

Colombia's Elusive Peace: Perspectives for a Peace Process in Colombia*

La esquivada paz en Colombia: Perspectivas para un proceso de paz en nuestro país.

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Fecha recibido: 01/02/2011

Fecha aceptado: 28/04/2011

Abstract

Why the enthusiasm for peace faded? What are the perspectives for peace in Colombia? How peace came to be understood as the opposite to security? In this paper I want to make sense of the first two questions, leaving for another time the third one. But I would like to say, that peace and security are not opposites, for peace without security is unstable, and security without peace is authoritarian and undemocratic. In the first part of this paper I wish to show a brief history of past peace processes in Colombia in order to highlight the elements that have led to success or failure in the past. In the second part I focus on Andres Pastrana's peace process to show how it set the bases for the discredit peace processes currently have and then I analyze how peace became a dirty word in

* This text is a brief presentation of the results of a research project funded by the Agencia Española de Cooperación Internacional para el Desarrollo AECID.

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Colombia's political conversation and the possibilities of recovering peace as part of public discussion.

Keywords

Peace talks, security, Colombian guerrillas, fragile states, human rights.

Resumen

¿Por qué se desvaneció el entusiasmo por la paz? ¿Cuáles son las perspectivas para la paz en Colombia? ¿Cómo llegó la paz a ser entendida como lo opuesto a la seguridad? En este texto intento darle respuesta a las dos primeras preguntas, dejando para otra investigación la respuesta a la tercera. Sin embargo me gustaría decir que paz y seguridad no son términos contrarios, pues la paz sin seguridad es inestable, y la seguridad sin paz es autoritaria y antidemocrática. En la primera parte de este texto deseo hacer una breve historia de los anteriores procesos de paz en Colombia con el fin de resaltar los elementos que han conducido al éxito o al fracaso. En la segunda parte me ocupo de analizar el proceso del gobierno de Andrés Pastrana para mostrar cómo sentó las bases para el descrédito que actualmente tienen las negociaciones de paz y luego me ocupo de analizar cómo la paz se convirtió en anatema en la retórica política colombiana y las posibilidades de recuperar la idea de la paz para la discusión pública.

Palabras clave

Negociaciones de paz, guerrillas colombianas, estados frágiles, derechos humanos.

Introduction

On January 7th 1999, the President Andres Pastrana traveled to the region of El Caguán –in the southern part of the country- for the ceremony that launched the peace process with the *Fuerzas Armadas Revolucionarias de Colombia FARC*. This trip was the result of a process of negotiation between FARC and the government and it was supposed to symbolize the moment wherein Colombia would finally walk her first steps to peace. People were enthusiastic about the perspectives for peace and politicians believed in the possibility of reaching peace via dialogue and negotiation. Juan Manuel Santos –current president of Colombia and then director of an NGO- wrote that a peaceful and negotiated solution is the only reasonable exit for Colombian armed conflict (Santos, 2004). The moment of the meeting between the leaders of both parties –Pastrana representing the Colombian state and Manuel Marulanda Vélez representing FARC- was broadcasted on national TV. It was supposed to be a historical and happy moment. However, on Pastrana's right side people could watch an empty seat. Colombians were expecting the moment Marulanda would show up. But this moment never came, and Pastrana had to seat during the whole ceremony alone, without a partner for the talks, as if peace was something that was of his own concern.¹ In that way, the empty seat began to symbolize quite the opposite it was hoped: It symbolized tiredness with peace talks and a complete lack of trust to guerrilla's rhetoric of peace.

This moment marked the beginning and the demise of the last peace process with guerrillas. People's enthusiasm for peace was fading as news from El Caguán periodically arrived showing the

1 Marulanda and FARC claimed that there was a plan to kill him. According to FARC, Marulanda decided to not show up at the last minute when he learnt that his life was in danger. He nevertheless sent a letter where he explained the reasons why FARC was fighting this war.

lack of interest FARC had in the conversations. People learnt that FARC kept doing their illegal activities – kidnappings and drug traffic – taking advantage of the region that was left for them.² It was clear for everyone that FARC were using these negotiations to gain political and military advantages. But the military was also using this sort of truce to begin a process of reconstruction that would show its results some years later.

The elections 2002-2006 were marked by a clear disappointment with peace talks, and the right wing candidate –Alvaro Uribe Vélez- won the presidency by offering authority and by promising the military defeat of FARC. To him peace meant the final destruction of Colombian guerrillas.

The presidential campaign in 2010 was characterized by the way peace or peace processes took a low profile. Several NGOs invited presidential candidates to take part in a debate on peace and the perspectives for a peace process in Colombia, but all of them rejected it because they considered that it was not wise to participate in such a debate, given the lack of support this idea had among Colombian voters (Interview to Pedro Santana, Viva la Ciudadanía. Bogotá May 2010). In a nutshell, to talk about peace meant losing the election.

The debates during the first and second round showed presidential candidates willing to let voters know they were hard liners when peace talks were on the table. Candidate Antanas Mockus went so far to advise guerrillas to negotiate with Uribe's administration because he was not going to give any room for peace talks or for any kind of negotiations with FARC. Now there was no enthusiasm for peace, public opinion was more inclined to *mano dura* and

2 FARC were given a region as big as Switzerland free of military control.

to a military solution of the conflict, even if that meant curtailing their rights and degrading an already degraded democracy.

