

Globalization, Human Rights And Colombian Armed Conflict

María Stephania Aponte García¹, Sonia Sánchez Arteaga²

Abstract

This article examines the interaction between globalization, human rights and armed conflict. It highlights the positive impact of globalization on the global diffusion of human rights and how this interconnection contributes to the awareness and protection of these rights. Additionally, the relationship between globalization and international development is addressed, with debates about whether it actually reduces inequality and poverty or reinforces existing power structures. In the context of armed conflicts, the transformation of the Colombian conflict due to economic openness and how globalization provides opportunities for illegal economies is explored. The article emphasizes the need to integrate economic and political aspects in peace interventions. Additionally, conflict theories are examined, pointing to a shift from the Cold War toward internal conflicts. A broader vision of war is proposed that considers multiple factors, such as actors, development of the conflict, motivations and economic dimensions. In the analysis of civil wars, different currents are discussed, highlighting the economic perspective that suggests that the search for economic benefits can overcome political motivations in armed conflicts.

Keywords: Globalization, Human rights, Armed conflicts, International development.

Introduction

What is meant by globalization: some of the main theories

The concept of globalization has been the subject of various definitions and explanations in an attempt to grasp its meaning. Broadly speaking, it has been described as the expansion of human and social relations on a global scale, including the worldwide extension of such relations. Although it became popular worldwide in the late 1980s, its origin dates back to 1961, specifically in Webster's International Dictionary. However, its actual appearance can be traced to an article in The Economist in April 1959 on import quotas in the automotive industry (Globalized Quota).

From there, the term began to be widely used in English-speaking countries during the 1960s, but its true spread came as markets expanded globally. Some authors argue that the term had already spread through the economic and social integrations that occurred in past centuries, especially during the Industrial Revolution in the Western world during the eighteenth and nineteenth centuries (Zolo).

¹ Lawyer, master in constitutional law and doctorate in law. Professor at Unidad Central del Valle del Cauca. Tulua-Valle del Cauca, Colombia, South America. Postal code: 763022. E-mail: <https://orcid.org/0000-0003-2642-2896>

² Lawyer, psychologist, specialist in university teaching, specialist in family law, master's degree in law, doctoral student in law from the Universidad Libre. Undergraduate and postgraduate university teacher at the Universidad Libre Cali. <https://orcid.org/0000-0002-3443-3862>

Various thinkers, such as sociologist Claude Henri de Saint-Simon and geopolitical expert Halford J. MacKinder, anticipated the idea that modernization would lead to a gradual integration of the world. Some authors, including Amartya Sen, place the beginning of globalization in the great geographical discoveries during the European Renaissance and in the development of intercontinental trade. Others especially emphasize the importance of the Spanish and Portuguese conquest of the New World, the trend toward geographical, economic, and political unification of the planet manifested itself first in the British Empire and later, during the 19th and 20th centuries, in European colonial domination. According to the school of subaltern studies, this implies a continuity between colonialism, postcolonialism, and globalization.

In any case, despite the fact that economic and social unification has been present since the industrial revolution, globalization has evolved significantly in the last decade of the last century (Aponte et al., 2021) This process has become increasingly rapid and often uncontrollable, which has led some to refer to turboglobalization; This term highlights the increasing speed and unpredictability of the process, which creates uncertainty and fears. At the same time, the acceleration of globalization highlights its irreversible nature, as an inevitable and natural part of human development.

It is crucial to fully understand the phenomenon of globalization, as it has given a new direction to human life and the world at large (Aponte et al., 2021). The change brought about by globalization is mainly found in the strengthening of trade, cultural and other relations.

In any case, globalization is an irreversible process that arises from economic and political integration. Driven by human and social relations, as well as growing economic interdependence at the international level, it is nevertheless important to consider that this phenomenon will evolve over time and may take new forms in the future.

The effects of this process, considering it as a historical moment or a global capitalist system, as Wallerstein puts it, are significant and it is expected that in the future it will be replaced by another system. However, it is difficult to define with certainty the exact way in which this global system will be run, especially in light of the latest global crisis and the uncertainty that national markets and policies have generated in the world's citizens.

Today, numerous transnational corporations can be seen present in all parts of the world. At the same time, cities, known as global cities, are undergoing a kind of homogenization due to the presence of international products and brands establishing themselves in them. Cities like New York, London, share similar characteristics, and all those metropolises possess distinctive features that define them as global cities. For example, we can think of McDonald's, which is a true symbol of the internationalization of the market, or other brands such as Nike, Adidas, among others, which are large transnational companies present all over the world.

In this context, it is important to reflect on global processes. By examining the various global cities, one can see how one of the tangible and immediate effects of globalization has been and continues to be the homogenization of public space and the increasing uniformity of products in the market. This raises the question of a globalisation that often takes on the face of large multinationals, even though it should have a more humane approach.

Introduction to Globalization in Colombia

In Colombia, the advent of globalization has generated a series of profound changes that have had repercussions on the economic, political and social spheres of the Colombian State; materializing through the signing of integration agreements, the formation of common markets and free trade zones, the implementation of strategies to attract foreign investment and the creation of favorable conditions for large multinational companies, but on the other hand the globalist process as the opportunity for the inclusion of rights and organizations to defend these "an opportunity to provide greater protection to rights through the incorporation of the rights of the human rights treaties and conventions in the Constitution and from the perspective of seeing the globalization of constitutional law" (Jiménez, 2023, p. 84). In this way, globalization has both detractors and defenders "...globalization is a contemporary phenomenon present in societies (...) which, necessarily, affects States. The Conceptions oscillate between those who consider that state institutions are reduced and weakened, and others who consider that states acquire a central role" (Llano & Silva, 2018, p. 61).

In the 1990s in Colombia, a process of economic liberalization began under the presidency of César Gaviria, this process was in line with a series of recommendations made in the Washington Consensus, within the ten points of this Consensus, countries were urged to reduce state intervention and allow public services to be managed by the private sector (Castañeda Rodríguez & Díaz-Bautista, 2017), this meant easing the burden on the state in providing public services; It was expected that the transfer of responsibility and management of public services to the private sector would generate efficiency and greater competitiveness in the economy, since that moment privatizations such as Telecom, "privatization and liberalization policies (...), the Colombian government opened the floodgates for the entry of new operating companies, especially private and transnational in nature, that entered into competition with state-owned companies on equal terms" (Giraldo Palacio, 2016, p. 1).

