

Police education in Colombia: situation and prospects to achieve a social State of law and a just and lasting peace

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Abstract

Colombia is a social state of law and its authorities "have been instituted to protect all its residents in their life, honor, property, beliefs, and other rights and liberties, and to ensure compliance with the social duties of the State and of its citizens."

According to Colombia's Constitution, the police force has a civilian orientation and seeks to preserve peaceful coexistence, but its work is focused mainly on fighting crime in a country with high levels of inequality, lawlessness, corruption and unemployment. Its work overload and understaffing run counter to the processes of training, reflection upon and systematization of its practices, according to the objectives of the Police Education System (SEP).

The implementation of the Agenda to Build a Just and Lasting Peace¹ and the Ten-Year Education Plan 2016 - 2026² demand that the national government strengthen the SEP to fulfill its civilian mission in a democratic State subject to the rule of law.

Key words. Colombia – State of law – education –human rights – police – coexistence –peace

Introduction

Since November 2016, when the agreement to stop the armed conflict was signed with the Revolutionary Armed Forces of Colombia (FARC), Colombia has been living in a particular moment of "relative peace", especially in the rural territories in which the outlawed groups linked to drug traffickers, paramilitary forces, subversives and common or organized criminals operated.

Peace as a constitutional value has been a key issue in the electoral agenda, and a reason to justify modifications to the role of the public forces by the Legislative Power and the President of Colombia.³ The Peace Agreement, according to the victims of institutional and outlawed actors, was a "godsend", but also the subject of greatest polarization by extreme right and extreme

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1 <http://www.altocomisionadoparalapaz.gov.co/procesos-y-conversaciones/Documentos%20compartidos/24-11-2016NuevoAcuerdoFinal.pdf>.

2 https://www.mineducacion.gov.co/1759/articles-356180_recurso_8.pdf

3 In Colombia, according to Art. 115 of the Constitution, the President of the Republic is Head of State, Head of Government and supreme administrative authority.

left governments. The Colombian Constitution passed in 1991 includes 38 modifications,⁴ most of them promoted by the same government before the legislative bodies. Thus, former president Uribe was the first to promote his re-election, as later did Juan Manuel Santos, whose term ends in July 2018, with the joy of many Colombians at having succeeded in signing the Peace Agreement.

In this context, the National Police of Colombia (PONAL), one of the four public forces and the subject of this paper, has been the most affected in its institutional structure due to its mandate to address the violence of the armed conflict and other emergency actions, such as the administration of the penitentiary and prison system. As Chart 1 shows, the PONAL has more than 20 specialized service areas, most of them of a coercive character⁵, and few preventive ones to maintain the "conditions required for the enjoyment of public rights and freedoms and to ensure that the people of Colombia coexist in peace" (Art. 218 of the Constitution). There is no doubt that any action of the police is valid in humanitarian terms and to make up for the social deficits not addressed by the government, but in view of the situation of insecurity in the country, it would be more socially profitable to work directly in the communities in their immediate everyday life environments, especially in spaces with massive movement of people and rural areas where conflicts due to neighborhood issues are numerous and commonplace.

With the Peace Agreement, more than 12,000 reincorporated persons⁶ are concentrated in 23 roadside zones of normalization territories (ZVTN) defined by the government and which the PONAL must provide surveillance, along with the Colombian Army, in the external security areas, and it will be part of the monitoring and verification team when required. The police forces are increasingly being tasked with more responsibilities and given less time for their training by the SEP to help them understand coexistence and security problems as individual and collective behavior issues, subjects of the study of human science that go beyond their treatment through the enforcement of norms for the sake of norms or tangential technical procedures, as pointed out by Cr. Luis Ernesto García,⁷ Director of the Police School of Higher Education (ESPOL), whose

4 See <http://cepri.upb.edu.co/index.php/relaciones-internacionales/item/44-marco-jur%C3%ADcico-para-la-paz-una-mirada-cr%C3%ADtica-desde-el-derecho-y-la-pol%C3%ADtica>

5 Finds food and school supplies for marginalized children, makes community diagnoses of the visible insecurity in the streets, heads hygiene brigades for the homeless, holds streets theater performances for abandoned elderly people, unclogs sewers in floods, puts out fires, installs lighting in dark places, covers potholes in damaged roads, helps in childbirth in the absence of medical services, does the shopping for the police chief's family and drives his cars, deals with family violence issues, manages jails and penitentiaries, controls traffic and, in the absence of other State agencies, still register childbirths, among many other things.

6 file:///F:/SALVADOR%20CINC%202016%20SEMES%202/24_08_2016acuerdofinalfinal-1472094587%20(1).pdf (numeral 3.1.4.3. p.56).

7 Colonel Luis Ernesto García has been an officer for 29 years. He is a police administrator, a lawyer, a magister in political studies, and a specialist in higher education teaching. His experience in different police units includes intelligence, schools, criminal investigation, police attaché in the Colombian embassy to the United States, and delegate to the Ameripol. For the last four years he has been the director of the Police School of Higher Studies (ESPOL) for officers, where he has qualified his knowledge in the field of education and made significant achievements in favor of the professional performance of those who study at ESPOL, as well as for the recognition of the school in the reflexive view of the country.

arguments, supported by sound scholarship and expressed in an interview⁸ illustrate this paper. After Nobel prizewinner Amartya Sen, he believes that "education must not focus exclusively on [...] the production of goods to increase the PIB⁹, but become a vehicle for the expansion of the human capacity to lead a more free and dignified life" (SEN, 1996: 67-72).

This paper addresses some elements of the context of life in Colombia in terms of coexistence and security, as well as the historical role of the police, a brief description of the police education system, the challenges and areas to be strengthened that this institution must address according to its civil mission and the requirements of a democratic social state of law in which a culture of human rights must prevail both in its internal institutional practices and in the permanent relationship of its members with society. Finally, some conclusions will be put forth.

1. Historical context of Colombia and the role of the National Police in the management of the citizens' coexistence and security

The history of Colombia has been marked by violence: its war to gain independence from Spain in 1810 left behind thousands of victims. Since then, the struggles led by political parties, who also control economic power, have not allowed the masses to enjoy the benefits of democracy. Citizen engagement has not transcended the political patronage of the right to vote to keep the same elite in power for over two centuries.