Why the enthusiasm for peace faded? What are the perspectives for peace in Colombia? How peace came to be understood as the opposite to security? In this paper I want to make sense of the first two questions, leaving for another time the third one. But I would like to say, that peace and security are not opposites, for peace without security is unstable, and security without peace is authoritarian and undemocratic.³ In the first part of this paper I wish to show a brief history of past peace processes in Colombia in order to highlight the elements that have led to success or failure in the past. In the second part I focus on the peace process of Andres Pastrana's administration to show how it set the bases for the discredit peace processes currently have and then I analyze how peace became a dirty word in Colombia's political conversation and the possibilities of recovering peace as part of the public discussion.

Peace processes from 1958-1982: The hegemony of amnesty laws.-

In a collection that was published in 2003 to celebrate one hundred years of the end of the last war of the 19th century –known as the “1000 days War”- the editors concluded that in spite of the fact that in Colombia there had been more than 80 civil wars since the very beginning of its independent life, there had also been a similar number of peace processes. In Colombia there is a strong commitment to peace, which is reflected in the high number of peace processes (Medina, 2003) and the high number of local and national

3 It is important to take into account that peace and security are not opposites, for peace without security is unstable, and security without peace is authoritarian and undemocratic.

peace initiatives.⁴ Traditionally wars ended in Colombia with the celebration of a peace agreement and the passing of a new constitution or a constitutional reform. Hernando Valencia holds that constitutions play the role peace treaties have, because they contained all the elements that elites want to leave clear in order to avoid future confrontations (Valencia Villa, 1986). In fact, if we trace back the history of Colombian constitutions we can see that they are the end of long processes that are the result of war and violence. Constitutions set the political arrangements with which elites are willing to live in the future. Traditionally these arrangements have rules to access power and rules to solve disputes between opposite factions.

After a long period of Conservative control, in 1930 Enrique Olaya –liberal candidate- became president of Colombia. As a result conservatives had to leave positions and lost what they thought was their private property. Given that there were no rules to have access to public jobs and they only depended on the ideological affiliation they had, it was reasonable to expect that conservatives had to resign their positions and see how liberals filled them with their own people. Political and social exclusion endangered the new government. In the countryside liberals and conservatives saw each other with distrust and rancor. Violence erupted, mainly because conservatives did not want to accept the idea that they did not have power anymore. As a result of divisions among the Liberal Party for the presidential elections in 1946-1950, they lost the presidency and conservatives became the government for another time. Liberal

4 The Bank of Good Practices of the United Nations Development Program for Colombia has registered more that 300 peace initiatives. I do not discuss these initiatives here, but they are analyzed by Oscar Useche in his article on peace initiatives in Colombia in a book that shows the result of the research project of which this paper is also part. See Oscar Useche. "Formas comunitarias del pacifismo en Colombia. Las resistencias no violentas". In Farid Benavides and Eduard Vinyamata, eds. *El largo camino hacia la paz. Procesos e Iniciativas de Paz en Colombia y Ecuador*. Barcelona: Editorial UOC, 2011.

candidate Jorge Eliecer Gaitán was the strongest candidate for the Liberal party. He was a populist and a nationalist with big support from the population. It was clear that he was going to become the next president of Colombia. However, on April 9th 1948 he was assassinated, and this crime released all the rage that Liberals and the working class in general were keeping against the government. During this period (1958 – 1962), known as *La Violencia*- more than 200.000 people were killed and a high number of peasants were forcibly displaced. Crimes against humanity were committed against liberals and communists; the government created a political police known as *La Chulavita*. Violence was all over around; public institutions were not trusted; and fear dominated social relations. Conservatives allied with the military and established a military dictatorship, with Gustavo Rojas Pinilla as its president (Guzmán et al, 2008).

Rojas Pinilla (1953-1957) passed an amnesty law in order to demobilize liberal guerrillas. Some of the groups decided to surrender their guns, but others did not see this amnesty law as the solution to their problems. It is important to take into account that the only offer the government had for the rebels was to pardon their crimes, especially the crime of rebellion. But crimes committed during combat were not punishable because Colombian criminal law applied to these crimes the laws of international conflicts. According to international humanitarian law, combatants cannot be punished for their participation in the conflict, only for the commission of international crimes (Orozco, 1992). Rojas Pinilla's strategy to negotiate a peaceful solution for the conflict was to consolidate the support of the Army by pardoning the crimes they committed during *La Violencia*. The first decree, passed on August 21st 1953, gave amnesty only to those members of the army that had illegally taken part in the armed conflict; this is to say, those who joined any of the parties in the conflict. Once he had the Army's support, he

began a process of peace talks with each one of the guerrillas in order to convince them to demobilize and decommission their guns. Once they demobilized and reincorporated to the economic life of the region, they had to wait one more year for amnesty to be granted.⁵ Many of the members of the liberal guerrillas took the government's offer, but others, like the communist guerrillas, rejected it because it did not solve the substantial problems for which they were fighting. As a result, the government resumed the persecution against these groups.