In times of globalization, it is clear that Colombia cannot adopt a closed nationalist policy, but neither can it allow public capital to be exploited by multinationals or national monopolies under the pretext of privatization, as pointed out by Stiglitz (2010) who defends the globalization of trade and financial markets, but these are only possible if, It is not forgotten that economics and the globalization of markets only make sense if they can improve the lives of citizens, both in the richest and poorest countries (p. 189).

Now, with regard to Colombia and its productive structure, in the 1970s, Colombia was mainly a coffee-producing country, but in the 1990s it underwent a change in that structure, becoming a producer of minerals and coca, a situation that was not only exclusive to Colombia, but was due to the agricultural crisis of the developing states that their laws opened up in a global and international context. Its emphasis on economic liberalization, as opposed to protectionist actions in the case of developed countries that promoted openness from abroad but not applied directly in their States, for this reason the non-developed agricultural states migrated their source of income towards the exploitation of hydrocarbons and minerals, which had a high consumption by developed countries in order to acquire inputs and energy sources for technification and industry, mainly unrefined oil, gas, coal, gold, iron, among others, "..., change in the country's productive structure was fundamentally due to the challenges that the Colombian economy had to face in the face of an increasingly open, flexible and competitive context brought about by the liberalizing impulse of globalization" (Mantilla, 2012, p. 39).

A direct example of this is how the Colombian coffee industry experienced a significant decline, it went from representing 50% of exports in 1985, to 17.5% in 1995, five years later in 2000 it falls to 7.39%, for 2005 6.49%, 2010 4.61%, rising for 2015 to 6.99%, however being a considerably low figure as for 2020 with 7.88%; while crude oil begins to take a leading role,

for 1995 only 17.5%, while in 2021 it had 26.6% of Colombia's hydrocarbon exports to the world, a high percentage compared to that of coffee, which for 2021 only has 7.57% (Observatory of Economic Complexity , 2022).

These changes can be explained, in the first place, due to the low international prices of coffee that began to prevail from the 1980s, due to a global overproduction of the bean, induced by the emergence of both new and established economies, which took advantage of the global context to expand their agricultural trade, as a result, Competition increased and coffee prices were negatively affected, trade policies of both openness and protection adopted by more powerful countries negatively impacted coffee-producing countries, which were unable to compete with producers using more advanced technology or offering alternatives to meet global demand.

This situation had a direct impact on the participation of Colombian coffee growing both nationally and internationally, the historical dependence on coffee as the main export product decreased due to the challenges faced by the sector, such as global competition and falling prices, this evidences a transformation in the country's productive structure. By the 1990s, Colombia did not have agricultural inputs such as coffee as its primary source of export, but consolidated itself as a producer of minerals and fuels, oil, coal, gas and gold as primary sources of export.

Mainly oil has become the primary income for exports to the country's wealth, contributing \$18.16 billion to the GDP by 2022 (Autonomous Committee on Fiscal Rule, 2023), although it is true that Colombia is not an oil power in history, in the governments from 2002 to 2022, they had focused on the exploitation of hydrocarbons, policies that have promoted an intensive search for and extraction of oil, largely driven by the advantages that the State has granted to foreign investment, as evidenced in the 2002 to 2006 development plans of Álvaro Uribe Vélez "Towards a Community State" indicated within the axes "Improvement of oil activity", and for this the exploitation of 10,000 kilometers of exploration (Presidency of the Republic of Colombia, 2002), as well as the policy of the "Mining-Energy Locomotive" in the National Development Plan 2010-2014 of Juan Manuel Santos, as the main objective to promote exploitation and exploration, which allowed the country to produce a historic figure of 965 barrels per day by 2011.

With regard to the Colombian trade balance, although the economic opening as mentioned began in the government of Cesar Gaviria in 1991, the percentage significance in GDP is not significant negative, until the entry into force of the largest treaties between Colombia and the United States in 2012 and with the European Union in 2014; according to the DANE (2023) although in 1991 and 1992 it had a surplus of 3.70% and 0.47% respectively, between 1993 and 1998 a minimum deficit between -2.65% and a maximum of -3.47%, for 1999 and 2000 again a surplus of 1.59% and 0.89% that would not be seen again until 2011, between the years 2001 to 2010, a minimum deficit -0.01% maximum -0.86%, for the years 2011 and 2012 the last surplus would be 0.80% and 0.29%, after the date and as mentioned to the entry into force of the most emblematic treaties in Colombia, the trade balance would be much more shocking, starting in 2013 with a deficit of -6.26% and 2021 -6.54% (Macro data, 2021), which would mean only in percentage terms that in Colombia imports take precedence over exports, making their contribution to the trade balance negative.

An underlying question of this relationship would be: how have productive, political, and economic changes affected the dynamics of the armed conflict in Colombia? The answer may be aimed at understanding that the change in the productive sector, the entry into force of

international trade treaties and agreements, the breakdown of what would be a mostly agricultural export basket to a primary export basket would be the perfect sum for a new scenario that would be taken advantage of by armed actors in Colombia. "..., to approach the Colombian conflict no longer exclusively in the sense of internal struggle or dispute (...), but from an alternative perspective in which the actors (...) they are transformed in the light of the new changes produced by globalization" (Mantilla, 2009, p. 38).

This phenomenon is the result of structural problems rooted in the primary-export production model, the political system and the distribution of land ownership. These conflicts have intensified in recent years, especially since the implementation of the Free Trade Agreement (FTA) with Canada in 2011, with the United States in 2012, and with the European Union in 2015.

Globalization and the Colombian Armed Conflict

In Colombia, the armed conflict has had a long history and has left a significant impact on society, the economy and the State, despite the efforts made to achieve peace, significant challenges still persist in this regard, and globalization and new technologies have introduced new challenges that must be addressed effectively. Historically, transitional justice processes have sidelined the role of corporations in dictatorships or armed conflicts that require addressing gross and systematic human rights violations.