This is a complex phenomenon. The country has become a field of fire and blood due to political conflict, which has been illustrated by some authors. García Márquez (2007: 125), the most knowledgeable and greatest analyst of our tumultuous history, describes masterfully in *Cien años de soledad* thousands of Colombians with a complex personality, defenders of a strong rule against the weak and the bellicose, as shown in his depiction of Colonel Aureliano Buendía:

Colonel Aureliano Buendía started thirty two armed uprisings and lost all of them. He had seventeen male children from seventeen different women, who were killed one by one on the same night before the eldest turned thirty five years old. He escaped fourteen attempts on his life, seventy-three ambushes and a firing squad. He survived a dose of strychnine in his coffee that would have killed a horse. He rejected the Order of Merit awarded to him by the President of the Republic. He became general commander of the revolutionary forces, with jurisdiction and command from border to border, and the man most feared by the government, but he never let anyone take his photograph. He declined the pension for life offered to him after the war and lived to an old age on the sale of the little golden fish he made in his workshop in Macondo.

⁸ Interview conducted by the author on January 24 2018.

⁹ Gross Domestic Product.

In the 1980s, when government officials, subversives, paramilitary groups and other outlawed actors became linked to drug trafficking, a group of "violentologists"¹⁰ proposed a still current typology of violence according to its actors and modes (Arocha *et al.*, 1988): 1) from organized crime against politicians and public servants, 2) from organized crime against people that they deprived from their freedom, 3) from guerrillas against the State, 4) from groups in arms against private citizens, 5) from State agencies to guard public order, 6) from the State against social movements of protest, 7) from the State against ethnic minorities, 8) from unorganized private citizens, 9) from organized private citizens or death squads against specific groups that in their view were bad for society. Around the same time and about the same concern, but suggesting alternatives for action in education, philosopher Estanislao Zuleta (1991) said about violence in Colombia that:

We must begin by acknowledging the seriousness of all kinds of violence in Colombia. The very fact that it is not acknowledged means that there is no will to fight it. From every side of the variegated political panorama of Colombia we hear cries for democracy and assertions of human rights. In the most violent country in Latin America no banner is more popular than peace. No one would dare to run a political campaign in any other name: democracy and peace are the slogans of the whole political spectrum, from the extreme right to the extreme left; no one would be believable if they did not advocate them.

The repetitive discourse on violence may sound tedious, especially for the thousands of Colombians who have managed to maintain their good nature and integrity, and even for the relatives of members of the public forces who have lost their lives in the line of duty. The police force of Colombia, the subject and object of this study, is a single national force created in 1891, and as such it has witnessed the whole history of the conflict. Whatever is said about their past, present, and future must be considered from its legal nature as a social regulator of behavior in a society in which most of its members behave with integrity and enrich the common good, and a minority opts for selling their soul to the highest bidder against the common good, as pointed out in recent studies.¹¹ This current situation of the police in Colombia, Mexico and other similar countries, is thoroughly described in the anthropological research "to explore the world of the life of police officers" by María Eugenia Suárez de Garay (2006: 11):

10 A group of scholars from the National University of Colombia who, amidst the sense of chaos the country experienced, undertook the task of opening a debate on these issues. Known as the "violentologists" (violentólogos), they were the first to reflect on the causes not only of war but also of the widespread violence that seemed to be everywhere, and they came to the now controversial conclusion that in Colombia these causes were very objective. <http://www.semana.com/nacion/articulo/los-violentologos/88236-3>

11 La corrupción en entidades públicas como la policía nacional de Colombia. Trabajo de grado de maestría en Estudios Políticos. U. del Rosario. <http://repository.urosario.edu.co/bitstream/handle/10336/12454/52435772-2016.pdf?sequence=1>

The image of those who, wearing a uniform, have had as their main task to be the guardians of order and the prosecutors of criminals, is associated with old vices ascribed to the figure, arrogance, laziness, inefficiency, corruption, and violence. All of this has led to their being condemned to a marginal place in society. At the same time, we know very little about police officers, their universe of values and their ways to inhabit the institution. This is a consequence of a growing disconnection between power and society, and the police have a more evident position in this situation precisely because they are one of the faces the State shows the population in their everyday life. That world, stigmatized by most citizens, demanded to be observed more closely. That is why I undertook my field work.

Colombia's PONAL was created in 1891,¹² operating from Bogotá to all the country and counseled by the French Gendarmerie,¹³ from which it inherited a martial, hierarchical and militaristic character that continues to this day and has resisted the organic/administrative evolution of this institution following to the political, cultural, religious and economic transformations of the country, defined as a social State of law since 1991. This agency was born in the midst of political violence and has grown within it, and although internally it follows disciplinary frameworks, the excesses in the behavior of many of its members – as well as its successes – are to a large extent the projection of a culture, as stated by sociologist Loubet del Bayle about the police (1998: 10): this body of control is a social body that is gestated, grows and dies in the dynamics of the relationships among individuals, groups and institutions.

The PONAL has undergone reforms of reforms to adapt, according to the government, to address the conflict largely generated by the struggle between political parties for political, economic and social power. Throughout the nineteenth century in Colombia there were more than a hundred civil confrontations between liberals and conservatives,¹⁴ which continued in the first half of the twentieth century. In 1948, in the *Bogotazo*,¹⁵ the police acted indiscriminately against civilians on the orders of the president, whom they supported politically. In the 1950s the subversive groups emerged and there was an attempt of a dictatorship by a police officer,¹⁶ who had the police ascribed to the Ministry of War,¹⁷ which in 1965 changed its name to Ministry of the Defense,¹⁸ to which it is still ascribed. In order to make a more fair analysis of

12 Through Decree 1000 on November 5 1891.

13 Through Law 23 in 1880, President Carlos Holguín authorized hiring French comissaire Juan María Marcelino Gilibert to counsel on the structuring and training of the National Police of Colombia. http://oasportal.policia.gov.co/portal/page/portal/INSTITUCION//Resena_Historica1

14 The two historical political parties in this country.

15 A citizen protest generated between liberals and conservatives with a high level of violence in which the National Police and other public forces acted arbitrarily against individuals with a political position.

16 General Gustavo Rojas Pinilla.

17 Decree 1814 of 1953 from the government of General Gustavo Rojas Pinilla.

18 In 1965 president Guillermo León Valencia decided to change the name of the Ministry of War to Ministry of National Defense after the end of the confrontation with foreign powers and the need to address the offensive against fledgling guerrilla groups, starting the internal

the conflict, it is important to know that the guerrilla was formed by dissidents of the Liberal Party in the 1950. This led to the formation of the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (EPL), and the April 19th Movement (M-19), among others. In 1970, the Law Decree 1355¹⁹ led to the juridical and administrative modernization of the police force.²⁰

The social convulsions of political violence created a fertile soil for the scourge of drug trafficking, which permeated into the political and economic elites among whom it became a source of financing for legal and illegal groups, and even some members of the PONAL. The violence of the 1980s saw the alliances of drug traffickers, subversives, paramilitary groups, common and organized criminals and corrupt public servants, especially in the territories neglected by the national government. Paradoxically, this decade ended with the fading away of the Cold War and the ghost of communism as a foreign enemy that had existed since the end of the Second World War, making it possible for Colombia to become fully aware of its internal conflict with the enemy at home and present in large illegal groups that went as far as to use the very institutions of the State for their operations. The de-structuring of the State led to the Constitutional Reform of 1991, which created new institutions²¹ to strengthen security and justice, but their capacity has not been enough to reduce the rates of impunity, which historically have remained above 70%.

