

## 2 Conflict and peace in the making Colombia from 1948–2010<sup>1</sup>

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### Introduction

This chapter discusses the evolution of the Colombian conflict and the existence of peacebuilding initiatives with different groups as part of the process of consolidation of statehood in Colombia since 1948. Both war and attempts at peace-making in Colombia have coexisted since 1948 (Palacios, 2012).

To understand the coexistence of peace initiatives and the active pursuit of violence in Colombia, we need to understand the violence beyond the broad narrative that the Colombian armed conflict is essentially a fight between the Fuerzas Armadas Revolucionarias de Colombia—Ejército del Pueblo (FARC—EP)<sup>2</sup> and the Colombian state. Various groups with different agendas overlap in each of the different provinces of Colombia, making this understanding imprecise. Colombia is a country in which different armed groups have exerted violence in the same territory: paramilitaries, Ejército de Liberación Nacional (ELN)<sup>3</sup>, Ejército Popular de Liberación (EPL)<sup>4</sup>, Bandas Criminales (BACRIM)<sup>5</sup>, Autodefensas Gaitanistas de Colombia (AGC)<sup>6</sup>, organized armed groups, and drug traffickers are some of the labels used to describe some of the organizations still operating in the country alongside the FARC—EP dissidents.

Thus broader understanding is necessary to reconsider accounts that depict the violence which has taken place in Colombia since 1948 as solely FARC—EP related. Several violent conflicts, peace attempts, and agreements have taken place with other groups in the last five decades (López Hernández, 2016). Colombia has signed at least nine peace agreements with different groups since the 1980s. This has all taken place while violence was ongoing in the country (López Hernández, 2016; Palacios, 2012).

Recent scholarship on the Colombian conflict presents a more nuanced description of the violence in Colombia and an understanding of the ‘grey-scales’ that enable the mix of illicit crops, drug trafficking, state weakness, guerrilla groups, peace processes, peace agreements, and the prevalence of violence and warlordism to emerge almost simultaneously in the same territory (Romero, 2003; Duncan, 2006; González González, 2014).

## 16 *Colombia from 1948–2010*

The emergence of the FARC—EP could be defined as the outcome of the transformation of a particular self-defence force. In fact, it can be argued that some of the founding FARC—EP members were victims of the ‘political’ violence in Colombia between 1920 and 1950 (Sánchez Gómez, 1988). In a way, the FARC—EP is the offspring of the failure by the state to deliver justice to all their citizens and its incapacity to achieve a monopoly of violence in the country (Comisión Histórica del Conflicto y sus Víctimas, 2015; Corporación Observatorio para la Paz, 2009; Aguilera, 2014). Other authors argue that the dynamics of violence that co-created the FARC—EP were actually a continuation of the existing partisan violence before 1948 (Meertens & Sánchez, 1983; Molano, 1994). The birth and the origins of the FARC—EP are a matter of academic debate; the fourteen different accounts of the origin of the conflict in Colombia presented by the historical commission of the conflict of Colombia are proof of this (Comisión Histórica del Conflicto y sus Víctimas, 2015).

The state has sought to end the violence either by negotiation or by military defeat both before and after the emergence of the FARC—EP. However, these attempts to consolidate the power of the state have been obstructed by some sectors that have benefited from the conflict at a national or local level, thus fuelling the violence. The tension between war and peace is a constant of modern Colombian history (Palacios, 2003; Gutiérrez Sanín, 2014).

This chapter presents a brief summary of the Colombian conflict, and of previous peace processes that took place in the country after 1948. The history of Colombia and its violence is analysed considering the peace negotiations, peace attempts, military offensives, and the demobilization initiatives that involved multiple armed groups during the tenure of successive governments in the country between 1948 and 2010.

This interval can be characterized as comprising two main periods: 1948 to 1991, and 1991 to 2010. The initial period of 1948–1991 can be considered as that of the emergence of the modern form of violence in Colombia: the period begins in 1948 with violent initiatives throughout the country following the assassination of Jorge Eliécer Gaitán and ends with the establishment of a new political covenant in the 1991 Constitution. The period of 1991 to 2010 can be considered a period of transformation, between the enactment of the new constitution and the 2012–2016 peace process with FARC—EP (see Chapter 3). The 1991–2010 period saw multiple peace processes and several demobilizations. At the same time, counter-responses by armed actors and local élites against the democratic openings of the 1991 Constitution and the peace agreements signed in this period were observed.