However, there is a growing awareness of the fact that, in many cases, corporations have been complicit or have directly contributed to such violations, "the abandonment and dispossession of land has been synthesized in practices generally carried out by the armed actors of the conflict, a role in which it is questioned whether companies and legal entities have participated in such conduct" (Sandoval Mesa, et al, 2022)

It could be argued that the internal armed conflict has been centered on the struggle for control of land, moving away from the revolutionary idealism that sought political control of the State in the past, and in this aspect, from the economic opening and the presence of multinationals, they are also presented as actors in the conflict. as accomplices in order to obtain land tenure or greater economic benefits as happened with Peligrow "... emblematic case such as that of Poligrow in Mapiripán, Meta, presents a sensitive problem for Colombia such as the (illegal) grabbing of land for the realization of undertakings and investments in large-scale extractive projects". (Finzi, 2017, p. 23)

Corporate complicity can take a variety of forms, such as direct complicity, profit complicity, or silence complicity. In the area of transitional justice, special attention is paid to the first two forms of complicity. Direct complicity involves cases in which companies incentivize or facilitate the commission of human rights violations, knowing that they will be used during dictatorship or conflict, "... for example, by providing the state or non-state armed groups with financing, products or services such as weapons or military vehicles" (Finzi, 2017, p.174)

Complicity for profit refers to situations in which a company profits from human rights violations, as in the case of South Africa, where they operated under the apartheid system and benefited from cheap labour, or in the Colombian context, where they had the opportunity to acquire land at derisory prices. "... 120 companies with paramilitary structures, (...): Drummond, Chiquita Brands, Postobón, Ecopetrol, Termotasajero, the National Federation of Cattle Ranchers and Merchants, Banana and Cattle Ranchers of Urabá, which were accused of financing their crimes and helping the expansion of the project" (Corporación Jurídica Libertad, 2017)

It is important to apply transitional justice mechanisms to corporations that played a significant role in repression or conflict for a number of reasons. First, this contributes to establishing a comprehensive narrative of the facts and responsibilities of the various actors. Excluding important actors from transitional justice processes can create a sense of impunity among some involved and hinder the goal of achieving justice. "..., transnationals (...) have seen mining exploitation in Colombia as one of the most profitable and wealth-generating options (...) the support of paramilitary groups that evict the inhabitants of lands (...) in order to sell them" (Torregrosa Jiménez, 2018, p.14)

In addition, in many cases, state resources for reparations for victims are limited, so requiring corporations that facilitated serious human rights violations to contribute to reparations funds can significantly improve reparations programs. Failing to take into account all civil actors such as corporations in transitional justice processes can undermine the ability to achieve full and effective justice "Excluding civil actors such as corporations from transitional justice processes also means that guarantees of non-repetition will not take into account important structures that facilitated these violations" (Michalowski & Cardona Chaves, 2015, p. 174).

In terms of Colombian domestic law, this problem is closely related to international human rights law and international humanitarian law, which establish the obligations of Colombia and other States in relation to the protection of human rights in the context of the armed conflict and the implementation of transitional justice. In particular, Colombia's Constitution establishes that the State must protect human rights and promote peace, and has established mechanisms for the implementation of transitional justice, including Law 975 of 2005 called the Justice and Peace Law and the Agreement for the termination of the conflict in 2016 with the FARC.

Hence the need to implement transitional justice as "the mechanism associated with a society's attempts to solve problems arising from a past of abuse" (Rúa Delgado, 2015, p. 76). In the search for all actors to be held accountable for their actions, to serve justice and to achieve reconciliation, however, from this new dynamic not only the armed actors should be taken into account, but also all those who have a participation as accomplices in increasing the conflict, such as multinationals, external States and the State itself; transitional justice becomes an ideal mechanism to effect the transition from war to peace, for which there is the possibility that it includes judicial or non-judicial components, in order to ensure that the facts, atrocities and horrific acts (Sarmiento, 2021); that is, crimes standardized by international law are investigated, prosecuted and punished.

Transitional justice throughout history, the Cold War, the Second World War, international or internal conflicts, has always faced problems, such as the question of whether those responsible for the conflict should be paid, punished and given prison treatment or whether in the search for truth, peace and reconciliation, they must forget, create the full stop, or forgive; All these questions are caused by the advance of time and the political conditions of each era, but always detonating in the same tension and search for the point of balance, which is tolerated both by society and by political necessity. As Teitel (2003) states, "after the Second World War, it is considered the apogee of international justice. The significant abandonment of previous nationalist transitional responses and the move towards an internationalist policy was seen as a guarantee for the rule of law" (p. 5).

At present, international standards require transitional justice to be oriented towards the fight against impunity, in such a way that the State is limited in terms of the power to grant punitive

prerogatives since it must guarantee compliance with public international law, human rights, international humanitarian law and the block of constitutionality that protects victims. Correa Henao (2016), alluding to this same line, states that "such binding normative systems of international law recognize and impose compliance with individual and State obligations, in the face of the most intolerable violations or those that are supposed to violate human rights" (p. 39).

As far as Colombia is concerned, the transitional process proposed in Law 975 of 2005 was an exploratory process of negotiation and a prior agreement between the government and the paramilitaries, which was later extended to other armed groups organized outside the law. Its purpose was to facilitate peace processes and the individual or collective reintegration into civilian life of members of illegal armed groups, while guaranteeing the rights of victims to truth, justice and reparation. The transitional process proposed by Law 975 of 2005 did not manage to meet the maximum requirements for reparations for victims, because the State did not budget for the number of fatalities of the armed conflict; The goods delivered by them are insufficient and the subsidiarity corresponds to the state coffers. In this sense, Aponte and Llano (2021) argue that victims play a vital role in transitional processes, however, the lack of planning and improvisation are disastrous for victims.