In Colombia, public forces comprise the armed forces (Army, Navy and Air Force) and the National Police, although it must be pointed out that they are two distinct bodies, each one of them with objectives, functions and differences defined by Articles 216, 217 and 218 of the Constitution,²² based on which the PONAL²³ was reformed through Law 62 in 1993, aimed at overcoming the institutional crisis. However, the PONAL still had low levels of legitimacy due to the links of some of its members with illegal drug trafficking groups. According to the Constitution, "The National Police of Colombia is a permanent armed agency of a civilian nature under the control of the Nation whose main aim is to maintain the conditions required for the enjoyment of public rights and freedoms, and to ensure that the people of Colombia can

conflict. The new Ministry continued to be under the control of armed forces officers until 1991, when President César Gaviria appointed Rafael Pardo as the first civilian Minister of Defense.

19 Alluding to the first National Police Code issued in the country.

20 The new juridical corpus of the police incorporated the academic contributions of the great scholar Miguel Lleras Pizarro (1943: 27-29), who in 1940 proposed the specificities of the Police regime.

21 Such as the General Prosecutor of the Nation (Fiscalía General de la Nación), the People's Attorney (Defensoría del Pueblo), the Family Commissioners (Comisarías de Familia) as well as restorative and community justice mechanisms.

22 Article 217: The Nation will have for its defense permanent armed forces comprised of the Army, the Navy and the Air Force. Military forces will have as their primary aim the defense of the nation's sovereignty and independence, the integrity of its territory and constitutional order (Constitution of Colombia, 1991). Artículo 218. The law will organize the Police corps.

23 The reform of the National Police of Colombia, through Law 62 of 1999, during the government of President César Gaviria Trujillo, was grounded on the study conducted by a commission formed by officers representing all the ranks, delegates of the national government, and different groups from civil society. Their proposals were the foundation of this law.

coexist in peace" (Constitution of Colombia, Art. 218). Its "armed agency" and "civilian nature" status were of little validity vis-à-vis the intensification of Colombia's internal conflict, which soon led to the unification of forces to control the murder rate of more than 55 homicides for each 100,000 people²⁴ (*Forensis*, 1999: 23).²⁵ Through the Legal Act SU-476-97, the Constitutional Court clarified thus the concept of public order:

Restrictions to citizens' freedoms are founded on the concept of public order, understood as the minimum conditions of security, peace of mind, healthfulness and morality that must exist within the community to guarantee the normal conduct of life in society. In order for these minimum conditions to be met it is necessary that the State perform the preventive tasks that make them effective.

The dedication of the police to public order, following the concept of the Constitutional Court, the guidelines of the Ministry of National Defense and the orientation of the Executive Branch of Power led by the President of the Republic, the governors of the country's Departments and the municipal majors, led to the specialization of this agency in high crimes through technical instruction and a significant abandonment of their work on coexistence issues such as neighborhood conflicts, all forms of theft (mugging, robbery, burglary), which increased the citizens' sense of insecurity and deficiency in the authorities. Such a view, applicable to other Latin American states defined as States of law, should give rise to public and academic debate on the responsibility and respect of public officials towards the institutional roles of the police and the separation of functions of the branches of power to make a State of law viable. Historian and politician Vásquez Carrizosa (2012: 22) describes the case of Colombia:

There is no State of law in Colombia, by which I mean the power controlled by constitutional rules with a space for the security of the person. The permanent state of siege for more than 40 years now has replaced the weave of what one was the Foundational Charter of Colombia. The principle of the separation of the branches of the State's power, essential in modern public law since the time of the French Revolution of 1879, is no longer current now because we are faced with a crushing presidentialism that plays the role of legislator, and with decrees and laws that establish a justice that is powerless to stop the wave of crime that overwhelms us. To put it clearly, we are faced with a *de facto* State that substitutes Law.

24 In 1999 there were 23,209 homicides in Colombia, that is, 5% (1,027) more than in 1998. This increase, however, does not affect significantly the decreasing trend (in absolute and relative terms) of homicides in the 1990s. In absolute figures, homicides in 1999 were fewer than the 24,256 in 1997, 25,921 in 1996 and 28,260 in 1991.

25 Instituto Nacional de Medicina Legal y Ciencias Forenses, 1999.

The continuous escalation of the conflict towards violence with lethal and non-lethal consequences, as well as the saturation of public politics and the urgent control measures by the Executive branch, have been the motives behind the training and technical instruction – rather than educational processes – of the police, as well as its organizational adaptation to respond to the demands of coexistence and security, according to the structure shown in Chart 1.

Chart 1. Organic structure of the National Police for the operationalization of the service: Directorships and Specialized Areas²⁶

Directorships ¹ and Special Units	Attention Units and/or Service Areas
Operative level	
	Metropolitan Police and Police Department
	Sub-commands of Metropolitan Police and Police Department
	Operative Commando Group of Citizen Security
1) Fixed Units in the national territory	Police District
	Police Station
	Police Sub-station
	Immediate Attention Commandos (CAI)
	Police post
2) Mobile units of reaction and support to units	1) Anti-riot Mobile Squad (ESMAD)
	2) Special Operations Commandos (COPES)
	3) Available Force
	4) Urban Control Force
3) Directorship of Citizen Security	
4) Directorship of Carabineros and Rural Security	5) Mobile Carabineros Squads (ENCAR)
	6) Special Oil Operations Groups (GOES)
	7) Special Rural Operations Commandos, COPER
5) Criminal Investigation and Interpol Directorship. (DIJIN)	8) Criminal Investigation Section (SIJIN)
	9) Investigative Units
6) Police Intelligence Directorship	10) Regional Police Intelligence (RIPOL)
	11) Sectional Police Intelligence policial (SIPOL)
	12) Basic Unit of Police Intelligence
7) Anti-Narcotics Directorship	13) Anti-Narcotics Zones
8) Anti-Kidnapping/Extortion Directorship	14) Unified Action Group for Personal Freedom (GAULA)
	15) Special Anti-kidnapping Operations Group (GOES)

²⁶ The first two Directorships correspond to the organizational units in charge of the common security service (police surveillance or presence in the streets); for the other nine, the specializations and service areas are described.

