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RESEARCH ARTICLE

LIMITS OF THE COLOMBIAN INSTITUTIONAL DESIGN OF PARTICIPATION OF VICTIMS

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ABSTRACT

This paper examines the institutional design of victim participation proposed by the Colombian State, following the issuance of Law 1448 of 2011, investigating the limitations that the legal framework imposes on the victims' political action, a corollary Of a regulation that has gradually associated the scenarios of participation of the victims to the classic instances of democratic representation, as can be seen in the normative itinerary that passes through Resolutions 388, 588, 1448 of 2013, and the most recent, 828 2014. In order to do so, it proposes an analysis approach that combines the argumentative turn in public policies, the notion of human rights in resistance line (Herrera, 2000; Douzinas, 2008), the political space as an agonizing scenario (Mouffe, 1999; Laclau, 2014) in which political action is conceived as constitutive of subjectivities (Escobar, 1999; Hajer, 2000), the theoretical and applied revisions elaborated around the participatory scheme of Colombian victims (Vargas, 2014; Lemaitre, 2013; Berrio, 2013), along with Shklar's reflection on victims, injustice and political action (2010).

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INTRODUCTION

The institutional recognition of the victims in Colombia generated by the armed conflict can be described as late. This is concluded by noting that the relationship between forced displacement and violence was hardly officially established since 1995, since up to that point people were considered to have been displaced during natural disasters or to seek economic opportunities (Rodríguez *et al*., 2010). The delay in reference is only evident when remembering that violence in Colombia has had its genesis since the early years of the last century (Guzmán, *et al*., 2005). From the second half of the 1990s onwards, normative remedies (eg Law 387 of 1997, Law 975 of 2005, among others) began to be offered mainly to the victims of forced displacement, the effects of which were confronted by the high escalation of guerrilla, paramilitary and official violence, which resulted in an average of two hundred and fifty thousand to three hundred thousand displaced persons per year, in the period from 1999 to 2007, with one of the highest rates In 2002, when approximately four hundred thousand were presented (Ibáñez, 2008). According to another study, between 1996 and 2006, there were 3.5 million displaced people, a figure that earned Colombia the second highest number of displaced countries, preceded only by Sudan (Granada, 2008). Of course, those affected by the displacement were also people who had been victims of other types of violence, because in a cross-section of this phenomenon were targeted selective killings, murders of ethnic and political minorities, rape, femicide, all attended (Bello, 2003). In this study, we present the results of the study of the population and of the population of the population. Hence, this problem has always been closely linked to the deficit in the enjoyment of civil rights, Political, economic, social and cultural, obviously aggravated in critical contexts (Granada, 2008). To the above, the governmental provisions deployed by the public administration have been subject to disputes between territorial entities of the national, regional and local orders, regarding their competence to provide care to the victims, especially between receiving and expulsive municipalities of the displaced. This dispute has focused on the evasion of patrimonial liabilities, given the scarcity of resources allocated and ineffectiveness in its management (Ibáñez and Vélez, 2003). Recently, the Colombian State has established a new regulatory framework, Law 1448 of 2011, to repair the victims of the armed conflict in general, that is, this time it has widened its spectrum beyond those affected by forced displacement. Articles 192 to 194 provide for the participation of victims as a vital factor in the configuration of the transformative reparation that the official authorities plan to satisfy, together with the active intervention of civil society. It should be noted at this point that the process of inclusion of the victims has been developed in the broad stage of transitional justice, inaugurated after the demobilization of paramilitaries, whose dilemmas and contradictions (Uprimny and others, 2006) are still followed Particularly in the face of the peace process currently under way with the Revolutionary Armed Forces of Colombia - People's Army (FARC-EP). In any case,