### **The emergence of left-wing guerrillas and the 1991 Colombian Constitution**

The emergence of violence in modern Colombia saw its inception in the period known as ‘La Violencia’ (the violence), a wave of inter-party violence

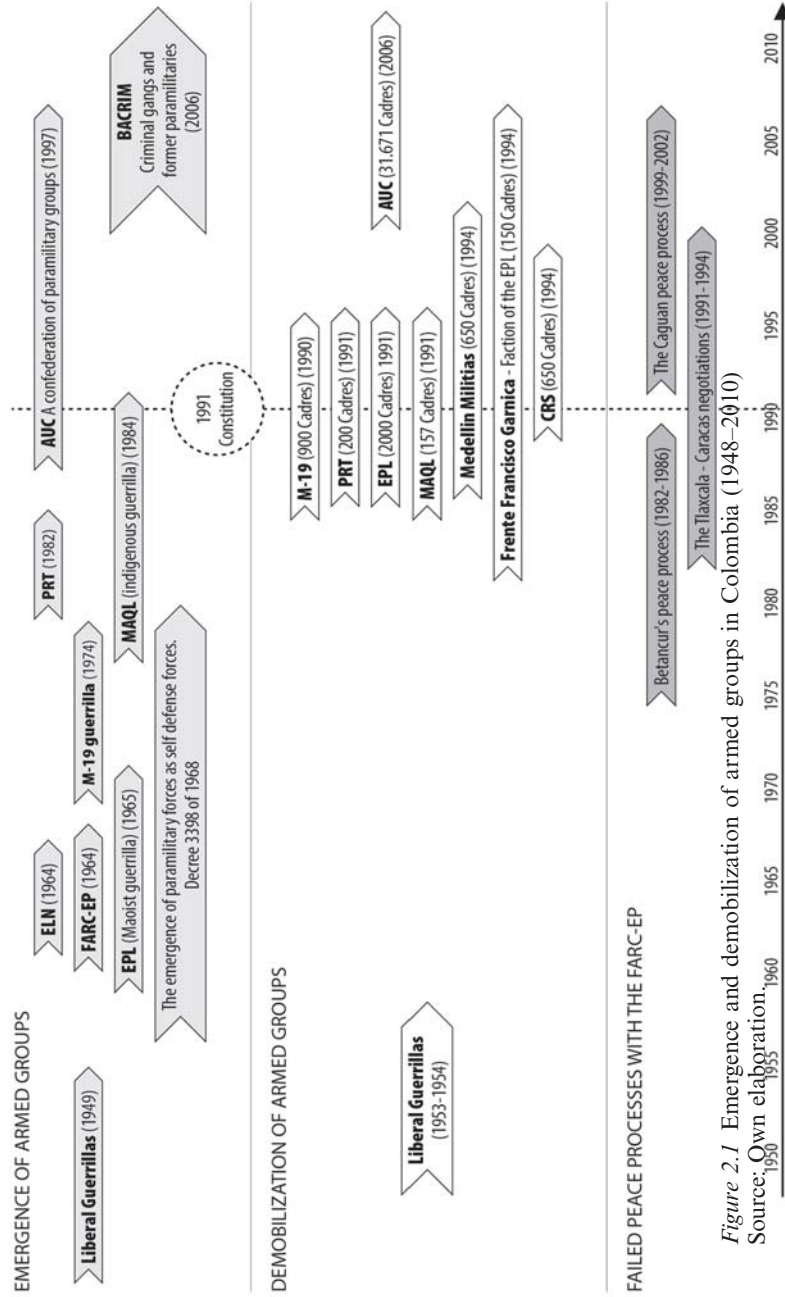


Figure 2.1 Emergence and demobilization of armed groups in Colombia (1948-2010)

Source: Own elaboration

## 18 *Colombia from 1948–2010*

between 1948 and 1958 in which almost 2% of the population of the country was assassinated (Palacios, 2003). This process led to the rise of multiple liberal guerrilla groups and armed right-wing groups.