9) Directorship of Protection and Special Services	16) Childhood and Adolescence Police (PINAE)
	17) Environment and Ecology Police
	18) Tourism Police
	Protection to Personalities
10) Directorship of Traffic and Transportation	19) Units of Intervention and Reaction (UNIR)
11) Fiscal and Customs Police	20) Operative Group (POLFA)
Administrative Level	
Administrative and Financial Directorship	
Human Talent Directorship	
Sanitation Directorship	
Social Welfare Directorship	
Educational Level	
National School Directorship	

Source: Author, after a review of the document "Policía Nacional de Colombia. Estrategia Operacional del Servicio Policial", t. 2 (2009: 66-104).

From this information²⁷ we may conclude that: *a)* the word 'prevention' is not mentioned in the names of the areas of police work, *b)* in the eight Directorships after the fourth there are no less than 20 specialized services that deal with criminal behavior and technological reaction, and *c)* the names given to their activities are reactive and similar to military ones, such as 'mobile reaction units', 'commandos', 'squads', 'special operations'. Also striking is the number of services with the 'anti-' prefix in their names: 'anti-riots', 'anti-narcotics', 'anti-kidnapping', 'anti-extortion', 'anti-explosives', that literally imply actions to counter situations and actors associated with the behavior at issue.

Judging the PONAL's technical specialization in so many modes, if we take into account its social control work in the realm of security, as Suárez de Garay (2006: 451) points out, is part of the social structuring, the reflection of the social actions and interactions in which its daily work takes place, due to a demand to deal with the conditions of insecurity in societies with high levels of defenselessness. To this academic insight Cr. García (in an interview in December 2017), adds:

The specialization of the Police in high-impact crimes does not respond to an institutional wish but to the need to defend the life that is attacked with increasingly sophisticated means and in increasingly sophisticated ways by criminals who justify what they do to get easy money with the appropriation

²⁷ In the column of Attention Units and Service Areas the numbering begins after Directorship No. 3 because the ones described in 1) Directorship of Security and 2) Fixed units in the national territory correspond to administrative units.

and control of territories and population to exercise their power. This situation becomes more complex when thousands of public servants in our institution see the political/administrative corruption of some government officials and administrators of justice. In this national context, scholarly insight makes a significant contribution and improves at a good pace, but technical training is urgent to deal with rising crime.

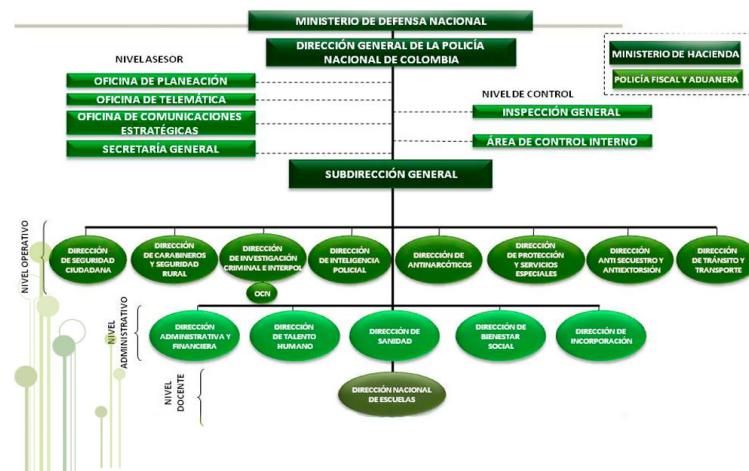
After these facts about the history of Colombia and the modifications to police norms by legislative and executive bodies to deal with violence with deep structural causes rooted in history, in sections 2 and 3 of this text we describe the main features of the SEP and the topics being strengthened in it in order to fulfill the Constitutional mission of the PONAL in the social State of law in Colombia, which can only be achieved through the political willingness of the higher government and institution directors.

2. The educational system of the National Police of Colombia: strengths and weaknesses

The PONAL is organizationally an institution that responds to the demands and standards of Colombia's public administration, as can be observed in Figure 1, which helps readers understand the place of the National School Directorship we discuss in this section.²⁸

Figure 1

Estructura actual de la Policía Nacional.



28 Decree 2016 of 2010.

The National Police of Colombia has levels of institutional acceptance were 57% in 2016 and 56% in 2017.²⁹ According to Cr. García, among its strengths are an internal organizational capacity, an effective performance against crime, scientific specialization to deal with new forms of crime, professionalization of its members, better levels of integrity, services within the framework of quality management and the Educational System, part of whose structure we describe below, taken from some sections of Volume 4 of the institution's policies, the Police Education System (SEP).³⁰

2.1 Legal framework. The SEP is based on Constitutional guidelines, legislation, jurisprudential concepts, regulations and other national and institutional legal instruments on education and their connection with the institution's mission. Here we discuss the general framework that underpins education in Colombia.

Article 67 of Colombia's Constitution defines:

Education is a right of the people and a public service with a social function; it seeks to provide access to knowledge, science, technology, and other assets and values of culture. Education will teach Colombians about respect for human rights, peace and democracy, and in the practice of work and recreation, for their cultural, scientific, and technological betterment, as well as the protection of the environment.

This conception follows the guidelines of the social State of law, characterized by political, administrative and fiscal decentralization, with autonomy of its territorial entities, as well as a participative and pluralistic democracy based on the respect of human dignity, the work and solidarity of the people who constitute it, and the prevalence of the common interest (Article 1 of the Constitution of Colombia). From the doctrine framework of law, Colombia guarantees freedoms, but still lags behind harmonizing civil rights with the social protection of its population, as shown in the Human Development Indicators of 2016, which contradict our belief in and our desire of being a social welfare State.

Education in Colombia is oriented by the Ministry of National Education (MEN) through a legal framework³¹ that makes it an obligation for all institutions, among them the PONAL, to accredit their programs according to international standards, objectives of the State (Article 2 of the Constitution of Colombia) and the Ten-Year Educational Plan 2016 - 2026 "The road to quality and equality", whose vision is:

29 Gallup Poll on the favorable perception of the president, officials and institutions 2017. <http://www.elpais.com.co/especiales/encuesta-gallup-121.pdf>

30 The materials transcribed, referred to or commented on in Section 2 appear in Volume 4, "Política Institucional: Sistema Educativo Policial", published in 2007 by the National Police Directorate. The information is current and this system is now being implemented at the level of quality demanded by the Ministry of Education. The Police Schools Directorate also offers educational programs for public servants in the field of citizen security.