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the participation component referred to has been quite limited, while the transition has focused on the typical variables of truth, justice and reparation (García, 2013). As we can see, it is a process of participation that, insofar as it involves dialogue with the public policy recipients, allows us to be analyzed from the deliberation, being possible to define this last concept, in a democratic scenario, as a discursive formation of A collective will (a form of discourse in which all those affected are included in the ordination of their community); In this case, it is a space for dialogue open to victims in territorial action plans, in which the formulation of arguments and justifications can be examined with pretensions of validity, from which consensus and consensus gestation is expected. Reasonable decisions (Habermas, 1998). Despite the promising nature of these provisions, state plans and programs, legitimate questions have been raised from the academy regarding the participation of the victims, who are passing through the disappointments that have arisen on the occasion of the failure of laws and decrees that have previously been Which has meant that the State of Unconstitutionality declared in Judgment T-025 of 2004 by the Constitutional Court of Colombia, and which also point out that political violence continues to impede the Effective participation of the victims, as their appalling effects still exist, in the midst of a deeply polarized society (Estrada, 2010).

MATERIALS AND METHODS

Law 1448 of 2011 has been regulated, among others, by Decree 4800 of 2011, whose canons 254 and following, especially 263, provides that Territorial Action Plans (PAT) at the national level and at territorial levels -departmental, district and municipal-must be developed with the participation of the victims. These documents correspond to public policies, which must at least contain the characterization of the beneficiaries, the budg*et al*location, and the monitoring and evaluation mechanism with its goals and indicators. To guarantee the effectiveness of the victims 'participation, a protocol has been regulated - Resolutions 388 and 588 of 2013 - which provides for the establishment of the bureaus, victims' organizations (OV) and organizations that defend victims (ODV). On the other hand, in the Guide for the formulation of the PAT, prepared by the National Planning Department, the Unit for Intention and Integral Reparation for Victims, the Ministries of Interior, Justice and Law, and Finance and Credit Public, it was estimated that participation can be described as successful if it reaches an adequate level of information, if there is an institutional response capacity, and if the scenarios of participation and promotion of consultation processes are strengthened.

ANALYSIS: The argumentative turn in public policies: a perspective of understanding

For the understanding of deliberative pathologies in the institutional scheme of victim participation, it is considered that an appropriate theoretical reference is constituted by the so-called argumentative turn in public policies. This tendency confronts the theses of the school of rational choice and American technocracy of the late 1980s and early 1990s, makes explicit the tensions between citizens and experts, and between technical and moral-social values that emerge from Deliberative exercise (Fischer, in Forester ed., 1993)[1]. The school in reference, among other purposes, seeks to define analytical instruments from which to understand and then solve the problems of participation and governance, based on consensus and collaboration; As Fischer points out, when he mentions *that "For deliberative democrats, then, citizen deliberation is a solution to the questions of both legitimacy and problem-solving confronting the modern state"* (Fischer, 2004, 22). Fischer (2004) has recognized that, while participation is a valuable goal, deliberative practice must be reframed from its instrumentation as a process of pedagogical utility (Rosenberg, 2003), which has been understood with support in the educational revolution of Freire (1975), who showed how the self-reflexive problematization, without the exclusive protagonism of the technocratic tutoring, developed in the same marginal communities that participated in their literacy processes, facilitated the empowerment, the resistance And the self-transformation of their living spaces (Fischer, 2004, 24). This is a rather forceful sample, in the practical scenario that supports the deliberative exercise of citizens, in the face of the externalization of the dilemma that arises in the local government between civil participation and technocratic administration.

In the new precisions of Fischer (2004) is another interesting proposition, consisting in the recognition that the situations of conflict and disagreement are presuppositions of the deliberative exercise, and therefore preconditions that must be assumed both in the design and deliberative practice , Rather than ignore them, qualify them as barriers, or persist in technocratic standards that ignore social complexity, notwithstanding the pertinence of the technical arguments inherent in instrumental rationality. This orientation is reiterated in a recent work by the same author, who focuses his reflection on the imprint of transformative learning, which is considered as one of the hidden dimensions of deliberation, manifested in participatory planning processes and urban development projects (in: Fischer, F. and Gottweis, H. ed., 2012). It is also pertinent to note the collective work of Jon Elster *et al*. (2001), which highlights the discussion of what Susan Stokes calls "deliberative pathologies", the contributions of which are widely relevant in identifying the limits of The discussion in the decision-making areas, it being necessary to specify that the author and the text in general are inscribed in the school of rational choice, which projects the judgment to the deliberation in the negotiation-voting-decision spectrum, wondering if it really has Deliberate sense, and under what conditions.[2] Stokes proposes that a deliberative model should