Currently, the Colombian State has implemented the final agreement for the termination of the conflict and has made every effort to effectively transition the war to peace. This agreement is an instrument that is categorized within transitional justice, it presents a constitutionalization of the transitional justice mechanisms that have been studied by the Constitutional Court, resulting in Judgment C-579 of 2013 that makes possible the constitutional reform presented through Legislative Act 01 of 2012, called the legal framework for peace. Calle Meza and Ibarra Padilla (2019, p.10), emphasize the basis of balancing the principles of peace and reconciliation with the rights of victims to truth, justice, reparation and guarantees of non-repetition; legitimizing the reform in the purpose of the inclusion of transitional justice mechanisms for the sake of achieving a lasting peace, and in this way, all the components of the system could be executed with respect and exercise of full guarantees.

In the context of globalization, a number of economic, political and social factors may have played a role in the aggravation of the armed conflict. For example, the expansion of illicit economic activities globally, such as drug trafficking or illegal land ownership, has fueled the financial resources of armed groups and increased violence in the country. Similarly, the presence of international economic interests, such as foreign investments in sectors such as mining and natural resource exploitation, may also have played a role in the conflict.

It is critical that transitional justice addresses not only the actors directly involved in the armed conflict (Aponte and Llano, 2022), such as guerrilla and paramilitary groups, but also those economic and political actors who contributed significantly to the increase in violence and human rights violations in Colombia. This involves investigating and prosecuting the corporations, companies, and individuals who, through their actions or complicity, fostered or benefited from the armed conflict (Valencia & Lopera, 2020). Transitional justice, according to Ríos and González (2021), must consider the beginning of the war from the economic environment and the current need; promoting not only a social and legal change in the conflict, but also the generation of an economic scheme to face the changes and needs of the post-conflict.

Globalization and Human Rights

Some researchers such as López González (2018) highlight in their research the positive impact of globalization on the massification of Western human rights and on the protection and knowledge of these in the global context. According to the author, globalization facilitates the incorporation of human rights as a fundamental value, recognizing human dignity. This process contributes to breaking down barriers and borders, unifying society and enforcing rights through the legal framework.

In this perspective, it is recognized that globalization has generated greater awareness and dissemination of human rights in different parts of the world. The global connection and interdependence between countries have driven the promotion and respect of these rights as a commonly accepted standard "..., globalization contributes, through the incorporation of human rights, to the recognition of human dignity (...); This is the way by which borders are broken, society is unified, and enforced through law" (p. 61)

Thiessen and Byrne (2018) present different perspectives on international development in the context of globalization. Pro-development scholars argue that globalization, through investments in child development, nutrition, health care, education, conditional cash transfers, and rural infrastructure, can ensure freedom and life opportunities for more people around the world. They argue that economic integration and global interconnectedness can contribute to reducing inequality gaps "... International development assistance is transcending the asymmetrical status quo of international relations and reducing inequality and localized impoverishment" (p. 1).

Similarly, Pollins (2008) addresses the question of whether globalization has a significant impact on international security relations. The author acknowledges that the effects of globalization are wide-ranging and argues that it is reasonable to expect that it will have an impact in this area. However, the nature of these effects is less clear.

According to Pollins (2008), some changes and trends generated by globalization can promote cooperation between nations, increase the costs of the use of armed force, and reduce the benefits of it. In this sense, certain aspects of globalization can have a pacifying effect on global politics. However, the author also points out that other forces unleashed by globalization can increase tensions and conflicts between states, while at the same time destabilizing existing political orders that, paradoxically, have peace-making effects: "Thus, the forces of economic globalization also create greater possibilities for armed conflict" (p. 191).

However, critical scholars raise concerns regarding the goals and effects of international development in the context of globalization. They question whether development really seeks to reduce inequality and poverty levels, or whether it rather strengthens existing power structures and benefits the most powerful countries and companies. For example, international development processes are inherently Eurocentric and function as tools of the North to advance the interests of capitalist-imperialist companies around the world. (p. 2).

Following the critical line, Mantilla (2015) highlights in his research that the armed conflict in Colombia has undergone a transformation in the last two decades that is closely linked to the effects and economic dynamics generated by globalization. According to the author, this has been possible due to two main reasons. In the first place, the model of economic openness has had a significant impact on the reconfiguration of the Colombian State, which in turn has led to the emergence of new factors associated with the armed conflict. This process of economic openness has introduced changes in the structure and functioning of the State, creating conditions conducive to the emergence and persistence of armed conflict.

Second, globalization has provided new opportunities for armed actors to develop their war economy through illegal activities of global scope and the exploitation of international security repertoires. These opportunities have materialized in participation in illegal economies, such as drug trafficking and illegal mining, which have provided financial and logistical resources to sustain the armed conflict in the country. "In the last two decades, the Colombian armed conflict has undergone a process of transformation that is intimately linked to the effects and economic dynamics produced by the phenomenon of globalization" (p.1).

There has been a lack of adequate integration between economic and political aspects in academic debates on peace interventions, especially at the day-to-day level. Vogel (2022) highlights that most theories in international relations that address the connection between economics and politics during and after conflicts, as well as original conceptions of liberal peace, are based on the premise that international trade and market liberalization reduce the chances of war between states. However, this perspective neglects the sub-state level and does not pay sufficient attention to the quality of the resulting peace.

In this regard, Vogel (2022) points out the importance of considering the interaction between the economic and the political in the context of peace interventions, especially in the everyday sphere. The author argues that it is essential to understand how economic and commercial aspects influence political dynamics at the local level and how this can affect the quality of peace achieved. Rather than being limited to the traditional view that trade and economic liberalization automatically generate lasting peace, there is a need for a more comprehensive and contextualized view that takes into account sub-State effects and the various dimensions of peace.

Theories of Conflict

During the last two decades, there has been a significant change in the global landscape due to the collapse of the system that divided the world in two, between communists and capitalists, and the accelerated process of globalization. Despite initial hopes for a new era of peace and détente in international politics after the end of the Cold War, numerous conflicts have emerged in various parts of the world (Villegas Hernández, 2017). These conflicts differ markedly from the previous ones for two main reasons: first, they are no longer linked to the East-West ideological confrontation; Second, they are mostly internal conflicts. These changes have profoundly transformed the nature of war, even questioning the traditional model that conceived of war as a "continuation of politics by other means" associated with Clausewitz and the modern Westphalian system of states (Roman, 2014). Despite positions that see new internal conflicts as the result of destructive irrational impulses and highlight radical changes in the nature of war, critical approaches have also emerged that point out the limitations of this interpretive model and propose the need to develop a more complex approach that can capture the complexity inherent in this phenomenon.