31 Ley 30 de 1992, concerniente a la Educación Superior. Ley 115 de 1995, Ley General de Educación.

By 2026 and with the determined participation of all of society as an educator, the State will have taken all the necessary measures so that, starting in their early childhood, Colombians can develop their critical thought, creativity, curiosity, and ethical values and attitudes; respect and enjoy ethic, cultural and regional diversity; participate actively and democratically in the political and social organization of the nation, in the construction of a national identity and the development of the public sphere. Also to be favored will be a comprehensive education of the citizens that promotes entrepreneurship, coexistence, innovation, scientific research and development, so that Colombians may conduct their social, personal and productive activities in an environment of respect for people and institutions, be able to use the new technologies for teaching, learning and everyday life and seek the sustainability and preservation of the natural environment. The recovery of Colombians from the negative impacts of the armed conflict and their capabilities of resilience, as well as their active, conscious and critical participation in global networks and internationalization processes, are also a goal of this vision.

The reform of the police through Law 62 of 1993 introduced its professionalization in the realm of citizens' coexistence and security. This academic advancement and demand, according to Cr. García, materialized in the disposition of a SEP based on Law 30 of 1992 on the principles of higher education, Law 115 of 1994 on the General Statute of Education; the National System for the Accreditation of Education (SNA), implemented in 1998, and the Ten-Year Educational Plan. The National School Directorship is the governing body of the SEP, which integrates initial education and the promotion and continuous updating courses for all personnel in uniform, as well as the graduate course in which other public servants also participate. The SEP's solid structure is updated on an ongoing basis.

2.2 History of the PONAL's School Directorship. The first school, under the name of "General Santander", was established in Bogotá in 1940, and began teaching three ranks of police officers: officers, sub-officers, and agents,³² as well as non-uniformed administrative public servants.

- In April 1948, after the violent events of *El Bogotazo* the school's activities were suspended until 1950, with the counseling of a British delegation.
- In 1951, the School "Gonzalo Jiménez de Quesada" began training agents in Sibaté, near Bogotá. Other schools were later established in different regions of the country to train police agents, namely ordinary surveillance personnel.

³² Under the current structure the ranks are officers, executives, and agents, which hierarchically respond to the directives, middle commands for unit administration and basic personnel in charge of surveillance activities.

- In 1964 the Higher Police Academy began training police officers with command in the institution, and the MEN validated the Bachelor's degrees in Police Studies and Police Administration.
- After the creation of the Teaching Directorship of the PONAL, the Department of Studies in Criminalistics was opened in 1987, becoming a college in the General Santander School in 1988.
- In 1997, the whole system was combined into the General Santander National Police School, as the only academic institution for police education.
- In 2006, following the requirements of the legislation on higher education and through Resolution 4222 of the same year, the MEN approved the creation of the National School Directorship as the university institution responsible for the orientation of the educational policies of the PONAL, operationalized in the educational centers discussed in Section 2.3.

2.3 Educational centers of the National School Directorship. The system is comprised of 21 schools with the following main destinations: three are exclusively for the initial training, promotion and flying studies of officers; one for the initial training and promotion of sub-officers; 12 for the initial training and promotion courses of patrolmen (agents or ordinary surveillance personnel) and five schools that offer special courses for all ranks (officers, sub-officers and agents). Table 2 shows a classification of these schools, with their thematic areas and ranks that attend their courses:

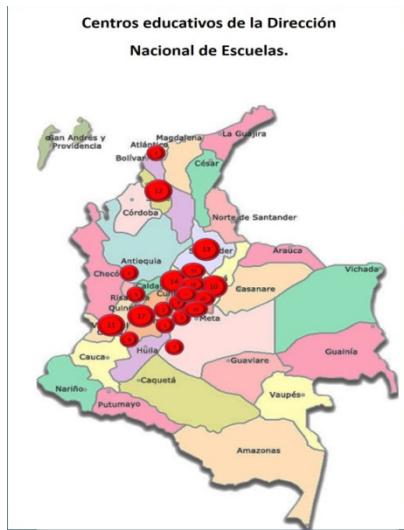
Table 2: Educational centers of the National School Directorship

No	Ranks that attend courses	Nombre del Cetro educativo	Ciudad y Dpto.
1	Initial training for officers	Escuela de Cadetes de Policía General Santander.	Bogotá, Cundinamarca
2	Initial training for sub-officers	Escuela de Suboficiales de Policía Gonzalo Jiménez de Quesada	Sibaté, Cundinamarca
3	Promotion courses for officers	Escuela de Estudios Superiores de la Policía	Bogotá, Cundinamarca
4	Courses for patrolmen (or agents)	Escuela de Carabineros Alfonso López Pumarejo	Facatativá, Cundinamarca
5		Escuela de Policía Antonio Nariño	Barranquilla, Atlántico
6		Escuela de Policía Carlos Eugenio Restrepo	Estrella, Antioquia
7		Escuela de Carabineros de Policía Eduardo Cuevas	Villavicencio, Meta
8		Escuela de Policía Gabriel González.	Espinal, Tolima
9		Escuela de Carabineros de Policía Alejandro Gutiérrez.	Manizales, Caldas
10		Escuela de Policía Rafael Reyes	Sta. Rosa Viterbo, Boyacá.
11		Escuela de Policía Simón Bolívar	Tulua, Valle
12		Escuela de Carabineros de Policía Rafael Núñez	Corozal, Sucre
13		Escuela de Carabineros Policía Provincia de Vélez	Vélez, Santander (Sur)
14		Escuela de Policía Provincia de Sumapaz	Facatativá, Cundinamarca
15		Escuela de Policía de Yuto	Yuto, Chocó
16	Training in different specializations	Escuela de Telemática y Electrónica	Bogotá, Cundinamarca
17		Escuela de Aviación (solo para oficiales)	Mariquita, Tolima
18		Escuela de Investigación Criminal	Bogotá, Cundinamarca
19		Escuela de Guías y de Adiestramiento Canino	Facatativá, Cundinamarca
20		Escuela de Inteligencia y Contrainteligencia	Bogotá, Cundinamarca
21		Escuela de Seguridad Vial	Bogotá, Cundinamarca

Source: author, based on the information in Volume 4, "Política Institucional: Sistema Educativo Policial". National Police Directorship, 2007.

As for the territorial coverage of the 21 schools in the country, eight (38%) are in the department of Cundinamarca (which includes Bogotá), that is, in the center of the country. The other 13 schools are located in 10 of the other 32 departments of Colombia. In short, the Educational System is concentrated in 11 departments that represent 34% of the territory. This distribution can be observed in the map in Figure 2.

Figure 2



2.4 Mission of the School Directorship. To direct the comprehensive training of human talent of the National Police through the Police Education System, to fulfill the functions of teaching, research and social projection, in order to contribute to the needs of coexistence.

2.5. Objectives of the SEP. To consolidate a flexible SEP that responds to the current dynamics of the police service, in regards to its coverage, quality and timeliness.