[1] Another prominent trend that also studies the public policies from the discourse, is the one of the discursive institutionalism, that is characterized, according to Schmidt (2008) by i) to take seriously the ideas and the discourse, although its uses and definitions are diverse; Ii) to locate ideas and discourse in an institutional context, using the orientations of some of the three classic typologies of neoinstitutionalism (historical, economic and sociological); Iii) ideas are ascribed to a context of meaning, and discourse to a logic of communication; And iv) is a more dynamic current compared to the traditional institutionalisms, which are characterized by accentuating the balance over changes in institutions.

[2] Habermas and Elster belong to different theoretical currents, the first to critical social theory and the second to the theory of social choice, although both address the question of how collective decisions are made on the common good, and in that sense they have coincided in The topic of deliberation, which makes it possible to extract instruments of analysis from the two schools, such as Stokes' pathologies (Elster's line) referring to weak and counterproductive dimensions in the processes of argumentation. From the Habermas process, the overcoming of liberalism and republicanism, and the vision of society in terms of systems and the world of life, has already been deepened in this text. As for Elster, as already mentioned, his concerns revolve around examining public decisions from the dimensions of voting, negotiation, and argumentation, listening to the way in which rational choice is limited (or tied up, Like Ulysses to the mast of his ship to resist the singing of the Sirens) when matters to be

allow the plural expression of citizens' preferences, both in the representation and advertising component - not to mention that the media do not alter preferences in search of the "easy good note"; It would also be up to the model to ensure that groups of citizens with few resources, whose participation is costly for them, are adequately trained to confront strong pressure groups on a level playing field; Finally, Stokes points out that it is vitally important that sources of information and opinion are clearly identifiable (Stokes, in Jon Elster *et al*., 2001). Stokes's analysis can be matched by that of Fishkin, who, following the strategy of definition by negation, mentions that there is a risk of falling into an end point of no deliberation, in the presence of a high degree of intensity of the following factors: When some of the relevant arguments, for one or more interlocutors, are not expressed - publicity -; If there are no adequate opportunities to confront alternate positions; and in the case of deficient knowledge or subjective capacities of the actors, which impedes understanding the perspectives of others (Fishkin, 1995).

Human rights in resistance line and the space of the political in the constitution of subjectivities

On the basis of human rights there are many and interesting discussions, from which can be considered in this space some that are considered relevant, in the perspective of the emancipating notion of this concept, in the development that Costas Douzinas does in this regard, which can dialogue With some contemporary justice perspectives. It is worth mentioning that a classic representative school in human rights is that of natural law, which underlines the inherent imprint of such guarantees, converting them even to subjective faculties prior to the State (Beuchot, 2004). A strong opposition to legal positivism, in which it is conceived that human rights only arise as concessions from the State, whether or not they are citizen claims (Hoester, 2000). In the midst of both conceptions, there is the ethical constructivism of Carlos Santiago Nino (1984), which opens the door to criteria of morality, with the principles of autonomy, dignity and inviolability of the person, read from a liberal perspective, but And Norberto Bobbio's (1991) thesis that human rights are not to be dogmatized but to be fulfilled, because the question of its foundation has already been solved with the Universal Declaration of Human Rights of 1948. Although the trends outlined have a high academic prestige, and a formidable conceptual historical route, it has been criticized since early times that they obey a strongly Western model (Panikkar, 1984), which starts by presuming the existence of a universalism that rights Human beings have neither in their application nor in the ways in which they are conceived culturally in the various spheres of the world, and that they also hinder the possibility of developing a project of emancipatory globalization from the marginalized bases of society (Sousa, 2002). This objection comes from the multicultural theory of human rights, which shares important elements with the complex vision of human rights advocated by Joaquín Herrera Flórez (2000), which emphasizes its intercultural character, its rationality of resistance, and the character a hybrid that dislodges them from the abstraction of universalism and the particularism of relativism.