The period between the emergence of the guerrillas and the passing of the 1991 Constitution can be understood as having three main phases. Between 1948 and 1964 bipartisan violence transmuted into a rural war and gave rise to the left-leaning guerrilla movements that are still in existence today. The period between 1964 and 1982 was marked by the first attempt by the state to defeat the left-wing guerrillas militarily, some overtures towards negotiation processes which failed, the end of the National Front duopoly, and the Government of Julio César Turbay Ayala (1978–1982) and its counter-insurgency policy. Finally, the period between 1982 and 1991 is characterized by the emergence of the state's first official attempt to negotiate a peace deal with FARC—EP and other guerrilla groups: this met with a degree of success while failing in other respects. The period ended with the drafting of the 1991 Constitution.

### ***From 'the violence' to the emergence of a rural war: 1948–1964***

As a response to La Violencia, several armed groups (which lacked any centralized or structured organization) proliferated across the countryside; against a background of increasingly violent clashes, the '*pájaros*' (Conservatives) and guerrillas (Liberals) emerged as 'self-defence' groups (Palacios, 2003). Violence took a stronger partisan line after the election of President Mariano Ospina Pérez (1946–1950), and was expressed in the recurrence of pogroms by Conservatives on Liberals and their reprisals, and in calls by Catholic priests across the country for their congregations to support the Conservative Party, condoning violence against Liberals from their pulpits, and in some cases participating actively in that violence. Not only had the Government sought a political cleansing of their opponents from the state bureaucracy, but the state also turned a blind eye when violence targeted Liberals (Meertens & Sánchez, 1983). This practice continued and escalated during the government of Laureano Gómez (1950–53) whose incendiary rhetoric brought the country closer to a civil war (Palacios, 2012). The irresponsibility of the Government and its authoritarian actions triggered a peaceful *coup d'état* and ushered in a military regime promoted by politicians from both parties who wanted to stop the civil war (Palacios, 2003).

The assumption of the presidency by Gen. Gustavo Rojas Pinilla in June 1953, at the head of a military administration, brought the offer of an armistice to the liberal guerrillas, and the promise of both peace and the monopoly of violence within the country. The military regime promised to be a neutral holder of the monopoly of violence, as other institutions—such as the police—were seen as biased by significant segments of the population. The promise of peace came in the form of an amnesty that was to be warranted by the military rule, taking place between 1953 and 1958. Indeed, both

the Pinilla Government, and the military junta that followed (after the *coup d'état* of 1957 that ousted Pinilla) managed to demobilize several of the liberal guerrilla groups (Meertens & Sánchez, 1983; López Hernández, 2016).

After 1958, a bipartisan duopoly called the National Front (which was to last until 1974) emerged as a solution to the violence, which both traditional political parties had employed as a means to achieve political power. Under the arrangement, both parties were to participate in government alternately. Violence was greatly reduced under the National Front, but this political agreement between the Conservatives and the Liberals failed to allow for the entrance of new political parties into the system, or to guarantee the safety of citizens beyond the bipartisan violence (Molano, 1994). It also overlooked the violence to which some of the demobilized liberal guerrillas were subjected, which led to the belief that the state would not honour agreements and the promise of peace for former fighters, and that peace would not be warranted by the state (Meertens & Sánchez, 1983).

In the meantime, the Cold War winds were blowing: the Cuban Revolution and the fear of the spread of communism across Latin America also influenced Colombian politicians and their fears. It was feared that the remaining self-defence groups that had not demobilized were liable to become instruments of socialist interests and act as the seeds of a Cuban-style revolution in Colombia (Pizarro Leongómez, 2011). In the Colombian Congress there was a strong partisan debate about the prevalence of some groups bearing arms, and whether and how they constituted a threat for the Colombian state. In fact Senator Álvaro Gómez claimed at the time that areas such as Marquetalia (where one of the peasant self-defence forces was located) constituted an affront to state sovereignty and were in fact 'independent republics' (Gutiérrez García & Marín Suárez, 2013). As a consequence, the Government decided to act to abort the possibility of a left-wing guerrilla force emerging in the country. A military campaign unfolded in 1964 to some degree of tactical success, uprooting existing groups identified as potential seeds of communist revolution in Colombia. However, the campaign failed strategically, as it in fact accelerated the birth of the Marxist guerrilla movement, radicalized other organizations, and informed a narrative of a repressive state that was not to be trusted.