The paradigm of new wars has been useful in highlighting important aspects of novelty in this phenomenon, but there is also the risk of oversimplifying. The debate has been enriched by valuable alternative critical analyses that suggest that, despite the radical questioning of Clausewitz's model, it is possible to reassess the rational nature of war today. Although it is clear that there have been drastic transformations in this phenomenon over time, both due to the advancement of military technology and changes in corporate structures at a global level, it is essential to carry out a complete analysis that encompasses all its complexity (Dufort, 2018)

To do this, it is important to start from the core of Clausewitz's theory, which distinguishes three fundamental aspects of the conduct of war that relate to the people, the army, and the government. The first factor of this "trinity" is hatred, understood as a "blind natural impulse" that is primarily of interest to the people. The second is the "free activity of the spirit" (Clausewitz, 1980), which refers to the game of probability and chance and belongs to the creativity of the strategic leader who leads the army. The third and final aspect refers to simple reason in relation to its nature as a political instrument, referring to the rationality of those who make political decisions and, therefore, to the action of the government. Through this trilateral definition of war, Clausewitz seeks to highlight the character of war as a political instrument subordinate to reason and as a continuation of political exchange for the sole purpose of emphasizing its instrumental role in relation to finality that is, in contrast, purely political (Boserup, 2017; Rabinovich & Zubizarreta, 2015).

According to military historian John Keegan (2004), the concept of war as the continuation of politics by other means, as put forward by Clausewitz, is incomplete since it implies the existence of states and their interests. Keegan (2004) argues that the limit of this axiom lies in not recognizing that war is a phenomenon that has existed for thousands of years, and that it is closely related to human nature, in which rationality, irrationality and instinct are mixed, which means that war predates the creation of states and its existence dates back to antiquity.

Martin Van Creveld (1991), another military historian, questioned Clausewitz's trinity theory and its validity today. 3 and their interests, which does not reflect the historical reality of the war. In 1648, the Treaty of Westphalia marked the end of the post-feudal era and the beginning of the development of international law that recognizes states as single entities with the right to wage war. However, Van Creveld (1991) argues that the existence of war is independent of the existence of the state system (Hew Strachan, 2022).

Van Creveld (2008) proposes five key factors for understanding the nature of war. The first concerns the actors involved in the war and their role in it. Throughout history, not only regular armies led by states have participated in warfare, but also other entities such as religious orders, associations, and city-states.

The second factor addresses the war as a whole, including the interactions between combatants and those involved. To understand war and its aftermath, it is essential to examine the rules governing conduct during conflict, the different types of weaponry used, and the treatment of prisoners. It is also important to consider how each society involved draws a dividing line between acts of war and crimes or atrocities committed (Maldonado, 2017).

The third factor focuses on the way in which the armed conflict develops and is linked to military strategy and the interaction between two independent wills during combat.

The fourth factor addresses the motivation that drives the war. Van Creveld (2008) argues that war is not always a means to an end, but can be an end in itself, as evidenced in ethnic, political, or religious conflicts.

Finally, the fifth factor addresses the personal motivations that lead an individual to risk his or her life in war and is essential to understanding the factors underlying the fighting spirit, thus Van Creveld proposes a broader interpretation of the nature of war that goes beyond Clausewitz's trinitarian theory and recognizes the complexity and variety of armed conflicts. (Bados Nieto and Duran Cenit, 2015).

The critique of Clausewitz's triadic model is valid and can explain many post-1945 conflicts. In most cases, the joint participation of the three elements mentioned by Clausewitz (1980) (government, army and people) is not observed. At least one of the belligerents cannot be identified as a state or a regular army and does not necessarily have the backing of the population.

The trend of armed conflict in the world since the end of the Cold War has been characterized by a progressive increase in internal conflicts compared to inter-State conflicts. The Department of Peace and Conflict Research at Uppsala University has conducted a systematic analysis of armed conflict and has defined armed conflict as a dispute over government and/or territory in which force is used between two parties, at least one of whom is represented by the government of a state. and that it produces a minimum of 25 battle deaths in a year (Dietrich, N. & Eck, K, 2020). On the basis of this definition, four ideal types of armed conflict have been established: internal armed conflict, complex regional conflict, extra-State armed conflict and inter-State armed conflict.

During the period from 1946 to 2018, there was a decrease in inter-state conflicts and a significant increase in internal conflicts. This pattern has also been confirmed in the most recent report available, covering the period from 1989 to 2017. Inter-state conflicts decreased from 2 in 1989 to 7 in 2017, while internal conflicts increased from 38 to 96 (Hauter, 2019).

In the last years of the twentieth century, there has been a debate about the importance of social, political and economic dimensions in the causes and dynamics of civil wars after the end of the Cold War. Three schools of thought have influenced this debate. The first school of thought holds that civilization faces a variety of serious problems, such as new pandemics, community conflicts, and fundamentalism. The second school of thought is based on an economic analysis and emphasizes the central role of economic motivations as the main cause of the emergence and sustainment of civil wars. According to this perspective, rebel groups are often driven by predatory goals and play a significant role in conflict dynamics. The third stream focuses on Mary Kaldor's (2010) theorization of the differences between old and new wars, and is based on her analysis of contemporary conflicts and their evolution compared to past conflicts.

Kaldor (2010) argues that old wars are conflicts between nation-states, with well-defined regular armies and clear political objectives, such as territorial expansion or the defense of national interests. These wars tended to be more conventional and limited to military forces, with a clear distinction between combatants and civilians. Instead, "new" wars are conflicts that unfold within states or regions, involving multiple actors, including state and non-state forces, such as rebel groups, militias, and transnational actors. These conflicts are often motivated by ethnic, religious or economic disputes, and are often characterized by indiscriminate violence directed at the civilian population. "New" wars also feature a diffuse mix between combatants and non-combatants, as non-state armed groups often operate within local communities. (Beebe & Kaldor, 2010).

