanisms are not isolated elements, but rather constitute the backbone around which disputes over legitimacy, differential inclusion, symbolic justice, and institutional effectiveness are articulated.

Similarly, the "Perceptions and Legitimacy" (C5) and "Emerging Approaches" (C6) clusters appear highly connected, indicating that new ways of understanding justice—through art, the body, territory, and spirituality—are deeply intertwined with disputes over the public meaning and social acceptance of transitional mechanisms. This interaction signals a methodological and epistemic shift that transcends legal institutions to challenge justice from the margins, from the perspective of collective emotions and subjectivities.

The "Justice vs. Development" cluster (C4), while less densely connected, maintains a direct relationship with citizen perceptions (C5), suggesting that the conflicts between economic investment and reparations for victims operate not only at the structural level but also in the symbolic and discursive realm. In this sense, the extractivist model, the corporate capture of public resources, and the pressure for economic results are at odds with social demands for distributive justice and historical memory.

The figure reflects that the field of study is not organized into watertight compartments, but rather exhibits a polycentric and highly interdependent configuration, reinforcing the need for interdisciplinary and integrative approaches. The interweaving of normative, participatory, differential, economic, perceptual, and symbolic aspects poses the challenge of designing transitional justice public policies that are not only legally viable but also culturally resonant, ethically sustainable, and politically legitimate.

4. Discussion

The systematic review conducted between 2020 and 2024 on transitional justice in Colombia reveals a progressive transformation in the field, both in its analytical orientation and methodological repertoire. First, the findings reflect a shift from predominantly legalistic approaches toward more interdisciplinary perspectives that integrate sociological, political, cultural, and territorial dimensions. This change responds not only to the complexity of the Colombian case but also to the academic maturation of a field that has begun to question the limits of traditional normative frameworks and to value situated knowledge.

From this perspective, the studies included in **Cluster 1** reaffirm the centrality of institutional design as a condition of possibility for the implementation of transitional justice. However, the most recent articles go beyond describing the functioning of the Special Jurisdiction for Peace (JEP) or the role of the Constitutional Court and critically examine the tensions between legal frameworks and political interests. They reveal an institutional architecture highly conditioned by partisan negotiations, institutional capture dynamics, and power asymmetries.

At the same time, **Cluster 2** shows that victims have become epistemic actors in the process—not merely as subjects of reparation but as producers of memory, resistance, and public pedagogy. However, effective participation continues to face structural barriers, such as unequal access to justice mechanisms, the persistence of revictimizing practices, and the invisibilization of non-hegemonic experiences. This reinforces the need to move toward transitional justice models that go beyond material compensation to include symbolic recognition, deliberative participation, and transformative agency.

The contributions of **Cluster 3** confirm the urgency of adopting intersectional and differential approaches that recognize the particular ways in which the conflict affected women, Indigenous peoples, Afro-descendant communities, peasants, and gender-diverse populations. Although the Colombian legal framework has progressively incorporated these perspectives, the reviewed literature highlights significant implementation gaps, particularly in rural areas, ethnic territories, and environmental justice contexts. In this regard, a latent tension is observed between normative universalization and the plurality of experiences that demands a truly intercultural justice.

Cluster 4 introduces a relatively underexplored axis in previous cycles: the tension between justice and economic development. This line of analysis is particularly relevant in the Colombian context, where logics of investment, extraction, and productivity have been prioritized over commitments to reparation and guarantees of non-repetition. The literature agrees that development dynamics can hinder transitional justice when they reproduce structural inequalities, legitimize dispossession, or limit the effective restitution of rights. This raises a structural dilemma between territorial peace and the economic model,

which must be addressed through comprehensive public policies, sensitive to conflict and oriented toward *buen vivir* (well-being).

The analysis of **Cluster 5** reveals that the legitimacy of transitional justice does not depend exclusively on its legal architecture but on its capacity for social resonance. The reviewed literature shows that citizen support is highly sensitive to variables such as media discourse, emotional narratives, and dominant interpretive frameworks. In this context, the decisions of the JEP, restorative sanctions, and the political participation of ex-combatants are evaluated by society not only in terms of legality but also of perceived justice. This underscores the need to strengthen public communication channels, social pedagogy, and active listening.