The military dictatorship succeeded in obtaining the demobilization of some of the groups, which led people to label Rojas as "the Pacifier". However, the dictatorship was not peaceful at all. Members of the government were involved in the killing of some students in 1954 and in 1955 Rojas began what he deemed as a campaign against communism and international subversion. The attacks against some of the areas of guerrilla presence did not cause their elimination and instead it brought solidarity from other groups. In May 1957 Rojas Pinilla was forced to leave the country because he lost the support of the elites and the conservative party.

Members of the elites negotiated in Sitges and Benidorm the end of partisan violence and a new political settlement. The agreement included a constitutional reform that changed some of the rules of the game included in the political constitution. Elites interpreted *La Violencia* as the result of the fight between political parties to have access to power. In this way, they thought that by eliminating this fight they would eliminate all violence in Colombia. Thus, the leaders of the Conservative and the Liberal party created the *Frente*

5 Rojas concern was not peace as such, but the economic life of the region. Some *Hacendados* created their own guerrillas to fight the conservative government. However they called for the military's support when they saw the perils of a social revolution.

Nacional, a political agreement that ended the disputes between the two parties by sharing all positions in the Colombian government. Each political party would control half of the state's jobs, whereas the presidency was to be alternated between the two political parties, beginning in 1958 with a Liberal president and ending in 1974 with a Conservative one. With regard to liberal guerrillas, the parties ordered them to demobilize and resume their legal political activities (Afanador, 1993).

To be fair, the new arrangement did end violence between Liberals and Conservatives. This is an arrangement that has proven to be stable and sustainable. But it only did so. The causes of violence were not addressed. Those who decided to remain in the communist guerrillas were offered unconditional amnesties or had to face military attacks. The agreements did not bring about peace and it only became the reason for more violence. Those who were excluded decided to remain in or join communist guerrillas. With a closed political system, political mobilization became armed mobilization. The seeds for the next 50 years of violence were planted.

During the 1960s Latin America witnessed the emergence of urban and rural guerrillas. In Colombia, as a result of international transformations and the national situation, many guerrillas emerged in different parts of the country. Liberal guerrillas and communist guerrillas decided to fight together and in 1966 they created the oldest existing guerrilla in the world. From this time on, FARC has fought to have an agrarian reform, to have a more just land distribution in the country. However, at that time FARC did not represent a danger for Colombia stability (Chernick, 2009).⁶

⁶ The army was more concern with other guerrillas, because of their impact in national public opinion like the ELN (Broderick, 2000; Broderick, 1975).

The sixties and the seventies were times of increasing social mobilization. Peasants, workers, and indigenous peoples were finding new ways of organizing and started to fight for their rights in the country. They fought against economic and social policies that excluded them and that created social and political inequalities. As the Commission created by the government in 1986 to analyze the causes of violence showed, in early eighties armed struggle re-emerged with strength and in three different versions:

- First, the consolidation of M-19 as a guerrilla movement. They had evolved from being a movement that did sporadic actions to being a movement that considered themselves a people's army. To consolidate this power they stole more than 5000 guns from the main military barracks in the northern part of Bogotá.
- The oldest guerrillas –FARC, ELN and EPL- reactivated their actions in order to achieve national exposure, something they had lacked in the past, with the exception of ELN and their affair with priest Camilo Torres.
- The emergence of new guerrilla organizations, such as *Auto-defensa Obrera ADO*; *Pedro León Arboleda PLA*; *Movimiento Armado Manuel Quintín Lame*; *Movimiento de Izquierda Revolucionaria MIR*; *Partido Revolucionario de los Trabajadores PRT*, amongst others.

This process of emergence and reemergence of old and new guerrillas was due to the increasing social exclusion, the military repression in Latin America, and the example given by Central America guerrillas, especially the Sandinistas, in showing the possibility of defeating American supported armies in the region.

To President Julio Cesar Turbay (1978-1982) insecurity and immorality were the main problems Colombia had to face, and he

held that these two problems could cause the overthrowing of the government. Now the task was to find the internal enemy. Accusations of torture and massive human right violations were common in Colombia. Amnesty International denounced in 1979, in his report on Colombia, the repressive and authoritarian character of Turbay's administration. The leadership of M-19 was captured by the army, due to its own mistakes but also to the repression that was launched after they stole the guns in the *Cantón Norte*, the main military barrack in the north of Bogotá. Members of M-19 were demoralized because their organization was at the lowest point in all its brief history. But a group led by Rosenberg Pabón, also known as *Comandante Uno*, in February 1980 took the Dominican Embassy and for 61 days kept hostages many members of the diplomatic body in Bogota.

The government had to start a process of negotiations with the guerrillas, something that was unprecedented, because it was the first time that Colombian government had to face the fact of social unrest, the existence of guerrillas and, above all, the limits of the military solution. M-19 demanded the release of all political prisoners in Colombia and the public recognition of human rights violations in Colombia. When their demands were satisfied, the organization would travel to Cuba and once in the island let their hostages go. M-19 demanded that 300 political prisoners were released, a ransom of 50 million dollars, and social and political reforms to open a closed political system. The government refused to pay, and after 61 days M-19 decided to leave to Cuba, with one million dollars allegedly given by the Israel government, and satisfied for having exposed the human rights situation during Turbay's administration (Castro, 2008).