In the following lines, the particularities of the current that focuses on the economy will be described. This school of thought considers that manifestations of conflict have no political or ideological content, which means that they have no motivation or purpose beyond the violent act itself. This position has some similarity to the economic mainstream, which is based on the ideas of Collier (1999) and World Bank studies. Although both currents seem to give little importance to political and social aspects, the economic current is distinguished by a more complete and systematic analysis from a strictly economic perspective.

The current that focuses on economics highlights the relevance of the profit motive as the basis of the action of any rebel group. It is argued that political motivations have been replaced by the desire to obtain economic benefits and accumulate wealth, thus displacing the original reasons for their struggle. The theory developed by Collier and Hoeffler (2004) is based on the dichotomy of "protest and greed." According to this perspective, the need for rebels to articulate a discourse that is based on injustice and social inequality is recognized in order to justify their struggle and keep their organization active. However, it is also evident that there is a large gap between the proclaimed discourse and the actual economic motivations. In fact, the discrepancy between discourse and economic motivations is revealed to be significant. From this perspective, protest, lack of political rights, the government's inability to ensure acceptable economic development, and high economic inequality are seen as playing a secondary and marginal role compared to the importance of having available economic resources and the ability to access them (Giugni and Grasso, 2016). In conclusion, it is argued that control and access to financial resources become the main driver of a conflict or struggle, relegating political and social reasons to the background.

Conclusions

Globalization has had a positive impact on the dissemination and awareness of human rights worldwide, breaking down barriers and unifying societies through common legal frameworks.

The relationship between globalization and international development is debated, with some arguing that it can reduce inequalities through investment, while others question whether it actually benefits the most vulnerable or reinforces existing power structures.

The impact of globalization on international security is ambiguous, since, while it can foster cooperation and reduce the use of force, it can also increase tensions and conflicts between States.

The transformation of the armed conflict in Colombia is closely linked to the economic effects of globalization, especially through economic openness and participation in illegal economies.

Understanding post-conflict peace must go beyond the traditional view that market liberalization automatically generates lasting peace, considering the economic and political dynamics at the local level to achieve quality peace.

References

- Ambos, K. (2010). Procedure of the Justice and Peace Law (Law 975 of 2005) and international criminal law. Study on the power of complementary intervention of the International Criminal Court in the light of the so-called "justice and peace" process in Colombia. <https://www.corteidh.or.cr/tablas/26869.pdf>
- Aponte García, M. S & Llano Franco, J. (2021). Transitional Justice: The Case of the Colombian Government and the FARC. In: J. V. Llano Franco (Ed.), *Inequalities and Conflicts in the Colombian Pacific* (First edition, pp. 110–131). Ibañez Publishing Group.
- Aponte, M. S., & Llano, J. V. (2022). Precepts of Transitional Justice recognized by Colombian constitutional jurisprudence. *Constitutional Issues*, 1(47), 3–35. <https://doi.org/10.22201/ijj.24484881e.2022.47.17521>
- Aponte, M. S., Llano, J. V., & Sanchez, G. (2021). Neo-constitutional perspective and legal sociology in the disciplinary regime in Colombia. *Verba Luris*, (46), 231–252. <https://doi.org/10.18041/0121-3474/verbaiuris.2.8503>
- Aponte, M. S., Llano Franco, J. V., & Sánchez Espinosa, G. (2021). Constitutionalization of the General Disciplinary Code in Colombia. *CUC JURISPRUDENCE*, 17(1), 557–588. <https://doi.org/10.17981/juridcuc.17.1.2021.19>

- Aponte, M. S., Aponte, C. A., Romero, A. (2020). Public International Law, Global Justice and Transitional Models. In Aponte et al., (2020). Human Rights, Armed Conflict and Peacebuilding. Uceva. <https://repositorio.uceva.edu.co/bitstream/handle/20.500.12993/1942/Derechos-humanos-conflicto-construccion-paz.pdf?sequence=1&isAllowed=y>
- Aponte, M. S., Aponte, C. A., Romero, A. (2020). Reparation for victims in the Colombian transitional justice model. In Aponte et al., (2020). Human Rights, Armed Conflict and Peacebuilding. Uceva. <https://repositorio.uceva.edu.co/bitstream/handle/20.500.12993/1942/Derechos-humanos-conflicto-construccion-paz.pdf?sequence=1&isAllowed=y>
- Bados Nieto, V., & Duran Cenit, M. (2015). THE "NEW WARS": A METHODOLOGICAL PROPOSAL FOR THEIR ANALYSIS. *UNISCI Review*, (38), 9-33.
- Brie, M. (2019). Marx' Research Project As a Future Science for Emancipatory Action: A Delineation. Marx, Engels, and Marxisms. https://doi.org/10.1007/978-3-030-24815-4_4
- Boserup, A. (2017). War, State and Peace. A continuation of Clausewitz's thought. *Thought. Journal of Philosophical Research and Information*, 72, 655-673.
- Calle Meza, M. L., & Ibarra Padilla, A. M. (2019). Special Jurisdiction for Peace: Theoretical Foundations and Characteristics of Transitional Justice in Colombia. *Political Analysis*, 32(96). <https://doi.org/10.15446/anpol.v32n96.83747>
- Castañeda Rodríguez, V. M., & Díaz-Bautista, Ó. (2017). The Washington Consensus: Some Implications for Latin America. *Notes from Cenes*, 36(63), 15-41.
- Clausenwitz, K. V. (n). of the war. Universal Virtual Library. <https://biblioteca.org.ar/libros/153741.pdf>
- Collier, P. (1999) Doing well out of war , World Bank. Available at: <https://documents1.worldbank.org/curated/en/504671468762020790/pdf/28137.pdf> (Accessed: 16 June 2023).
- Collier, P., & Hoeffler, A. (2004). Greed and Grievance in Civil War. *Oxford Economic Papers*, 56(4), 563–595. <http://www.jstor.org/stable/3488799>
- Autonomous Committee on Fiscal Rule-CARF. (2023). Fiscal scenarios after the revision of the 2023 Financial Plan. https://www.carf.gov.co/webcenter/ShowProperty?nodeId=%2FConexionContent%2FWCC_CLUSTE R-210531%2F%2FidcPrimaryFile&revision=latestreleased
- Corcione Nieto, M. A., Fernández Osorio, A. E., and Cabrera-Cabrera, L. J. (2021). Academia, armed conflict, and peace in Colombia: An approach from the geopolitics of knowledge. *Dice*, 64(4). <https://doi.org/10.1590/dados.2021.64.4.247>
- Correa Henao, M. (2016). Transitional Justice in Colombia: Balance and Constitutional Challenges. In C. Bernal and A. Ciro (Eds.), *Transitional Justice: The Case of Colombia Vol.II* (1st ed., pp. 7–10). Department of Publications, Universidad Externado de Colombia. <https://publicaciones.uexternado.edu.co/gpd-justicia-transicional-el-caso-de-colombia-vol-ii-9789587724769.html>
- Corporación Jurídica Libertad. (2017). Colombia responds to the IACHR for third parties in the JEP. <https://cjlibertad.org/colombia-responde-ante-la-cidh-por-terceros-en-la-jep/>
- Dane. (2023). Trade Balance. <https://www.dane.gov.co/index.php/estadisticas-por-tema/comercio-internacional/balanza-comercial>
- Dietrich, N. and Eck, K. (2020): Known unknowns: media bias in the reporting of political violence, *International Interactions*, DOI: 10.1080/03050629.2020.1814758.
- Dufort, P. (2018, November 19). Clausewitz and Society: A Biographical Introduction to Neo-Clausewitzian Readings. ESMIC Publishing House. <https://librosesmic.com/index.php/editorial/catalog/book/6>
- Finzi, G. 2017. The case of Poligrow in Mapiripán, Meta: between (illegal) land grabbing and green capitalism. *Political science*. 12, 24 (Jul. 2017), 21–50. DOI: <https://doi.org/10.15446/cp.v12n24.63533>.
- Giugni, M., & Grasso, M. (2016). How Civil Society Actors Responded to the Economic Crisis: The Interaction of Material Deprivation and Perceptions of Political Opportunity Structures. *Politics and Policy*, 44, 447-472.
- Giraldo Palacio, M. (2016). The Privatization of Telecommunications in Colombia: The Role of Public Enterprises in the New Institutional Framework. *Management and Public Policy*, 25(1), 81-117. Retrieved June 15, 2023, from http://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S1405-10792016000100003&lng=es&tlng=es.

