

**Ardila, E. (2017). *Can justice in equity be community justice?* In: Castro, C.; Ardila, E. and Jaramillo, M. (Ed.). *Traces and lines of community justice in Colombia. A decade of contributions and challenges of the School*. Bogotá: Universidad Nacional de Colombia.**

To establish the common ground on the theoretical reflection of justice figures in equity and community justice in Colombia.

It sets up issues of justice in equity in a broad sense, justice in equity and community, and justice in equity in Colombia.

We are in front of a modality of administration of justice that, in order to be carried out, must have a social environment of reference in which the social regulations that support the actions of the legal operator take place. Consequently, the figures of conciliators in equity and judges of peace require dynamics of social intervention that consider this area of reference in Colombia when acting as judges of peace.

Institutions of community justice in equity were relegated to the background and marginalized in the legal field for centuries. This is attributable to the fact that it was accepted as a concession from the modern system based on legal rationality and an idea of formal justice to the pre-modern, which bases actions on different rationalities and dimensions of life. Furthermore, the ideological foundation of legal certainty that prevailed among jurists led the institutions of community justice in equity to be seen as a kind of second-class administration.

The status of Justice of the Peace or conciliator in equity is viable as long as it is attributed to a person who holds the status of authority within the community. It must be a person who has knowledge and recognition. Their effectiveness depend to a great extent on the level of authority they have in their social sphere and on the validity of the communication channels they have for interacting with other authorities.

The institution of justice in equity is consolidated to the extent that the community authority obtains the status of justice of the peace or conciliator in equity within a legal framework that establishes it. Operators are designated according to a regulation established by national law and their work in the administration of justice is done on behalf of the State.

Although the existence of mechanisms of justice in equity in ordinary judicial activity is recognized, in Colombia the concept refers mainly to certain modalities of community justice in which the operators, constituted according to the rules of the national legal system and acting in compliance with them, administer justice in accordance with community justice, understood as resulting from the normative dynamics of their respective communities of reference.

Justice in equity must be seen as a tool that the political-legal system provides itself with in order to bridge the gap that may exist between law and justice, where legally constituted operators are empowered to administer justice in accordance with the predominant sense of justice in the specific social sphere.