#### ***From the birth of the guerrilla movements to the end of the security statute: 1964–1982***

The late 1960s and the decade which followed were dominated by the military response of the Colombian Government to the rise of 'new' armed groups and the transformation of old groups; this period also saw the entrance of new elements that further complicated the Colombian conflict: drug trafficking and paramilitary forces.

As early as 1965, the government of León Valencia (1962–1966), recognizing the challenges of controlling the totality of the Colombian territory and

## 20 *Colombia from 1948–2010*

informed by fears of the spread of communism, issued Decree 3398, which established a legal framework to support the creation of self-defence groups that could be armed in order to defend the state against the feared guerrillas and spread of communism in the country (Meertens & Sánchez, 1983; Palacios, 2012). During this period there were no formal peace offers from or to any guerrilla groups, and initial attempts to tackle the guerrillas were mediated by military operations. Different governments took different approaches. The administration of Carlos Lleras Restrepo (1966–1970), for example, passed Law 48 of 1968, which defined the legal framework for the consolidation of self-defence forces, and pursued a military approach to combating armed groups. The latter policy was continued by the government of Misael Pastrana Borrero (1970–74), and included military operations such as Operation Anorí in 1973, in which the ELN was nearly destroyed. The objective of the state was to reclaim the monopoly of violence in the territory through force.

Yet, in this period, more armed groups were born: the EPL in 1965 and the Movimiento 19 de Abril (M-19) in 1974 (Palacios, 2012). The EPL was of Maoist origin and emerged as the radicalization of some members of the Colombian Communist Party, following debates around the Sino-Soviet split (Vargas Velásquez, 2000). The M-19 took its name from the date of the allegedly fraudulent presidential elections of 1970.<sup>7</sup>

Meanwhile, drug trafficking was becoming established within Colombian society, as the permissive stance of some political leaders allowed for an influx of money from drug trafficking into the economy and political system, and the legalization of drug lords' incomes (Pécaut, 2013). During this period (1974–1982) private self-defence groups (some of them the same self-defence forces created during the 1960s) merged their hatred of guerrilla groups with the funding from drug traffickers, large landowners, cattle growers and emerald traders—creating the seeds of a future 'paramilitarism' in the country (Gutiérrez Sanín & Barón, 2005).

The governments of the 1960s established a legal framework that allowed for the emergence of counter-insurgency self-defence forces.<sup>8</sup> In contrast, the 1970s brought increased confusion around the legal regulation of these forces. The absence of the state monopoly of violence, conjoined with the interests of drug traffickers and local élites, allowed for different groups to project their own military force in different parts of the country (García-Peña Jaramillo, 2005; Romero & Valencia, 2007). In some respects the Colombian state turned a blind eye, as the armed forces saw these groups as allies in their fight against the guerrillas (Ronderos, 2014). The government of Alfonso López Michelsen (1974–78) made attempts to start peace negotiations with the ELN, but failed to start a formal process.

President Turbay (1978–1982) was elected toward the end of the decade, and established the highly repressive 'security statute', under which the Government adopted a militarized response to the rise of guerrilla groups. This response commonly included human right abuses, torture, and disappearances

across the country (Ramírez Bacca & Marín Arenas, 2015). Interestingly, in addition to a martial approach, the Turbay Government attempted the start of a negotiation process with the FARC—EP in 1981; however this process failed to formalize.

***From martial law to peace and the promise of a social covenant: 1982–1991***

In 1982 the newly-elected government of Belisario Betancur Cuartas (1982–1986) led a fresh attempt to build a peace process with the guerrilla forces, but encountered a series of obstacles related to the growth of paramilitaries and drug trafficking within the country. In facing this challenge, the Betancur Government adopted a different approach to solving the violence in Colombia. During this period, the state considered a new peace process with the guerrillas. While peace processes were previously understood as processes of amnesties, or demobilizations, no formal peace negotiations had previously been undertaken with the left-wing guerrillas. The infrastructure and the institutions for peace started to be built in this period.