The government refused to free political prisoners, but it did pass an amnesty law, that gave members of guerrillas 4 months to

demobilize and surrender to Colombian authorities. If the government found that the law was successful, then it could extend its benefits to all political prisoners. Turbay's administration offered only this amnesty law. The social and political reforms that M-19 claimed were not taken into account. To this administration the problem for the existence of guerrillas had no relation at all with the social or political conditions existing in the country. They were considered terrorists that were part of an international conspiracy that wanted to attack Colombia and Colombians.

Peace processes in Colombia were extraordinary until 1982. In fact, the government only had peace talks when the two political parties were negotiating the new political settlement for the country. It was an agreement between elites. Colombian governments did not have a clear understanding of the Colombian conflict. They thought that guerrillas only wanted and needed legalization, hence the insistence in using a model based on amnesty laws.

In November 1981, Turbay created a Peace Commission, with the duty to elaborate a legal proposal for peace in Colombia, addressing the accusation of human rights violations and the economic transformation of the regions. But the process imagined by Turbay did not involve peace talks or any kind of negotiation, it did only involve the demobilization and decommission of guns. Again, the government read Colombian situation as if it was only a question of demobilizing criminal organizations without a political project. Turbay insisted on his strategy when in February 1982, six months before the end of his administration, proposed to pardon all the crimes committed by the guerrillas, with the exclusion of the gravest crimes, in exchange for their demobilization. To do so, Turbay gave them a period of thirty days to express the willingness to demobilize. In exchange, M-19's political prisoners sent him a letter where

they said they returned him these thirty days: *Señor Presidente, le regalamos sus treinta días* (Villamizar, 2002).

Peace processes 1982-1992: The end of amnesties laws and the beginning of peace negotiations.

The failure of Turbay's administration in achieving peace with guerrillas became part of the presidential campaign 1982-1986. During the campaign there was consensus on two facts: the need to fight poverty and the need to have a political solution for the armed conflict. In this way, the two main candidates recognized the social roots of Colombian armed conflict. Conservative politician Belisario Betancur became president of Colombia and decided to have peace talks with the guerrillas. He held that there were objective and subjective causes for violence in Colombia, and he understood that it was the government's task to solve the objective causes of violence in the country. This implied recognition of the agenda guerrillas had. Thus, once their demands were satisfied, they would not have reasons to fight. Betancur's administration created the *Plan Nacional de Rehabilitación* in order to recover the economic and social conditions of those areas affected by violence, as well as social conditions of people in the poorest regions of Colombia. He attempted to create the conditions that allowed for peace talks with guerrillas. In his inauguration speech he said that he declared peace to Colombians. His administration was supposed to be one of peace. On the international arena he supported those initiatives that seek to bring about peace in Central America.

Following the steps of Turbay's administration he also created a Peace Commission, with 40 members in what was labeled as the nationalization of peace. The Commission had the task of creating the conditions for a peace agreement. They focused on reaching a cease fire; start investigations on human rights violations, especially

forced disappearance and politically motivated murders; and investigations on the activities of the paramilitary organization MAS –Muerte a Secuestradores-. But the Commission had to face with spoilers inside the government, which the president of the Commission labeled as the *enemies of peace*. Because of these spoilers, Otto Morales, president of the Commission resigned and let the president reorganize the Commission.

Betancur's administration passed an amnesty law in order to have a positive environment for peace talks. Unlike Turbay, Betancur saw amnesty as the beginning of a process and as a sample of good will to get trust and start negotiations. The military, especially the commanders of the Army Fernando Landazabal and Bernardo Lema Henao, were against peace talks with M-19, mainly due to the humiliations the Army had suffered with the stealing of the guns in the *Canton Norte* and the taking of the Dominican Embassy.

Civil society thought that amnesty was an important step to reach peace in Colombia. Even economic organizations considered that a peace process was a very good idea for the country. People were enthusiastic about the perspectives for peace. To date is even possible to see some of the white doves that people painted at the time in order to show their support to peace negotiations and to a government that told them that the military solution to this kind of social problems was a wrong one.

However the Army felt that the president was not taken them into account and that he was leaving them outside the negotiations. To be fair with Betancur, it was clear that the military was not interested in a peace process, because they were under the conviction that the conflict could be won *manu militar*, the Army thought that they had the training and the ability to defeat guerrillas. To the Army, amnesties laws were the beginning of the demise of the government, because it implied that the guerrillas' struggle was legitimate and

that the government had some defects in their legitimacy; a political solution implied also the recognition of a victory for international communism that was infiltrated in the system, a perception that reflected the purest thought of the doctrine of national security; and the idea that guerrillas were just terrorist and therefore did not deserve the treatment that was accorded to real revolutionaries or to combatants under international humanitarian law. In 1982, the Army held that “cualquier proceso de paz está condenado al fracaso pues solo intenta que el instrumento militar pierda confianza en su propia capacidad para enfrentar el problema con éxito...la tregua habrá servido únicamente para el fortalecimiento de la organización guerrillera” (Afanador, 1993: 96). It is interesting to note that this kind of thought is still held by those who oppose the recognition that in Colombia there is an armed conflict, as if that recognition meant a status of belligerence for guerrillas (Restrepo, 1986; Ramírez & Restrepo, 1989).

