

Syllabus of Record

Program: CET Colombia

Course Code / Title: (CA/SOCI 315) Crime and Justice in Colombia

Total Hours: 45

Recommended Credits: 3

Primary Discipline / Suggested Cross Listings: Sociology / Political Science, Latin American Studies, Criminal Justice, Peace & Conflict Studies

Language of Instruction: English

Prerequisites/Requirements: None

Description

This course examines the judicial system in Colombia in the light of contemporary issues such as social exclusion, racial discrimination, armed conflict and the current peace process.

In the first part, we delve into key concepts for understanding the structure of the judicial system in Colombia and the concepts of identity and race. In the second part, we address some of the issues Afro-Colombians face within the judicial system: mass incarceration, racial profiling and limited access to justice.

In the final part, we approach the need for a special mechanism of transitional justice to address the crimes committed during the internal armed conflict in which Afro-Colombians and indigenous population are disproportionately represented as victims.

Discussion of these topics is supported by field experiences, readings, writing exercises and in-class analysis to understand the situation of Afro-Colombians in the intersection between crime and justice.

Objectives

In this course, students:

- Analyze connections between crime, race and justice in Colombia.
- Learn how the internal armed conflict, emerged and evolved, and how the connections among them have affected Afro-Colombian communities.
- Gain knowledge about the Colombian peace process and the post conflict mechanisms of implementation: Truth Commission, Special Jurisdiction for Peace and the Unit for Missing People.
- Employ field visits to gain an enhanced understanding of how the Colombian criminal justice works.

Course Requirements

The course consists of class lectures, open discussions, and field visits to organizations and communities, related to how the notion of crime is conceived and justice administered in the

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Colombian context. Students are expected to actively participate in all lectures and out of classroom activities, and read 30 pages, on average, per week in preparation for each lecture.

Each student will be required to write two 5-page analytical papers that reflect on aspects of the topics discussed in class, and one final 15-page paper resulting from an empirical in-depth investigation that draws attention to the relationship between victims of the armed conflict and the administration of justice.

Students are expected to attend each class and field-based course component, as outlined in the CET Attendance Policy.

Grading

- Analytical papers (2) - 40%
- Final paper - 40% (research proposal 10%, actual research 30%)
- Participation: field experiences report 20%

Readings

Mbembe, Achille. "Critic of Black reason". Duke University Press., 2016.

Delgado, Richard, and Jean Stefancic. "Critical Race Theory and Criminal Justice." *Humanity & Society* 31, no. 2–3 (May 2007): 133–45. doi:[10.1177/016059760703100201](https://doi.org/10.1177/016059760703100201).

Mauricio Rubio. "Violence, Organized Crime, and the Criminal Justice System in Colombia." *Journal of Economic Issues*, vol. 32, no. 2, 1998, pp. 605–610.

Paschel, Tiana. The right to Difference: Explaining Colombia's shift from color blindness to the law of black community. 2010. Pp-729-740

Law 70 of Colombia. "In Recognition of the Right of Black Colombians to Collectively Own and Occupy their Ancestral Lands". 1993. pp 1-15

Lam, Yukianet et al. "Orden público y perfiles raciales: experiencias de afrocolombianos con la policía en Cali". Bogotá: Centro de Estudios de Derecho, Justicia y Sociedad, De justicia.2013 Pp.1-29

Postner, Richard. "Law's Stories: Narrative and Rhetoric in the Law". Peter Brooks and Paul Gewirtz, eds. Yale University Press, 1996. Pp, 737-747

Rocque, M. "Racial Disparities in the Criminal Justice System and Perceptions of Legitimacy: A Theoretical Linkage". *Race and Justice*, 2011 1(3). Pp: 292–315.

Final agreement to end the armed conflict and build a stable and lasting peace. (2016). Chapter 5. Pp:1-15

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Inter-American Commission on Human rights.” Truth, Justice and Reparation: Fourth Report on Human Rights Situation in Colombia” Chapter 6: groups specially affected in the context of the armed conflict.2013. Pp: 251.267

Additional Resources

What's the Story? Criminal Justice and Storytelling.

<https://www.themarshallproject.org/events/what-s-the-story-criminal-justice-and-storytelling>

Outline of Course Content

Students cover approximately 1 topic every 3-4 weeks. Course content includes field visits.

Topic 1: Theoretical-conceptual perspectives

- Course overview: Afro-Colombians, Crime and Justice
- Key concepts: race, ethnicity and blackness in Colombia
- Political Constitution of Colombia
- Racial and ethnic identity: Law 70 of 1993

Topic 2: Judicial system

- Introduction to the Colombian judicial and criminal system
- Racial profiling
- Judicial practices: Judicial ethnography
- Measuring racial discrimination within the judicial system.
- Field experience: visit to the local criminal court in Cali

Topic 3: Post conflict in Colombia

- Internal armed conflict and Afro-Colombians
- Peace accord and post conflict institutions: JEP, CEV, UBPD¹
- Criminal law needs for transitional societies
- Visit to the Peace Tribunal of the Special Jurisdiction for Peace

¹ **JEP**: Special Jurisdiction for Peace. **CEV**: The Truth Commission. **UBPD**: Special Unit for Finding Missing Persons.