The Government's first attempt at a peace process with the FARC-EP was expressed in the La Uribe agreements signed in 1984.<sup>9</sup> A ceasefire was also agreed with the EPL, the Movimiento de Autodefensa Obrera (ADO)<sup>10</sup> and the M-19.<sup>11</sup> The agreements were weak in their implementation, as the state lacked either the experience or the capacity to verify, arbitrate, and implement the agreements. However, they allowed for the emergence of the Union Patriótica (UP)<sup>12</sup> party and the introduction of the political expression of the FARC—EP's agenda into mainstream politics. Despite the promise offered by the agreements, the Government argued that the FARC—EP used the ceasefire they established to grow militarily. At the same time, the armed forces did not honour the ceasefire, and members of the UP were massacred in face of the indifference of state institutions (Palacios, 2012). Trust was not established, thus processes were not successful.

In the 1980s the country also found itself fighting not only guerrillas, but also drug traffickers. In 1979 the Turbay Government signed a Treaty of Extradition with the USA, permitting that country to extradite Colombians indicted in US courts.<sup>13</sup> Following this, increased pressure from the US Government, and the 'war on drugs' paradigm it pursued, led in turn to greater pressure being placed on drug cartels by the Colombian Government in the 1980s. This in turn unleashed a violent response from these groups (Matthiesen, 2000). This new battlefield for the state was evidenced by the assassination of the Justice Minister, Lara Bonilla, in 1984, and the perception that the state was besieged by this violence was highlighted by the 1985 attack by the M-19 guerrillas on the Palace of Justice in Bogotá (where Colombia's Supreme Court was based).

The administration of Virgilio Barco Vargas (1986–1990) continued the efforts for peace, notably with the M-19 group (most of these meetings were secret, and were not official), while the UP gained ground politically, winning several posts in municipalities and some seats in the Senate and the Congress

## 22 *Colombia from 1948–2010*

(Cepeda, 2006). In 1988, the M-19 kidnapping of the leader of the Conservative Party (the son of former President Gómez) mobilized political support and public opinion in favour of a peace process. The inclusion of the Movimiento Armado Quintín Lame (MAQL)<sup>14</sup>, the EPL, the Partido Revolucionario de Trabajadores de Colombia (PRT)<sup>15</sup>, the Corriente de Renovación Socialista (CRS—a faction of the ELN)<sup>16</sup>, and the Comandos Ernesto Rojas in different peace processes contributed to a broader (yet incomplete) national peace process. This process still failed to include the ELN and the FARC—EP.

Yet, the signing of these agreements, as well as the peace agreements with the M-19, signalled the possibility of peace in the 1990s. The electoral campaign for the presidential election in the 1990s reflected a state that was trying to attain peace and change, but was under siege from different actors. The assassination of three presidential candidates (Galán of the Liberal Party, Jaramillo of the UP, and Pizarro of M-19) showed that instability and continued conflict was desirable for some groups such as paramilitaries, drug traffickers and even some members of the establishment.

The progress towards peace and the creation of an initial institutional framework for peace during this period culminated in a reform that changed the outdated constitution of 1886, the 1991 Constitution (Cárdenas et al., 2006; Banks & Alvarez, 1991; Uprimny, 2003). Facilitated by the peace process, the 1991 Constitution served to provide a framework which allowed, among other things, the recognition of the rights and entitlements of indigenous and Afro-descendant communities, the creation of mechanisms for political participation and the reassertion of a multi-party democracy.

### **The ‘end of history’: the 1990s, 9/11 and Uribe**

Many considered that an encompassing and ambitious constitution would finally afford space for a stronger social covenant in Colombia, and while the FARC—EP and the ELN were not part of the 1991 constitutional assembly process, the promise of a more open state and the possibility of peace were tangible. In addition, international developments such as the collapse of the Soviet Union and the promise of the ‘end of history’ brought dramatic transitions that could support peace in Colombia (Fukuyama, 1989).