As Antonio Navarro, former leader of M-19 told us in one interview, the government did not really want peace. Or given the Army opposition could not have peace. For that reason they decided to go back to the mountains and to denounce the government for failing to fulfill its obligations during the peace process. According to Navarro, the main problem the peace process faced was that neither part really wanted to have peace. Both of them saw the peace talks as an opportunity to reorganize and continue the war. The government and M-19 both believed that they could win the war with the guns, so the failure of peace talks did not mean anything to them because anyways they could achieve their agenda via armed struggle (Interview Antonio Navarro, Bogotá: May 2010). In any case, M-19 understood that amnesty was not peace, and that before surrendering their guns the government needed to solve the problems of the country. In one communiqué, Jaime Batemán Cayón, leader of M-19, reminded the government that guerrillas were not

the problem, but other social problems that led people to take arms; Batemán held: *La paz no consiste solo en el silencio de los fusiles sino en salarios justos, administración pública eficaz y al alcance del pueblo, salud y educación para todos*. In sum, to Batemán negative peace was not enough, it was necessary to build positive and sustainable peace (Batemán, 1984).

While having a media-exposed peace negotiation with M-19, the government was having peace talks with FARC under other conditions and without the spectacle the peace process with M-19 had. The main problems for the peace process were the kidnappings that were committed in territories controlled by FARC and their refusal to surrender guns. To FARC guns were not a problem, because, they held, as long as there was peace guns would not be fired, they do not fire by themselves. It is interesting to notice the claims FARC had to have peace talks, because, as Chernick shows it, in the agenda of FARC the same elements can be found in all the peace negotiations, namely, agrarian reform and political reform (Chernick, 2009). In July 1983 FARC announced their agenda for the peace talks:

- Peace talks should take place in a FARC controlled territory.
- Transformation of guerrillas in self defense agrarian groups, which meant that they would not surrender their guns, perhaps due to the memory of the peace processes during the 1950s.
- To have a clear commitment of the Army with the process. The government held that this was the case, but reality would contradict it.
- Agrarian reform, especially distribution of land amongst peasants and elimination of *haciendas* or *latifundios*.
- Cease fire with a commission that can verify that both parts honor their agreements.

Peace talks had too many enemies, mainly coming from the Army. At last the process ended in may 1985, when M-19 announced that they were not going to take part in the process anymore, due to the betrayals of the government. This is a history that rejected people's enthusiasm. In November 1985 M-19 took the Palace of Justice with the purpose of trying Betancur for this betrayal. This was an act that the Army did not want to take. The Army launched a bloody counter attack that brought about the deaths of some 95 people and the disappearance of 11 more. To date former members of the Army are being tried for these crimes (Carrigan, 2009; Castro, 2008).

FARC kept their truce. As a result of this process people from the left and some members of FARC created the political party *Unión Patriótica*, to participate in the political life of the country. But again, the hidden enemies of peace sabotaged this process by killing more than 3000 members of the party, including two presidential candidates, in what has been labeled as a political genocide, even though according to international law this is not the case (Benavides, 2003).

The peace process 1986-1992: Elites honor people's enthusiasm for peace.-

Virgilio Barco was elected president for the period 1986-1990. The perspectives for peace could not be darker when he took office. On November 6th 1985, M-19 had taken the Palace of Justice bringing about a reprisal that caused the death of 95 people, killing most of the justices of the Supreme Court. M-19 was responsible for the taking of the Palace, which is a war crime that is punishable under international criminal law; but the re-taking of the Palace was one of the bloodiest acts Colombians had witnessed and proof that the Army was not willing to accept a peace process at any price.

Barco kept working on the struggle against poverty, with measures aimed at improving people's living conditions, and reforms that tried to democratizing the Colombian political system. The Constitution was reformed to have local elections and a process of decentralization was on its way. But Barco's reforms did not address directly the problems of guerrillas. He did not deem important to have peace talks and he even pay little attention to the process that had began with FARC and that was showing some results, in spite of the fact of the persecution launched against the *Unión Patriótica*. Unsurprisingly, FARC decided not to believe in a peace process anymore, a position that kept during the negotiations with Andres Pastrana's administration.

Given the bloody reaction to the attack launched to the Palace of Justice and the retaliation launched by the military, M-19 realized that their options were few: either to take steps towards a peace process or to keep the fight –a fight they already knew it was unwinnable- with the danger of losing sight of their goals and their ethics. The massacre of 164 people committed by the guerrilla movement Ricardo Franco –accusing the victims of being members of the army (this in a guerrilla with only 200 people)- caused repulsion and horror. Antonio Navarro and Carlos Pizarro –leaders of M-19-, told with horror what they saw and how impacted they were because of this degradation of the struggle of a leftist guerrilla. Pizarro even warned about the dangers of drug trafficking, which was showing its impact in guerrilla's finances and in their structure and political goals (Interview with Antonio Navarro, May 2010).

