

**Blanco, D.; Guiza, D.; and Santamaria, C. (2017). *Correct or distribute to transform? A conception of justice for the public policy of land restitution in Colombia*. Bogotá: National University of Colombia**

Identify the existing theoretical models of justice, exploring the contents and implications of adopting the concepts of corrective justice and redistributive justice in a transformative model of reparation within a transitional justice process.

It gathers the philosophical debates on distributive and corrective justice; repair in times of transition, normative standards for land restitution at the international level and national regulatory design; the land problems in the XX and XXI centuries and the internal armed conflict in Colombia; and the judicial phase of land restitution and its contribution to distributive justice.

Given the various theoretical models of justice that exist, the land restitution policy in Colombia did not opt for a single model, but was designed by elements of justice, both corrective and distributive, in order to achieve comprehensive reparation with a transformative vocation to the victims. As for the design, the regulations incorporated the essential features of the Pinheiro model, but in addition to this, different measures were included to modify the previous conditions in which the victims found themselves.

Regarding restitution requests, most of the cases presented by the Land Restitution Unit before the Judicial Branch correspond to individual requests, where the exception is collective requests. However, the judges have made an effort to accumulate them based on the following criteria: neighborhood, adjoining properties, similarity in the facts of the victimizers and coincidence in the exhibitors. Accumulation by judges contributes to a more rapid restitution process, which resolves conflicts collectively, avoiding duplication of procedures and judicial congestion, which tends towards the principles of distributive and transformative justice.

As for the judges' orders, the complexity of the land restitution orders stands out, which has two contents: on the one hand, procedural or operational measures, aimed at restitution and formalization of the property and, on the other, Complementary orders, which transcend the tasks of mere restitution and seek to dignify the conditions of the victims and make the process a sustainable restitution in a distributive way, with a transformative character.

The gender approach is analyzed in the sentences, identifying three types of orders: on the one hand, the majority of sentences do not express a gender focus and are silent about it; On the other hand, there are those that adopt a nominal approach, that is, that allude to the gender perspective in the motivating part, but not in the decisive part; Finally, there are the sentence that expressly adopt the redistributive justice model in their motive and resolution parts, issuing orders to improve the conditions of women in their relationship with the land and decrease patterns of discrimination.