It has also been suggested that human rights are marked by a relational aspect, very characteristic of a conception of justice in terms of otherness, understood by the latter as the assumption of social responsibilities in the reduction of injustices (Shklar, 2010). Centered on the recognition of the value of the other (Benhabib, 2005), and on the unveiling and confrontation of behaviors and structures that foster unjust relationships (Boltanski, 2000; Young, 2013). Indeed, for Douzinas "... before my right ... there is my obligation towards the dignity of the other ... whose previous existence to mine obliges me ethically and opens to my being the domain of language, intersubjectivity and law" (2006). In another work, Douzinas recalls that emancipation, along with self-actualization, were the "twin purposes" of the Enlightenment (2008). However, the claiming of human rights ended up reducing "the struggle and resistance to the terms of simple legal and individual remedies," which scarcely lead to the improvement of individual status without profound impacts on social structures (2010). For this reason, Douzinas continues, it is necessary to separate neoliberalism from the export of human rights, given that the liberal and cosmopolitan defense of the latter is safeguarded individually, leaving aside the constitution of political resistance: "Human rights can regain their redemptive role in the hands and imagination of those who succeed in returning them to the tradition of resistance and struggle and succeed in snatching them from the clutches of the pontiffs of moralism, of The bearers of a suffering humanity and humanitarian philanthropy "(Douzinas, 2010). However, with regard to political subjectivity from the standpoint of agonism, it is worth recounting that Mouffe (1993) and Laclau (1996) have argued that social life is properly political, since it is the antagonistic scenario emerged from the affirmation of Identity, which is itself an expressive relational praxis of difference, which constitutes it in the seat of potential antagonisms. On the political, Mouffe maintains that it is a dimension "inherent in all human society determining our ontological condition" (Escobar, 1999). From this conceptual framework Escobar concludes, in frank confrontation with essentialism, that "identities are the result of articulations that are always historical and contingent. No identity or society can be described from a single universal perspective "(1999).

Escobar dismisses the notion of the individual subject as "self-contained, autonomous and rational," noting that the production of the latter is generated by and in "historical discourses and practices in a multiplicity of spheres," whose identities are "constituted in Part in contexts of power, instead of developing from a pre-existing static nucleus "(1999: 279). Hence, in its criterion, what it is necessary to do when making an analysis of the constitution of the subject, is to contemplate

debated are of marked moral, ethical, and political imprint. Martí goes to Elster's work on the Forum and the Market, to present a typology of his analytical perspectives of deliberative democracy: the first is that of economic theory, in which individuals are studied as rational agents who seek to maximize their preferences. The second perspective dissociates the market from the space of politics, and conceives participation as a value in itself, where the prime virtue is the virtuous pursuit of the common good, inscribed essentially in the idea of the Forum (representative authors are Kant, JS Mill, Arendt and Pateman). The latter perspective tries to reconcile the forum with the market, recognizing the role of both in politics; This is where, in a broad spectrum and always under this perspective of particular analysis, Elster and Habermas could agree, from their peculiar characteristics, while the two distance themselves from the understandings that conceive as mutually exclusive to the forum and the market. For Habermas, democracy enshrines deliberative procedures that allow us to arrive at reasonable consensus, under the conditions and under the assumptions of his theory, and for Elster, the policy is aimed at enabling consumers and agents to achieve an optimal compromise, by the ways Voting, negotiation and argumentation, as already noted (Martí, 2001).