- Planning academic activities in the realm of institutional policies [...].
- Continuously improving the quality of education through self-evaluation, as the activity that brings together and mobilizes the economic community of schools around an institutional mission and vision.
- Appropriating the SEP as a pedagogic tool [...].
- Incorporating curricular design, development and evaluation, the pedagogical model of training by credits and competencies aimed at linking education with performance at work.
- Contributing to a comprehensive education of the police professionals to meet requirements that today's society demands [...].
- Articulating and explaining the theoretical and practical foundations regarding the fulfillment of the substantive functions of higher education: teaching, research, and social projection.
- Describing the pedagogical and axiological basis that shall orient the DNE's educational policies.

2.6. Substantive functions. According to Law 30 of Higher Education, the National Police Schools Directorship (DNE) is recognized by the Ministry of Education as a university institution and fulfills the substantive functions of *a) teaching, b) research, and c) social projection*.

2.7. Principles of the SEP. The School Directorship follows the PONAL's institutional principles and values and, in accordance with its educational mission, the following axiological scale implemented throughout the curricula.

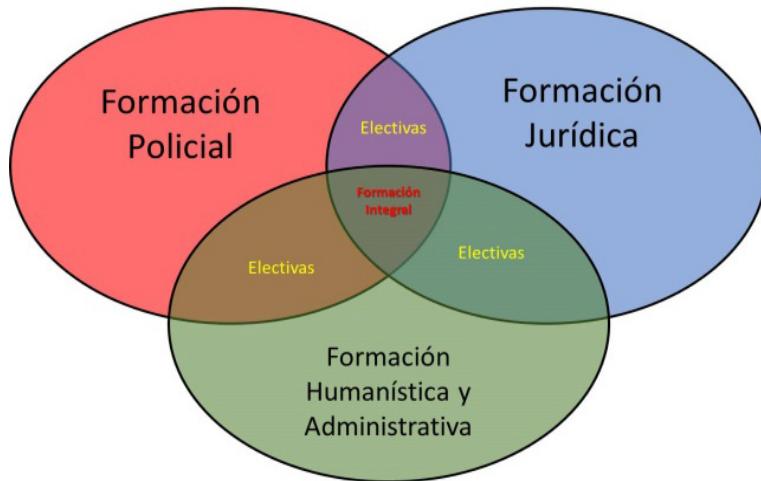
Chart 2: Principles of the SEP

No.	Principles	Emphasis / Dimensions
1	Quality for the professionalization of the service	
2	Pertinence	
3	Project development	
4	Participation	
5	Culture of legality: institutional and individual commitment	Police culture in human rights Education in principles and values
6	Human management and quality of life	Dimensions: cognitive, physical, social, communicative, ethical, ludic, workplace, spiritual.
7	Education based on humanism	
8	Coverage	

Source: author, based on the information in Volume 4, "Política Institucional: Sistema Educativo Policial". National Police Directorship, 2007, pp. 15-21.

Figure 3

Gráfica 2. Campos de formación del plan de estudios del Programa de Administración Policial



Source: author, based on the information in Volume 4, "Política Institucional: Sistema Educativo Policial". National Police Directorship, 2007. Política Estratégica Educativa.

2.8. Areas of training. These areas or fields in the curricula correspond to the basic knowledge to be appropriated by the people who receive their initial training to work in the police forces, or that they must later study as a requirement for promotions or updating on emerging issues on the conditions of coexistence, security and public order.

2.9. Educational policies and strategies. Policy "is understood as a direction or guideline whose main purpose is to guide institutional actions and aid in the decision-making process". A strategy is "the choice of the best alternative to achieve an objective: great priority actions that are coherent and sufficient".

The SEP has six policies and strategies:

- 2.9.1. Academic: to strive to guarantee quality in education, as well as its relevance, the enhancement of knowledge and comprehensive education, coverage and connectivity.
- 2.9.2. Research for scientific and technological development: to be implemented taking into account its fostering, relevance, integration and divulgation.
- 2.9.3. Social projection: through integration with the community, academic practices and counseling to other institutions according to the educational services portfolio.
- 2.9.4. Wellbeing: through programs for all members of the educational community.
- 2.9.5. Self-evaluation: through the appropriation of this culture by the members of the educational community.

2.9.6. Administrative: prioritizing transparency in the administration of human talent, as well as budget, logistical and technical resources provided by the institution.

3. Challenges and issues being strengthened in the Educational System in the transition to peace and the materialization of a democratic social State of Law

The agenda for the next ten years of the post-conflict era poses challenges for all public and private actors. Public forces take on a complex role, moving from being an active part in the armed conflict against the FARC-EP to serving in a surveillance and security service to those who have been re-incorporated through Transitional Justice, a highly complex role in the context of the peace agreements achieved in the international realm.

This external accompaniment in *zonas veredales*³³ is facilitated in part by the principles instilled in their education on respect to pluralism, diversity, and the universal coverage of human rights. The National Police Code, Law 1801 of 2016, is also a fundamental contribution in its demand of training the police force to act as a mediator in conflicts. However, as Cr. Luis García explains, this new role becomes a complex one for the following reasons:

The police force has the training to face the challenges brought on by the dynamics of the country, but not enough to understand the realities of the complex situations we have been going through. Norms are issued which are hard to implement due to the shortage of budget resources for their logistic adequacy in the short term. That is already happening in the *zonas veredales*, where those who have been reincorporated to society demand attention to satisfy their needs. There, police officers also demand attention that cannot always be provided immediately. The construction of peace in our country is a social commitment that goes beyond the items in the Peace Agreement: it is the attitude towards life of thousands of Colombians who experience violence in their family and neighborhood life.

Along the same lines as Cr. García, who has been the director of the School for Higher Studies for police officers (ESPOL) for four years, it is especially important to recall the Annual Report of the United Nations' High Commissioner for Human Rights 2015, as the agreement to end the conflict was being formulated:

Besides those aspects directly linked to the peace process, there are multiple additional human rights challenges deserving of attention for peace, some of which have been addressed in previous reports. The construction of a just and equitable society can only be achieved through the gradual realization of rights and the eradication of discrimination and exclusion" (Report 2015: 17). Peace in Colombia implies the materialization of a human rights culture, and most of all social justice.

³³ Areas defined by the government to concentrate former guerrillas who have been reincorporated to society.

Amidst gaps and successes that only time will reveal, what is important is that since his government began in 2010, President Santos managed to decrease the intensity of the war, began the dialog and signed the Peace Agreement with the FARC, the oldest subversive group in Colombia. This historical event led to a significant decrease in the rates of crimes that were collateral to the armed conflict such as extortion, kidnapping, the murder of members of the public forces, the destruction of infrastructure, as well as homicide, according to the figures of the National Institute of Forensic Medicine described in Chart 3.