It is important to remember that Colombia faced –and faces- several kinds of violence. While guerrillas were fighting the government, drug traffickers had started a war against the Colombian state. Pablo Escobar responded to the threats to be extradited to the United States for drug related crimes with terrorist attacks that caused

the death of many people in Bogotá, Medellín and Cali. Within this context the government decided to differentiate between guerrillas and organized crime and in 1988 launched a new peace initiative that began accepting Colombian guerrillas as legitimate parts in a negotiation process. But the main difference with Betancur's administration was that it was a coherent initiative that was to be applied to all guerrillas, avoiding the anarchy that characterized Betancur's peace processes. Unlike the past experiences, amnesties were not the end or the goal of the process; they were just an element in a very complex process. The process had three stages, namely:

- Creating the conditions for peace with those groups that were interested in reaching an agreement with the government.
- A stage of transition, wherein the parties would design mechanisms for their reincorporation into civilian life.
- Full incorporation of former guerrillas into democratic life. In this stage the government would guarantee political participation and would take measures to protect the lives of the demobilized guerrilla members. Congress would pass an amnesty law and open the political system. Civil society would work towards the full incorporation of former combatants into normal life.

This proposal was accepted by M-19 and decided to take steps to approach the government. But unlike other peace talks, M-19 accepted the steps suggested by the government, that is, a process of demobilization with the commitment of taking part in political life to democratically promote their goals. M-19 signed the agreement during Barco's administration, and kept their will to partici-

pate in the peace process in spite of the fact that Carlos Pizarro and three more presidential candidates were killed by spoilers of the process⁷. Members of M-19 were aware that the road to peace had no way back. They committed seriously to peace, mainly because they understood that a democratic regime was the best environment to achieve all the social and political reforms they wanted were fighting to achieve for many years (Interviews Otty Patiño; Navarro, Medellín 2005 and Bogotá, 2010). The process had places for participation of civil society, in order to bring to Congress those reforms.

But Barco's government had to stop the process of reform because members of Congress who were closed to Escobar and his allies tried to include a provision that prohibited the extradition of Colombians. Following the Colombian tradition, the new political settlement had to be included in the political constitution. In the elections for the Constitutional Assembly, M-19 was the second force after the liberal party. Their importance made them think that they could elect the next president of Colombia. However, due to their own mistakes and the options taken for the elections, they did not win and eventually disappeared as a political party. However, members of M-19 had remained faithful to their commitment to peace. They took part in the creation of Polo Democrático Alternativo PDA, which is currently the most important leftist political party in Colombia. Antonio Navarro has been mayor of Pasto and Governor of Nariño and PDA has elected twice the mayor of Bogotá. In the regions PDA became an

7 The other three political candidates were not members of M-19. Luis Carlos Galán was a candidate for the Liberal party and the other two, Jaime Pardo Leal and Bernardo Jaramillo Ossa, were candidates for the Unión Patriótica. In the case of Galán there is evidence that show that he was killed because of his support to extradition of drug traffickers. In the other three cases the motives are not clearly connected to drug trafficking. There are good reasons to believe that they were killed as part of the plan to exterminate the UP and to eliminate political opposition in the country.

important political force, but persecution and their own mistakes had made them lose political support.

Barco's and Gaviria administration started the only successful peace process in the past 20 years. They both institutionalize a group of technocrats in charge of working on an agenda for peace. The main characteristic of the model was the reincorporation with empty hands (as Navarro labeled it), but with the firm commitment of working in the democratic spaces to obtain the reforms. Three actors were important in the process:

- The Army was initially against the process, but the government managed to control them and to avoid spoilers during the process. If the military did not support the process, at least it did not sabotage it.
- Guerrillas, in particular M-19, understood that once a peace process begins there is no way back. Peace is not an easy road, and in spite of the fact that there would be spoilers in the process, guerrillas cannot go easily back to take arms against the government. M-19 understood that democracy is the only way to achieve those reforms they were fighting for. There cannot be such a thing as an armed democracy. M-19 has honored their commitment to democracy and peace. If we trace their political behavior we will see that they defend democracy, even against rulers who want its demise.
- Civil society has had a strong commitment for peace. Their enthusiasm was met with the seriousness M-19 and the other guerrillas took the reform. For the first time elites and civil

society met in the enthusiasm for peace. And this is one of the reasons why this process has been so stable and sustainable.

Pastrana's and Uribe's peace processes 1998-2010: The demise of peace processes?

The last successful peace process was the one celebrated with the *Corriente de Renovación Socialista* CRS in 1994, following the structure established for the peace process with M-19 and the Movimiento Armado Manuel Quintín Lame. In the presidential election 1994-1998 Ernesto Samper was elected, but his peace agenda had to be postponed because of the accusations that during his campaign he received more than five million dollars from the Cali Cartel. These accusations were followed by an investigation led by the Attorney General's Office and some of the members of Samper's administration were sent to prison.

Samper's legitimacy was under question. After the end of the peace process with Gaviria's administration, that decided to bombard La Uribe –the area where FARC was located- the very same day the Constitutional Assembly started its work, FARC entered in a process of reorganization and resettlement. With the death of Jacobo Arenas (1990), one of the historical leaders of FARC, FARC entered in a process where the military part took more importance than the political one. FARC got more involved in drug trafficking and in kidnapping. In fact this is the time when they implemented their policy of random kidnapping (*pesca milagrosa*) which gave them important economic benefits.