it as a network of positions and determinations, permanently open and incomplete. On the subject, Gergen (2006) has indicated that the subject is constructed in language-mediated interactions, contextualized in a specific culture, being constituted by the internalization of the narratives of the others, in the daily living spaces. Hence the subject, in terms of Balbi (2004), cannot be seen as a continuum, given the constant mutability generated in the symbolic interactions, verified in the plexus of discourses. In this regard, González has pointed out that the emergence of new political subjectivities is what allows "the necessary tension to the model of alternatives that emerge and define the scenario of political management" (2012). For Mouffe, this construction of subjective identity, as constitutive of politics, allows us to affirm that hegemony is not really an eternal universal, nor is it destined to be such, but, since the consensus is not reached in a moment Final and definitive, remains debatable, in the sphere of agonism that involves the plural visions that are encountered and confronted in political dynamics (2003). Laclau refers in this respect to the fact that the hegemonic relation requires empty signifiers, which maintain the incommensurability between the universal and particularisms, so that the latter can represent the former, thereby concluding the central role of representation in the constitution of politics, where the dynamics of inclusion / exclusion that allow them to conquer universality are disputed (Laclau, in Butler, Laclau and Žižek, 2011).

RESULTS

The institutional design of victim participation: from institutionality to bureaucratization

Vargas Reina (2014) in his study on the participation of the victims in the contexts before and after Law 1448 of 2011, evidences the persistence of some defects in the institutional designs that the State has arranged for the participation of the victims, among the ones that are outlined below. First, it is highlighted that Law 1448 of 2011 provides for the formulation of public policies with the participation of victims at different territorial levels, that is, the national, departmental and municipal levels, although to date the absence of Articulation of territorial entities, which leaves a gap between local spaces and national decision-making bodies, thus limiting the incidence of victims in decision-making. This incomplete decentralization has led to the fragmentation and fragmentation of civic organizations, who question the pertinence of formulating their claims before local authorities, if the destination of resources from entities such as the Unit of Attention and Integral Reparation for Victims, For example, are defined from the central-national level, so there is no certainty that the plans advanced in the territorially decentralized headquarters can be fully implemented. Ultimately, the local decision-making bodies are weak, because they are contingent on what is resolved in the national order. Another aspect that is strongly questioned is that the victims take place in the Effective Participation Table of the respective territorial order, in the name of a victimizing fact, which means that their representation is linked to the harm received and not to their role as subjects Politicians, even less to the agendas they have been developing in their grassroots groups. Thus, when a victim participates in one of the tables arranged for this purpose, he does so in the name of, v. The fact of victimization, homicide, forced displacement, antipersonnel mines, etc., which, in addition to raising questions about possible revictimizations, does not sympathize with the fact that those who claim representation have the right to have their social role not be reduced to harm Which was caused to them in the context of the armed conflict. It is also true that with the configuration of a single space for victims' participation in territorial entities, called the Effective Participation Table, this institutional scenario is left as the only way to channel the concerns and problems of this population group, which Limits the legitimacy and impact of the other legal mechanisms or community pressure that victims choose to formulate their claims, since what the administration will respond when it occurs is that the petitioners must go to the instances regulated by Law 1448 of 2011, Because these are the ones prepared by the legislator to meet their requests. Likewise, it is noted that in the aforementioned regulations, it has not been taken into account that participation is costly for the victims, as it requires them to have the time and resources they usually do not have, in addition to being exposed to the risks created by the persecutions And social stigmas still present in our society, against those who claim their rights as victims of an armed conflict that has not yet been completed.