However, hopes for the consolidation of peace in Colombia were countered by the response of right-wing groups and politicians against the 1991 Constitution; the encroachment of illicit drugs as the fuel for the Colombian conflict, which allowed left-wing armed groups to survive the demise of the Soviet Union and escalate confrontations;<sup>17</sup> and a series of unexpected consequences of democratization in the country, such as the co-optation of political posts across the territory by paramilitaries (López Hernández & Ávila Martínez, 2010; Gutiérrez Sanín, 2014).

This period saw two formal attempts to achieve peace with the FARC—EP: one during the administration of César Gaviria Trujillo (1990–1994), and



another during that of Andrés Pastrana Arango (1998–2002). Thereafter, the successive administrations headed by Álvaro Uribe (2002–2006 and 2006–2010) pursued a military approach towards peace with the guerrillas.

***From hope to the emergence of the FARC—EP as an electoral force: 1991–98***

Following the signing of the new constitution in 1991, and given that some groups demobilized successfully, the government decided to increase pressure on other guerrillas to force them to negotiate. The government therefore attacked former safe havens of the guerrillas that had not accepted its offers of a peace process (Corporación Observatorio para la Paz, 2009). However, the effects of this strategy appeared to be limited.

Whereas the peace processes at the beginning of the 1990s facilitated the demobilization of several guerrilla groups (notably the M-19, the MAQL, the CRS and the EPL), the outcomes of these processes were not homogeneous: the paths of the cadres of these organizations varied after their demobilization. The M-19, MAQL, and the CRS cadres followed a largely successful reinsertion process. In contrast, the EPL and several of its cadres returned to warfare to feed the ranks of paramilitary groups.

Several elements explain the recidivism of the EPL cadres in comparison with the other groups who demobilized in the early 1990s. Among these were the lack of options for demobilized cadres, the weak institutional capacity of the demobilized groups to undertake initiatives for their cadres, and the incapacity of the state to provide security for demobilized cadres. In the case of the EPL the most notable factor was the terror campaign unleashed by the FARC—EP<sup>18</sup> that saw demobilized EPL cadres as either traitors or competitors for the political control of the provinces of Urabá and Córdoba. The assassination of hundreds of former EPL cadres between 1991 and 1995 by the FARC—EP (Comisión Interamericana de Derechos Humanos, 1999)<sup>19</sup> pushed former EPL cadres to join other armed groups, and inflamed the violence in these provinces.

As noted, the policy of the Gaviria Government was not solely military; it also attempted a joint peace process with the ELN and the FARC—EP, with negotiations taking place in Venezuela and Mexico. The initial approaches managed to define a ten-point agenda, and a series of preliminary agreements, including agreement on mechanisms for verification (one of the weaknesses of the previous peace process). These negotiations were overshadowed by the doubt (or lack of commitment) by the FARC—EP regarding the possibility of reaching an agreement and a peace process. The negotiations broke down after the kidnapping of a former minister by the EPL and his subsequent death in captivity.

With the arrival of the government of Samper (1994–98), the focus of the state and the military forces was dispersed by the internal crises of legitimacy of the presidential figure within the country. As the president's campaign received money from drug traffickers to support his presidential bid (El

## 24 *Colombia from 1948–2010*

Espectador, 2016), Samper lost credibility and legitimacy both inside and outside the country. The involvement of drug money in financing the victory of Samper added to the prevalent challenge of drug trafficking and production, and the existence of armed contenders continued to challenge the state's monopoly of violence. As a result, the armed forces distrusted the government because of the role of drug money in his election. This allowed the FARC—EP and paramilitaries to expand thanks to the resources they accrued from illicit crops and illicit drugs, and their taxation. Hence there was significant growth of the FARC—EP and the paramilitaries during this period (Duncan, 2006; Pécaut, 2008).

The weakness of the state and the strength of contesting armed groups was evident in the increase in the extent and intensity of military operations undertaken by the FARC—EP. The military offensive of the FARC—EP led the government to abandon several military outposts, which reduced the military presence in several areas of the country (Palacios, 2012). Hundreds of soldiers were lost on the battlefield, and hundreds more kidnapped by the FARC—EP.