Chart 3
Homicide, cases and rates by 100,000 inhabitants. Colombia, 2016

Años	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Casos	16.274	16.318	15.250	17.717	17.459	16.554	15.727	14.294	12.626	11.585	11.532
Tasa	37.49	37.15	34.31	39.35	39.36	35.35	33.36	30.33	26.49	24.03	23.66

Source: Instituto Nacional de Medicina Legal y Ciencias Forenses / Revistas Forensis 2014 y 2016. Rates calculated based on the DANE population projections.

Despite great progress in the achievement of peace, violence continues to be constant, and it is in this scenario that the police must intensify their actions, as Cr. Luis García puts it, "in a civilian way, according to their mission, to guarantee the maintenance of the necessary conditions to exercise public rights and freedoms and to ensure that the people of Colombia can coexist in peace" (Article 218 of the Constitution of Colombia). In this context, taking up the director of the ESPOL's contributions, we point out the issues to be strengthened in the SEP to help materialize a social State of law and peace as a fundamental value to be appropriated by all Colombians, including those in the police forces.

3.1. Effective experience of basic rights within the institution. The police must increase its efforts to experience human rights in their internal life because there are gaps, especially in the understanding and respect of the right to material equality and equality before the law (Article 13 of the Constitution of Colombia), which in turn responds to the principles of cultural plurality and diversity contained in Article 1. The lines of action to fulfill this mandate must translate into:

- Increasing the percentage of incorporation of people from all ethnic, socio-economical, religious, political and sexual diversity groups who meet the requirements of the positions that must be revised in the criteria to achieve a representation of the plurality of the country. According to the report of the Office for Human Talent³⁴ at the end of 2016, this data illustrate the corresponding readjustments:

³⁴ The application was made on September 12 2016 to the National Police Directorship and the reply from the Office of Human Talent was received a week later (Sept. 19), signed by Lt. Cr. Sandra Patricia López.

The PONAL has 168.896 personnel in uniform, 156.144 of which are men and 12.752 are women. The female representation is 8.16%, lower than required by Law 581 of 2000, which calls for at least 30% of women in the personnel of public institutions. Although this criterion has not been met due to budget restrictions, it would be advisable to increase the rate of female participation.³⁵ As for the number of people from different ethnic groups we observed that of 156.144 public servants only 6.400 (4%) are Afrocolombian and 475 (0.3%) from indigenous groups.

Data about LGBTI people, people from religious cults or groups, social strata,³⁶ and rural or urban background, were not provided. However, from the author's direct knowledge of the police forces, the following suggestions are made:

- 1) Chapels for Catholics are abundant in the institution, and similar spaces should be made available for the other religious groups.
- 2) Strengthening the family programs, including the LGTBI population, according to the rights granted by the law and jurisprudence.
- 3) Applying in a more transparent fashion the existing criteria for the selection and incorporation of personnel, and effectively reducing the quota of relatives of active and retired members, as well as influence peddling.³⁷
- 4) In compliance with Article 23 of the Constitution of Colombia, eradicating singling out, persecuting or transferences as punishment to subordinates who file petitions or complaints about inadequate behavior of their superiors.
- 5) Analyzing the possibility that the offices of internal control and complaints about the police are operated by private professionals, or avoiding giving this task to personnel with a lower rank than that of those being investigated. This because the police in Colombia is an excessively hierarchical and exclusive agency in its relationships among the three levels of patrolmen, executives and officers in the use of spaces, saluting practices, access to opportunities to study, etc. Suárez de Garay's (2006) opinion that "Respect for human rights is learned" is useful here: if a member of the police force feels that his or her rights are not respected, how can we expect him/her to respect the rights of other people?

35 Of course, this criterion must be applied as part of a process, not due to the sole biological condition of being a man or a woman.

36 In Colombia the population can be divided in six socio-economical strata according to their income. The command levels of the police, with a higher education in the Police University School, generally belong to strata 4, 5 and 6. Surveillance personnel (or "troops") trained as technicians in other schools generally belong to strata 1, 2 and 3.

37 In this institution, as in other public institutions, job positions are often inherited to descendants as if they were a birthright.

3.2. A gender perspective for treatment within the framework of equality of rights. This is an issue where the PONAL is lagging behind, and the following suggestions may help to strengthen it:

- 1) Guaranteeing, through evaluation systems, that the curricula is met in the practice to achieve an equal treatment of men and women: that no underrating or overrating takes place between the sexes because of their intellect, physical strength and strong language for men ("machos") and loving for women (like "amor", "mamita", "princesa", "mi reina"). The rights of LGBTI people must likewise be respected.
- 2) Including courses of language updating for personnel at all levels, especially those of command, who in their personnel management must take into account (and mention) both men and women when circumstances so require it. Use of inclusive language.
- 3) Transforming the historic institutional culture of assigning professional police women the role of secretaries, assistants, telephone operators and jobs erroneously attributed to their sex.³⁸ Such roles do not require being a woman. Fight stereotypes.

3.3. Subordination of the administrative work of the police to the authorities of the Executive Power according to Constitutional guidelines. In the crisis of positive law that Colombia is also going through, the existence of a law does not in itself guarantee its full compliance by private citizens of institutional actors, and in this case some members of the police force incur in the same behavior when they fail to fulfill their obligations to mayors who are the head of police in their municipalities. To overcome this problem we suggest:

- 1) Updating the members of the institution in the scope and requirements of the decentralization of the services of the State (Article 1 of the Constitution) and its organic division into three powers. Thus, it would be expected that after the National Policy of Defense and Security, the document that regulates Citizen Security in each territory is the Plan for Coexistence and Security (PICSC), demanded by law³⁹ due to the State and government policies.⁴⁰
- 2) Guaranteeing, starting with the educational processes and the verification mechanisms, that the unit commanders in the territory (the municipality) recognize and appropriate the figure of the mayor (or municipal president) as head of the police service, according

³⁸ Commanders often prefer to send women to conduct legal business with their superiors, because according to them women get a response more easily than men. It seems that this view is not up to date with the existence of other ways to relate between men and women.

³⁹ Law 418 of 1997. Instruments for coexistence and security.

⁴⁰ This is because the PONAL prioritizes its Institutional Management Plan, whose conception and scope aim to achieve management goals instead of improvement in the conditions of the population, according to the guidelines of the Local Development Plan.

to Article 315 of the Constitution of Colombia⁴¹ and Law 62 of 1993.⁴² That will help overcome current flaws such as the omission of the contents of the Local Development Plan, the transfer of uniformed personnel without notifying the mayor, the absence of the police commander in security counsels and his/her replacement by a delegate and, sometimes, little or no interest in the mayor's indications because of the mayor's political membership, especially if this membership is to the so-called "left". In this respect, any effort of the police to work jointly with the local authorities and provide them with timely information – in "real time" when possible – will be welcome. Usually, many commanders of police units in Colombia opt for sending their report on their work on issues of coexistence and security the following day, after the chief of the superior unit has seen it, because there are two different rationales at work: the commander is interested in showing decreases in crime rates because he wants to receive bonuses, while the mayor pays a social cost for situations in which the integrity of the population has been affected.