DISCUSSION

Somehow, these limitations curtailed to institutional models of victim participation coincide with the tension between the citizen and the expert, which has been pointed out by the school of argumentative turn in public policies, as noted in previous paragraphs. Lemaitre Ripoll (2013), for his part, mentions that it is imperative to overcome the understanding of participation as a governance and as a right, as reflected in the socializing practices of Decrees 4800, 4633 and 4635 of 2011, to a conception of Participation as a tool for social transformation, to take on the challenge of empowering victims, an understanding that combines the benefits of good governance and protection of the guarantee of participation (obtaining information, strengthening legitimacy and social control, Reduction of costs, possibility of listening and consulting victims, among others), but which in turn has the advantage of confronting the flawed defects of the antecedent perspectives (eg manipulation-instrumentalization of participation, clientelism, competition for resources, Exclusion of the knowledge and expression of the pain of the participants). In particular, participation, in the sense proposed by Lemaitre, bets on the formation of egalitarian spaces, social transformation insofar as it allows for political mobilization and action, and empowerment understood as a real transfer of power to the excluded sectors. Of course, the proposal of Lemaitre arises on the occasion of what she observed in the discussion sessions of some regulations concerning the Victims' Law, and not only from a theoretical revision of the concepts enunciated. Thus, the teacher tells how in one of the workshops in which she participated, the expression of the victims was limited when referring to them, and interrupted their speeches, when they alluded to their personal accounts of the painful affronts they received by armed actors from all Type, this in the interests of the objectivity and generality that should characterize the event, in the opinion of its organizers, whose intention was to promote a brainstorm focused on proposals, a purpose that was related to the narration of individual stories. Note, in relation to the above that in the imaginary of many of the participants was the idea of intervening to be recognized, they and their relatives' dead or missing, through their duels, or to meet specific needs, sometimes personal or Well of their associations. This dissociation of expectations between the victims and the

representatives of the state entities is an issue that has not yet been tackled with rigorous pedagogy. Berrio (2013) asks, in continuity with this critical line, if the participation tables of victims are mechanisms of social transformation, or if it is another frustration for them. Essentially, according to the author cited, because the goals set for the fulfillment of certain stages of victim participation, such as the formation of the territorial bureaux and the decrees that regulated the way in which they would be chosen - and even the protocol of Participation - show that there was an interposition in temporary terms, which in practice prevented the execution of what had been planned for the deliberation.

In fact, entities and victims in many departments and cities, including Santiago de Cali, had adopted strategies to meet the goals imposed by Law 1448 of 2011 in peremptory terms: thus, effective participation tables should be constituted as a Term of six months, that is, to December 11, 2011, but only on the 20th of that same month and year was issued Decree 4800 of 2011, which regulated the composition of those. This was also the case with the same participation of the victims in the preparation of the respective territorial action plans, since Resolutions 388 and 588 of 2013 were those that were in charge of adopting the respective protocol, although the mentioned public policies had to be harmonized With development plans that had already been adopted and were in the process of being implemented since 2012 (Martinez, 2015). Returning to Berrio (2013), it is evident that there were relevant public policies, such as CONPES 3726 of 2012, which were developed without socialization or consultation with the victims. He also pointed out that the effective participation of the victims is limited by the disarticulation between the nation and the territory, and the weakness of some institutions in territorial orders, to which is added the surcharge of functions that have received the local municipalities, even when the resources prepared for it have been minimal. Likewise, it is pointed out that it is not clear the binding nature of the opinions of the victims, as opposed to the decisions that ultimately must be taken by the administration. In order to counteract the frustrating situation, the author proposes that victims should be given the opportunity to develop their own agenda, giving those resources and their consequent responsibilities, so that, instead of bureaucratizing, they maintain a fluid relationship with grassroots communities. Egalitarian participation; this exercise should be accompanied by the attribution of a binding nature to some of the proposals of the victims, and the opening of spaces for political control over mayors and governors, as they are responsible for the implementation of public policies.