With this change in strategy, FARC became a strong army. During Samper's administration FARC inflicted significant defeats to the Colombian Army. It seemed to them that they could win the war. The attacks to several military barracks –like El Billar, Patascoy and Las Delicias- showed a very strong and well organized guerrilla,

with the ability to fight directly the Colombian army. At the same time, it showed the Army the need to begin a process of reorganization if they wanted to avoid more defeats.

The strength FARC had gotten during the Samper administration made them important actors in Colombian political panorama. The enthusiasm for peace had not faded and people were willing to see the government negotiate peace with FARC. In a well orchestrated political move, one of the members of Pastrana's campaign team had a meeting with Marulanda and took a picture with him. The message that both parties wanted to send was that FARC was willing to negotiate peace with Pastrana. So Colombians elected Pastrana with a clear mandate to reach a peace agreement with FARC (Arias, 2009).

As it was mentioned earlier, the process was an uneasy one. FARC did not respect the rules of the *zona de distension*, and continue trafficking and kidnapping. It was clear that to FARC the peace process was just another way to buy them time and finish their process of reorganization. People's enthusiasm for peace was coldly received. FARC and the government had established some spaces for discussion with different organizations, but these meetings were more of a space where people went to speak before FARC but without a real participation in a peace process. The process was an exclusive task of the government and FARC. It was clear that the government did not have an agenda and that those in Pastrana's administration lacked the experience and the ability to conduct a peace process. At the end, Pastrana's mistakes and FARC *hybris* led the process to failure. This was the last time that there was national enthusiasm for peace. At the same time, Pastrana had approved Plan Colombia, an American funded military strategy to reorganize the army and to take all the necessary steps to defeat FARC.

To analysts of peace processes in Colombia Pastrana's failure can be explained if we take into account that both parties were not really committed to peace. FARC were under the impression –because of the defeats to the Army during Samper's administration– that they could win the war, so the peace process was just one strategy in a war that was conceived to be won militarily. At the same time, the Army saw the process as a necessary truce to reorganize and to design a new strategy for their war. Both parties thought they could win the war, so both of them assumed that the peace process was just a mock peace process, just for public consumption but without real expectations to end with a peace agreement. The Army did not support the process and in one occasion they were about to overthrow Pastrana for his weakness in the treatment of FARC.

To Carlos Nasi one of the reasons for the success of the peace processes during Barco's and Gaviria's administration was the favorable international environment. With the end of the Cold War, those groups that economically depended on the Soviet Union had to negotiate or had to embark in drug trafficking, as it was the case with FARC. But Nasi adds that there are other factors that need to be kept in mind to account for the success of these two processes. One of the factors is the military balance between armies and guerrillas. From his study Nasi shows that a defeated or weakened guerrilla is more likely to have peace talks with the government. However, this does not explain the willingness of the government to negotiate with a defeated enemy. Others factors need to be taken into account.

Nasi analyzes the role of spoilers and the role of the international context. During Gaviria's and Barco's administration the Army, the main spoiler of the process, was heard and there was an inside process of negotiation to embark them in the process. Unlike the Betancur's process, in these two cases the administration learnt

that peace cannot be reached without the Army's participation and commitment (Nasi, 2009).

But one of the elements Nasi does not take into account for the participation of guerrillas is people's enthusiasm for peace. One of the main reasons for the success of M-19 as a demobilized guerrilla is the fact that they could see themselves as part of the Colombian political process. They saw that they could have a strong constituency to take part in Colombian politics, as it was the case. So, it is important to recognize the role played by civil society, because they represent the perspectives of a post-conflict world. If guerrillas do not see the possibility of taking part in politics after the end of the process or at least to find spaces where to present their ideas, it is less likely for them to demobilize. But this is half the explanation. The other half has to do with the willingness of governments to reach peace agreements.

The Barco's and Gaviria's peace processes were successful for one particular reason: the realization that the armed solution had no future. As we mentioned earlier, after the bloody end of the peace process with M-19, Barco decided not to negotiate and instead he opted for a military solution. The meager results and the realization that war could not be won led the administration to negotiate with guerrillas, a process that brought about more and better results than the military solution. Thus, Pastrana's peace process failed mainly because of the lack of will on both parties, and the illusion that they could win the war. FARC thought they were already in a stage where they could defeat the Army, and the Army thought with little time they could be there too. This explains why the process failed, even though there was an international and national favorable environment for peace. Spoilers sabotaged the process, but in this case spoilers were the two parties on the negotiation table. In January 2001, after a Colombian politician was kidnapped on the plane that was bringing him to Bogotá, Pastrana decided to break the

peace process. People's support to peace disappeared, disappointed as they were for this missing opportunity. In its stead a language of war and exclusion was on its way.

For the elections 2002-2006 there were two presidential candidates for the second round. One of them was seen as the heir of Samper's administration and a defender of peace, and the other one promised to re-establish authority in the country. Surprisingly former governor of Antioquia –a region in the northern part of Colombia- won the election. In his campaign he had promised nothing but authority, but it was this simple message the one that was supported by the voters. However, later on people learn that in some areas paramilitaries supported the political allies of Uribe's, although he said that this support only affected elections for Congress (more than 30% of members of Congress were investigated for links with paramilitaries), but not his own election (Valencia, 2008).