- Hauter, J. (2019). Delegated Interstate War: Introducing an Addition to Armed Conflict Typologies. *Journal of Strategic Security*, 12(4), 90–103. <https://www.jstor.org/stable/26851262>
- Harvey, D.A. (2017). Marx, Capital, and the Madness of Economic Reason.
- Heller, H.B. (2020). The Birth of Capitalism in Global Perspective. <https://doi.org/10.1093/oso/9780199499717.003.0008>
- Hew Strachan (2022) Michael Howard and Clausewitz, *Journal of Strategic Studies*, 45:1, 143-160, DOI: 10.1080/01402390.2022.2031994
- Jiménez Torres, J. E. (2023). Economic Globalization and Constitutional Law. *Forum: Law Review*, (40), 83–104. <https://doi.org/10.32719/26312484.2023.40.5>
- Beebe, S. and Kaldor, M. (2010) *The Ultimate Weapon is No Weapon: Human Security and the New Rules of War and Peace*. New York: Public Affairs.
- Karpyak, M.O. (2020). Social exclusion in the age of economic transformations: global trends and features of manifestation. <https://doi.org/10.36818/2071-4653-2020-1-6>
- Kaldor, M. (2010). Inconclusive Wars: Is Clausewitz Still Relevant in these Global Times?. <https://doi.org/10.1111/j.1758-5899.2010.00041.x>
- Kaldor, M. (1998). New and Old Wars: Organized Violence in a Global Era. <https://doi.org/10.1017/S0003055401812028>
- Katz, C.J. (1993). Karl Marx on the transition from feudalism to capitalism. *Theory and Society*, 22, 363-389. <https://doi.org/10.1007/BF00993533>
- Keegan, J. (2004). *The face of the Battle. A Study of Agincourt, Waterloo, and the Somme*.
- Kewes, P., Archer, I.W., & Heal, F. (2013). *The Oxford Handbook of Holinshed's Chronicles*. <https://doi.org/10.1093/oxfordhb/9780199565757.001.0001>
- Llano Franco, J. & Silva García, G. (2018). Globalization of Constitutional Law and Critical Constitutionalism in Latin America. *Utopia and Latin American Praxis*, vol. 23, 2, pp. 59-73, 2018. University of Zulia
- Lopez Gonzalez, S. (2018). *Globalized Human Rights: The Path to Recognition*. Fundamental Rights to Debate/Jalisco State Human Rights Commission. http://historico.cedhj.org.mx/revista%20DF%20Debate/articulos/revista_No5/ADEBATE-5-art4.pdf
- Conclusion: Beyond a 'New' Wars Paradigm: Bringing the Periphery into View. *A Criminology of War?*. <https://doi.org/10.1332/policypress/9781529202595.003.0008>
- Maldonado, E. (2017). Bunker, Lind and Van Creveld: Three Visions of the New Wars. *Time and Space*, 27(67), 259-284. of http://ve.scielo.org/scielo.php?script=sci_arttext&pid=S1315-94962017000100012&lng=es&tlng=es.
- Mantilla, S. (2009). Towards a "glocal" perspective of the armed conflict in Colombia: dynamics and actors in cross-border and transnational spaces. *Political Paper*, 14(2), 581-607. http://www.scielo.org.co/scielo.php?script=sci_arttext&pid=S0122-44092009000200010&lng=en&tlng=es.
- Mantilla, S. (2012). Economy and Armed Conflict in Colombia: The Effects of Globalization on the Transformation of War. *Latin America. Journal of Latin American Studies*, (55), 35-73. http://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S166585742012000200003&lng=es&tln g=es.
- Michalowski, S., & Cardona Chaves, J. P. (2015). Corporate Responsibility and Transitional Justice. *Human Rights Yearbook*, (11), pp. 173–182. <https://doi.org/10.5354/adh.v0i11.37498>
- Millefiorini, A. (2020). Luciano Pellicani e la genesi del capitalismo: l'enigma svelato. *Società Mutamento Politica*, 11(21), 303–312. <https://doi.org/10.13128/smp-11971>
- Piccone, T. (2019). Peace with justice: The Colombian experience with transitional justice. *Foreign Policy at Booking*. https://www.brookings.edu/wp-content/uploads/2019/06/fp_20190708_colombia.pdf
- Presidency of the Republic of Colombia. (2002). *National Development Plan, Towards a Community State*. <https://colaboracion.dnp.gov.co/cdt/pnd/pnd.pdf>
- Observatory of Economic Complexity. (2021). *Economic Complexity Profile of Colombia*. <https://oec.world/es/profile/country/col>
- Rabinovich, A., & Zubizarreta, I. (2015). Clausewitz on horseback (or towards a theory of war and politics applied to the Río de la Plata). *Interuniversity Program in Political History; Political History Forums*. 1-15.