It complies to make a last observation, in view of Resolution No. 828 of 2014. In this provision, the protocol of effective participation is reformed again, since Resolutions 388, 588 and 1448 of 2013 are modified. However, of the normative body in comment, there are different provisions that seem to assimilate the Effective Participation Panel of victims, in their different orders, to bodies of traditional representation when it comes to human rights agency spaces in which those who were subjected to all types of harassment in their lives. Thus, Article 5 of Resolution 828 of 2014 states that members of the Bureau of Effective Participation can only be re-elected once, without stopping in small towns where the number of victims and those who assume their Leadership, are sufficiently reduced to extinguish the possibility of being represented from a certain number of periods. In the sixth canon of the regulations studied, it is indicated that if a session of the Bureau discusses an issue directly related to a representative or the organization to which it belongs, it is prohibited to participate, which, taking into account the purposes of The participation of the victims, is a complete contradiction, to which it could well be added the indeterminate sum of the word "subject". Likewise, it is maintained in the previous article that victims' representatives cannot be public officials or contractors of the State, at any level, when their functions or contractual obligations are related to the public policy of victims. This means that victims must choose between being in a space of representation that is extremely expensive, or contract with the official authorities the execution of plans and projects, in the planning of which have surely intervened as members of the Bureau, Which contribute to the realization of the rights of their communities and associations. To add to the bureaucratization of the aforementioned participation space, it is added that when one of the victims is in one of the prohibitions mentioned in the analyzed article, it must be declared unable to intervene.

Conclusions

1. In Colombia, the recognition of the victims generated by the armed conflict has been extremely late, since the officialdom has done so after more than fifty years of violence. However, although legal mechanisms have been provided for victims to participate in public policies aimed at them, different limitations can be found in the institutional design of victim participation, which can be seen, inter alia, from The two perspectives chosen in this work: the argumentative turn in public policies, and the space of the political in the constitution of subjectivities, combined the latter with a vision of human rights in line of resistance.
2. From the first mentioned orientation, it can be argued that the institutional design of victim participation reproduces the conflict between citizens and technocrats that announces the school of the argumentative turn in public policies, based on the work of Habermas. In fact, the primacy of administrative power or technocratic dimension is reflected in the profound asymmetries that are presented, for example, in relation to the high costs that the victims demand to participate in the participation scenarios; With deficient information that generates in those the emergence of expectations that are not compatible with what they will find in the participatory spaces; And through the centralization of resources to implement the agreed plans, which discourages the intervention of the victims in the local instances, when they know in advance that the execution of the projects that ultimately agree will depend on the resources that the National entities, centralized in the capital of the Republic, resolve to destine to the municipal or departmental organisms. It is also representative of the primacy of the technocratic orientation, that the expressions of the victims be restricted to the enunciation of general and objective proposals in the administrative technical language, without allowing them to express themselves in terms of their personal and spontaneous narratives.
3. With regard to the review carried out from the second perspective related in the first conclusion, it is stated that the institutional space of participation of victims, condensed in the Effective Participation Table, is

established in the only constituted in legal form So that the victims formulate their claims and deploy their agendas, thereby depriving them of their effectiveness and de-legitimizing the other mechanisms that arise from their own political action, and which do not depend to such a high degree on institutionality. Likewise, it is reprehensible that in the Mesa it has been arranged that some victims are assumed as representatives of a victimizing fact, which clearly entails a demeaning identification. Added to this is the incongruous regulation around the protocols of effective participation of the victims, while deadlines have been set for the fulfillment of goals without there being a definite regulation of the way in which they have to be carried out, for example The same constitution of the Bureau. The uncertainty regarding the binding degree of victim participation still persists, which only seems to play a legitimizing role.

4. With this scenario, it is confirmed that the institutional design of victim participation continues to obey, to a greater extent, a limited technocratic vision that fits more in the meaning of participation as governance and not as a right, to become, if it is already, in a more frustrating for the victims. This view is reinforced by the modifications made to the protocol of effective participation of the victims, through Resolution 828 of 2014, as regards the prohibition of participating as representatives of the Bureau for more than two periods; As well as the impediments that arise for the leaders of victims to intervene in "issues" that are of direct interest to them or their organizations; And that they can not contract with the State to develop projects, in the formulation of which they have surely intervened as members of the Table "MESA", which are related to the public policies of victims.

The institutionalization of the bureaucratization of the participation of the victims is foreshadowed by all the harmful results that this can bring about the effective realization of the fundamental rights that have suffered, in multiple and repeated form, the violation of their dignity Personal and social.

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