During Uribe's administration more than 30000 members of paramilitaries demobilized. However, the results have not been as positive as it was expected. The process known as *Justicia y Paz* has been criticized for its lenient treatment of paramilitaries; and for the latter's lack of commitment to tell the truth and to guarantee the right of no repetition. Victims have not been compensated and in many cases they have been victims of new attacks. Former members of the demobilized group of *Autodefensas Unidas de Colombia AUC* have joined other groups like the *Aguilas Negras* or what is known as *Bandas Criminales Bacrim*. The main policy of the government is what they call the policy of democratic security, which mainly seeks the military defeat of FARC. However, after having its best year in 2008, this policy has started to show its limits and dangers. In 2009 there was an increase of 17% in homicides in Colombia and a 30% in the activities of FARC, which shows that after 8 years of Uribe's administration, his main promise remains unfulfilled. In a report

on the results of the war against FARC, the following conclusions are reached:

- The Colombian conflict has come to a stall. The demobilization of AUC did not bring about peace in the regions they used to control. Although we know more about their activities, the fact is that memory, truth, reconciliation and justice remain elusive. FARC has moved to new areas of the territory, so the conflict has reached new populations but has not decrease its activity.
- FARC has retaken their initiative in some areas, which shows this regained control.
- The policy of democratic security has reached a limit. Either we have a bloodier war in Colombia or it is necessary to open new avenues for peace talks.
- The current response of the Army is to start a new process of change, similar to Plan Colombia and Plan Patriota. This process, called *Salto Estratégico*, seeks to take the Army to the new places of FARC control, which means extending the effects of the armed conflict.

The militarization of the conflict and the failure of the Pastrana's administration led to the discredit to any idea of a negotiated peace. The media contributed to this view of peace, because they presented the idea of peace as connected to support to terrorism. President Uribe continuously attacked members of the opposition and NGOs; and anyone who advocated for a negotiated solution of the conflict was labeled as a terrorist or as someone who helped terrorists against Colombian interests. Uribe held the idea that in Colombia there was no armed conflict. Colombian's problem was the terrorist threat, which was even responsible for Colombian underdevelopment. According to Uribe, had no existed guerrillas, Colombia would be a fully developed country (Gaviria, 2005).

Conclusion: What are the perspectives for peace?

Uribe and his allies had planned to run for a third term as president of Colombia. He had already changed the constitution to run for a second term –reelection was prohibited in Colombia- and wanted to do the same to run for a third one. But the Constitutional Court found that it was against the constitution because of formal reasons, but also because a third term would affect the democratic character of the Colombian constitution. Former Uribe's Minister of Defense Juan Manuel Santos ran for the presidency and won the election with more than nine million ballots. Santos' campaign stressed the continuity of Uribe's policies, especially the rejection of any kind of dialogue with FARC. However, at the end of July 2010 FARC released a video where Alfonso Cano, current leader of FARC, made a call for peace talks, reminding the government that FARC is not defeated and that it is unwise to think so. The elected vice president, former union activist and ex member of the communist party Angelino Garzón, responded positively, but under several conditions, such as the end of kidnappings, the end of forced recruitment of children, and a clear commitment to peace. However, from his statement it is clear that the military way will be privileged and if FARC decides to demobilize they could do so, but without the government weakening its position.

The peace process with Pastrana left FARC the impression that they could win the war. Their military victories led them to think that the Army could be defeated and therefore the peace process was just another strategic move in the war. During Uribe's eight years of power FARC had to face several attacks by the Army, the most important the killing of Raul Reyes in Ecuador, which brought about a conflict with that country. But FARC has not been defeated and there are no reasons to believe that it will be so. In spite of the confidence of the Army for a military victory, some studies show that the

policy of democratic security is basically a failure and has reached its own limit. In a study by Isaza and Campos (2008), they show the numbers of this policy and conclude that is an extremely expensive and inefficient policy, not only in economic terms but also in human security terms. They show that 81.2% of public jobs in Colombia are for people in the defense and security sector. 58,4% of salaries are paid to people working in the Ministry of Defense; 65% of money for investment go to military equipment. The Colombian state has to pay more than 2 million euros to get the effective retirement of one person in the guerrilla, either because s/he has been captured and sent to prison or because s/he has been killed. In sum, it is cheaper to talk and to have a social policy that eliminates social exclusion, than to pay 16.000 million euros to defeat the about 8000 members FARC has (Isaza & Campos, 2008).

Colombian conflict has moved between the military solution and dialogue. Both actors in the conflict have lived under the impression that they could win the war, but reality has taught them otherwise. Economically and politically the only reasonable solution is a peace process. But it has to be a process with a transparent agenda, not losing sight of the final goal and being aware that a peace process is a just that, a process with steps forward and steps backward. It remains to be seen if the new president has the will and the environment to have a peace process with FARC. So far people believe there have been some changes that let us hope for a break in the policies. However, others believe Santos' administration will be no different from Uribe's. But statements and recent appointments leave a shred of hope. In any case, if elites do not take into account people's mobilization for peace, they have to realize that there is a movement for peace at the local level that is becoming stronger, and once it reaches the national level then elites would need to honor their enthusiasm, as it happened in 1991.

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