Finally, **Cluster 6** highlights the emergence of innovative methodological and epistemic approaches that challenge the traditional boundaries of the field and propose new ways of naming, feeling, and practicing justice. From the spiritual justice of Indigenous peoples to embodied, performative, and artistic narratives, these approaches expand the interpretive repertoire of transitional justice and introduce affective, symbolic, and aesthetic dimensions that had been marginalized. Their value lies in the fact that they not only question the legal system but also reconfigure the conditions of possibility for reconciliation through territories, living memories, and non-hegemonic languages.

In short, the comparative discussion of the six clusters allows us to affirm that transitional justice in Colombia is undergoing a process of plural reconfiguration, where inherited institutional models, emerging forms of justice, and symbolic disputes over the past coexist. This plurality poses substantive challenges for the formulation of public policies that not only repair but also transform power structures, recognize diverse memories, and strengthen democratic legitimacy. The persistent gaps in effective participation, social legitimacy, and redistributive justice must be addressed through an intersectoral, intersectional, and deeply contextualized lens.

Conclusions and Recommendations

This systematic literature review on transitional justice and public policy in Colombia (2020–2024) has made it possible to rigorously and structurally map the current state of the field, its theoretical tensions, empirical gaps, and emerging trends. Based on the analysis of 95 articles indexed in Web of Science, organized into six thematic clusters, it is concluded that transitional justice in Colombia is undergoing a stage of diversification and redefinition, where formal legal frameworks coexist with intersectional approaches, disputes over social legitimacy, and new methodologies of symbolic and territorial reconciliation.

First, the centrality of the institutional framework is reaffirmed, particularly in relation to the Special Jurisdiction for Peace (JEP) and the Constitutional Court. However, the literature highlights the structural limitations of a justice that is exclusively normative, emphasizing the need to move toward more participatory, reparative, and culturally sensitive models.

Second, it is evident that the participation of victims and communities must not only be formally guaranteed, but also strengthened in terms of real impact, territorial equity, and differential recognition. Effective transitional justice requires public policies that build local capacities, facilitate access to truth and reparation mechanisms, and promote inclusive, plural, and transformative memory processes.

Third, differential and intersectional approaches are consolidating as normative and epistemic imperatives. However, their implementation presents persistent challenges, particularly in rural, ethnic, and environmentally vulnerable contexts. It is essential to incorporate territorial variables and local knowledge in the design, monitoring, and evaluation of transitional measures.

Fourth, a structural conflict is confirmed between justice and economic development, particularly in relation to extractive projects, land concentration, and the continuity of neoliberal models that reproduce dispossession. This tension must be addressed through development policies based on human rights, environmental justice, and territorial sovereignty.

Fifth, it is demonstrated that social perception is a decisive component in the sustainability of the transitional process. Disinformation, media polarization, and institutional mistrust erode the legitimacy of justice mechanisms. In this regard, it is recommended to develop strategies for civic education, public communication, and social dialogue, which contribute to rebuilding the symbolic fabric of peace.

Finally, the emergence of innovative methodological approaches (such as art, the body, spirituality, space, and performance) is highlighted. These expand the horizons of transitional justice and open possibilities for transformative justice. These approaches should be recognized not as complementary, but as central to understanding affective, territorial, and collective memories.

Recommendations

Based on the above, the following recommendations are proposed for decision-makers, judicial actors, academics, and social organizations:

- **Reformulate legal frameworks** by incorporating criteria of relational, territorial, and environmental justice that acknowledge the diversity of actors and memories involved.
- **Strengthen the institutional capacity** of the JEP and the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition, ensuring operational autonomy, adequate resources, and real participatory mechanisms.
- **Design differential public policies** that address the multiple forms of victimization through an intersectional lens, recognizing the knowledge and practices of ethnic peoples, women, and rural communities.
- **Promote restorative and symbolic justice mechanisms**, including cultural, artistic, and community expressions as central components of the reconciliation process.
- **Integrate transitional justice** into national and territorial development plans, ensuring coherence between the goals of peace, social inclusion, and environmental sustainability.
- **Encourage interdisciplinary and participatory research** that combines quantitative, qualitative, and visual methods, and that strengthens the production of knowledge from and for the territories.

This review invites us to understand transitional justice not as a closed or exclusively legal process, but as a contested field where meanings, memories, power relations, and possible futures are at stake. Colombia now has the opportunity to consolidate an innovative, plural, and transformative transitional model. This will depend on its ability to listen to historically silenced voices, to articulate diverse knowledges, and to build policies that respond not only to the victims of the past but also to the generations to come.

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