- Ramelli Arteaga, A. (2020). Comments on the genesis of the rules of procedure of the Special Jurisdiction for Peace. In P. Linares Prieto and D. Rojas Betancourth (Eds.), *The JEP seen by its judges (2018-2019)* (1st ed., pp. 489–502). Special Jurisdiction for Peace.
<https://www.jep.gov.co/Documents/LA%20JEP%20VISTA%20POR%20SUS%20JUEVES.pdf>
- Rios, J., & Gonzalez, J. C. (2021). Colombia and the Peace Agreement with the FARC-EP: between the territorial peace that does not arrive and the violence that does not cease. *Revista Española de Ciencia Política*, 55, 63–91. <https://doi.org/10.21308/recp.55.03>
- Rosero, L. F. T., Hernández, A. J. B., & Sarmiento, R. B. (2021). Towards an Understanding of Colombia's Multiple Conflicts: Theoretical Evolution in the Analysis of Armed Confrontation. *Co-Hereditary*, 18(34), 119–155. <https://doi.org/10.17230/co-herencia.18.34.5>
- Roman, J. W. (2014). Reflection on politics as a continuation of war by other means. *Culture of Peace*, 19(61), 13–17. <https://doi.org/10.5377/cultura.v19i61.1293>
- Romero Sánchez, A., Aponte García, M. S., López Trujillo, M., & Salcedo Mosquera, J. D. (2023). University spin-offs in Colombia: analysis from research, innovation and entrepreneurship. *Revista Venezolana de Gerencia*, 28(9), 832-849. <https://doi.org/10.52080/rvgluz.28.e9.51>
- Rúa Delgado, C. F. (2015). The moments of transitional justice in Colombia. *Uninorte Law Review*, 43. <https://doi.org/10.14482/dere.43.6270>
- Sandoval Mesa, J; Bernal Ramírez, E; Herrán Pinzón, O; Torregrosa Jiménez, N, & Torregrosa Jiménez, R. (2021). BASIC FACTORS IN LAND RESTITUTION IN THE FACE OF FORCED DISPLACEMENT. *Republican Review*, (31), 99-117. Epub February 02, 2022. <https://doi.org/10.21017/rev.repub.2021.v31.a109>
- Sarmiento, J. P. (2021). Challenges of the transitional justice in the Periphery: Lessons from Nueva Venecia slaughter. *Dilemmas*, 14(2), 379–400. <https://doi.org/10.17648/dilemmas.v14n2.31576>
- Sharma, A., & Singh, B.J. (2020). Evolution of Industrial Revolutions: A Review. *Regular*. <https://doi.org/10.35940/ijitee.i7144.0991120>
- Stemmet, A. (2020). International Law and New Wars by Christine Chinkin and Mary Kaldor. *South African Yearbook of International Law*. <https://doi.org/10.25159/2521-2583/7332>
- Stiglitz, J. (2010). *How to make globalization work*. Taurus, 2010. ISBN 9788430616015
- Hiessen, C., & Byrne, S. (2018). Proceed with Caution: Research Production and Uptake in Conflict-Affected Countries. *Journal of Peacebuilding & Development*, 13(1), 1–15. <https://doi.org/10.1080/15423166.2017.1401486>
- Teitel, R. G. (2003). Transitional Justice Genealogy. *Harvard Human Rights Journal*, 16, 69–94.
- Tregenna, F. (2013). The specificity of manufacturing in Marx's economic thought. *The European Journal of the History of Economic Thought*, 20, 603 - 624.
- Tobón Sanín, G. (1994). *Privatizations in the Colombian economy*. Universidad Nacional de Colombia, Medellín campus.
- Torregrosa Jiménez, R; Torregrosa, N; and Giraldo, A. (2018). Transitional Justice and the Victims and Land Restitution Law in Colombia. *International Journal of Interdisciplinary Social Sciences* 6(2): 11-21. doi:10.18848/2474-6029/CGP/v06i02/11-21
- Valencia, Y. P., & Lopera, G. I. E. (2020). Criminality, the Economy of Fear and the Armed Conflict: A Study of the Archetype of the "Enemy" in the Colombian Context. *Revista Direito e Práxis*, 11(2). <https://doi.org/10.1590/2179-8966/2019/41015>
- Van Creveld, M (2008). *Culture of War*. <http://www.nids.mod.go.jp/english/event/forum/pdf/2010/03.pdf>
- Van Creveld, M. (1991) *The Transformation of War*. New York: Free Press.
- Vogel, B. (2022). The economic local turn in peace and conflict studies: economic peacebuilding interventions and the everyday. *New Political Economy*, 27(6), 989–1001. <https://doi.org/10.1080/13563467.2022.2045925>
- Villegas Hernández, P. (2017). The Cold War and the Period of Détente: Causes and Consequences in the Bipolar International System. *Science, Culture, and Society*, 4(1), 25–37. <https://doi.org/10.5377/ccs.v4i1.6022>
- Ware, R.B. (2018). Marx on the Division of Labour. *Marx, Engels, and Marxisms*. https://doi.org/10.1007/978-3-319-97716-4_5
- Woodward, I., Skrbiš, Z., & Bean, C.S. (2008). Attitudes towards globalization and cosmopolitanism: cultural diversity, personal consumption and the national economy. *The British Journal of Sociology*, 59 2, 207-26.