3.4. Introduction of a culture of legality in the PONAL. The institution's Comprehensive Policy of Police Transparency, updated in 2017,⁴³ has allowed to gradually reduce the numbers of uniformed personnel linked to disciplinary or criminal investigations. However, due to the new wave of drug trafficking in a large and small scale, police schools have emphasized ethical reflection and follow-up mechanisms to prevent the loss of integrity, which according to members of the police force is hard to maintain when "even the founding fathers of the country steal with no need to do it".⁴⁴ In order to address a new system of axiological education on individual accountability to justice, we suggest analyzing the actions of justice on political actors and justice itself in recent years in Colombia. Clearly, the example of integrity in high levels of command could become the best didactic strategy (the example) to motivate good behavior.

In this respect, we must take into account the fact that introducing a culture of legality requires experiencing it within the police institution on issues such as the ones that authors like Costa and Romero (2008: 246) point out in their study of the police in Mexico:

41 In the framework of the social State of law of Colombia, the territorial Executive Power is represented by the President of the Republic, the governors in the Departments (States) and the mayors in the municipalities. These democratically elected authorities are responsible for the preservation of public order and the first authorities of the police forces, among them the PONAL, who must act in compliance with the plans defined and agreed on by the head of the Executive Power in the territory.

42 Reform of the National Police of Colombia and the creation of the Superintendence of Private Surveillance.

43 Resolution No. 01974 of May 8 2017 "By which Resolution 00223 of January 29 2015 is partially modified and the Comprehensive Policy of Police Transparency is documented and others are issued [...]" https://www.policia.gov.co/sites/default/files/descargables/resolucion_01974_politica_integral_de_transparencia_policial.pdf

44 These are part of the false paradigms through which members of the police erroneously justify their actions of corruption. Of course, the corruption of some members of the Supreme Court of Justice has fed into such arbitrary thinking.

The discomfort was confirmed in the many interviews that the members of the Restructuring Commission had with the police personnel, especially subordinates. Among the sources of this discomfort were mentioned abusive treatment by officers; arbitrary application of disciplinary regulations, as well as the anachronistic character of those regulations; little objectivity in promotions and, of course, little transparency or efficiency in the management of funds for benefits, especially health and housing.

3.5. To improve the police service to communities. The reconciliation of all Colombians is key to achieve peace. In the new scenarios of everyday life there will be reincorporated people who, having fulfilled their obligations to transitional justice, become citizens with the same rights and duties as any other citizen. However, so far in 2017 and 2018, intolerance towards reincorporated people, the death of social leaders who promoted the devolution of the land and, in this moment, the rejection of the FARC as a political party, do not look like a very promising climate for coexistence. In this context the police, as the first state actor with a presence in the communities, becomes the most sought-after actor for dealing with and solving conflicts, which is why the SEP will have to redouble the intentionality, contents and methodologies of its curricula in order to provide and potentiate the skills of its members to learn to coexist through differences, as proposed by the UNESCO for the 21st century.

Thus, in agreement with Cr. García's purposes, the dynamics of the post-conflict era might bring with them the "adscription of the police to the Ministry of Government, a more natural space to strengthen its closeness to communities. This purpose also requires the assessment of the mayors' performance in citizen security issues and the creation of mechanisms to prevent politics from interfering with police work".

Conclusions

- The progress made by the police in the professionalization of its members is praiseworthy, as has been recognized by Colombian society and confirmed by Cr. Luis Ernesto García, who joined the police force 29 years ago, when the only requirement to be a police agent was to have finished elementary school (finishing high school became the basic requirement in 1991). He has witnessed the academic evolution of the police institution, following the guidelines of the Ministry of Education and both national and international standards.
- Compliance with the agenda agreed upon for the pursuit of a just and lasting peace commits the National Police to make adjustments in its educational tasks based on the values and practices that Sentence No. 825 of 2004 of the Constitutional Court set as principles for the work of the members of this institution in the social State of law:

- 1) Submission to the principle of legality. Their activity must seek to ensure public order.
- 2) Their actions and measures to be adopted are restricted to the preservation and restoration of public order.
- 3) The measures they take must be proportional and reasonable, and they must not result in the total suppression of freedoms or in their disproportional restriction.
- 4) No unjustified discrimination may be imposed on certain sectors.
- 5) Policing measures must be directed towards those who disturb public order, but not against those who legally exercise their freedoms.
- 6) The police are under the corresponding judiciary control.
- 7) The Mayor is the first authority of the police in the District and the Municipality.

- Those who have worked on public affairs know that the police is an institution at the mercy of security (or rather insecurity) contingencies in our Latin American states. Few police forces can satisfactorily comply with all the plans proposed for the administration of personnel, the training for promotions, the definition of indicators to assess management, etc. The fact is that in Colombia it is necessary to have the disposition and respect of the national government towards the civilian mission of the PONAL, the increase of its preventive presence in a surveillance role in rural and urban areas, and the separation of military forces for armed confrontation in areas of conflict and the eradication of drug trafficking. It is time to have other forces conduct the warlike actions now being implemented by the police.
- The implementation of the SEP in the search for peace in Colombia through a genuine experience of human rights leads to an increase in the alliances between the Police Schools Directorship and other higher education institutions in the country, both private and public, to harmonize views and practices to facilitate the understanding and treatment of citizen coexistence and security as an interdisciplinary and interinstitutional issue with many causes that go beyond the exclusive responsibility of the police. There is an urgent need to strengthen the curricula with contents of human sciences.

All of the above is because the police, like any other agency of the State, does not exist in itself or for itself, but as part of a social system, subjected to macro dynamics of an economic, political, cultural, and environmental nature, which from a global realm have effects in local activity. Its adaptation to function in the new global scenarios will only be possible through education and its capabilities for training and updating. In this century, the State must focus its attention on identifying risks and designing strategies to minimize their effects, in a complex context such as the one described by Beck (1998: 50):

[...] the inequalities of class societies and risk may overlap, condition each other, one leading to the other. The unequal sharing of wealth barely offers walls that can be brought down and justifications for creating risks. We have to distinguish between cultural and political attention and the real diffusion of risks.

There are territories in Latin America and the Caribbean where the police are both actors and victims of inequality, beyond the social protection of services such as health care and retirement. Thus, as Suárez de Garay (2006: 458) concludes, such an essential institution for social order "[...] must address the challenge of a profound modernization of its educational systems if it is to overcome the ideological obstacles that prevent it from fully adapting to Constitutional principles and the rules of democracy".

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