The strength of paramilitary forces also increased during this period. While paramilitaries developed an institutional framework in the late 1960s, their greater encroachment into the Colombian conflict was facilitated by Law 356 of 1994, which normalized the possibility of the privatization of security by different actors (which was termed *convivir*<sup>20</sup>) in those areas of the country where security was precarious.<sup>21</sup> This growth of paramilitary activity was facilitated by existing institutional links between paramilitary forces and regional élites who shared common goals related to counterinsurgency warfare, creating a symbiosis between paramilitary groups and some regional leaders across the country (Gutiérrez Sanín, 2014).

In addition to this process, there was a resurgence of the violent response by élites to the democratization process of the 1991 Constitution. The repressive and violent backlash against democratic overtures by actors that do not want to lose their privileges in a context of violence became a characteristic feature of the Colombian State, which explains why democratic openings in Colombia have been frequently followed by violence and repression (Gutiérrez Sanín, 2014).

Paramilitaries took advantage of the vulnerability of city-based Colombians, who felt cornered by the guerrillas in the face of the weakness of the Colombian armed forces. They gained public support and political credibility beyond the regions where they had influence through a successful advocacy and media campaign (Ronderos, 2014). However, by 1997, when the Constitutional Court of Colombia declared the law that rendered the creation of the *convivir* organizations unconstitutional, the damage was already done. Their growth, expansion, and co-optation of local institutions had already taken place, furthering the entry points for private armed groups formed in the 1980s into the state apparatus (Romero & Valencia, 2007).

This period (1991–98) also saw a reconfiguration within armed groups. After 1997 the different paramilitary groups affiliated under the Autodefensas

Unidas de Colombia (AUC)<sup>22</sup>. Their members (paramilitaries and drug cartels) used their private armies as part of their economic and political strategies in different parts of the country (Llorente & Deas, 1999). Their affiliation presented a more homogeneous façade and enabled them to communicate a more coherent discourse beyond their illegal activities.

In this context, the Samper Government decided to negotiate with the guerrillas to release kidnapped soldiers and police officers. This was not a peace process, but a prisoner release/exchange.

In the presidential elections of 1998, the candidate elected by Colombians was the one who appeared to be the closest to starting a negotiation process with the FARC—EP. This made the FARC—EP and the debates around their existence central to Colombian politics, transforming the FARC—EP into a deciding factor in the next elections.

### *Elections, war and peace: 1998–2002*

President Pastrana was elected with a strong public mandate to achieve peace with the guerrillas (Pastrana Arango, 2013). A new peace negotiation with the FARC—EP began in 1999 and ended in 2002. This failed. Contrary to what might be assumed, this was not related to international political dynamics and the terrorist attacks of 11 September 2001 in the USA, but rather it was determined by the internal dynamics of the process.

From the outset, the peace process was laden with problems regarding the nature and the structure of the negotiation itself. As the negotiations were held without a ceasefire, every military action by the guerrillas undermined the credibility of the process (Corporación Observatorio para la Paz, 2009). Colombians could not cope with the dissonance of peace conversations while military actions were taking place.

There were also paradigmatic differences between the actors at the negotiation table, as well as different time frames and logics that clashed. For the Government, the peace process was conceived in terms of fulfilling the mandate given to Pastrana by Colombians, whereas for the FARC—EP, the peace process was taken as proof of their strength, evident from their bringing the state to a negotiation table through sheer force. Both actors sought to achieve peace, but their logics around peace and envisioned endgames were completely different.

A series of additional elements complicated the negotiations. One of these was the existence of a demilitarized zone as the size of Switzerland that the FARC—EP used as a tactical ‘safe haven’. As noted, FARC—EP kidnappings of civilians, and constant attacks on police stations and military bases across the country, led many to regard the peace negotiations as dissonant with the actions of the FARC—EP. During this period the paramilitary forces continued an aggressive political and military campaign, exploiting the public sentiment against the FARC—EP (Bonilla, 2012). The campaign depicted the paramilitaries as defenders of the rule of law and the state, while their

## 26 *Colombia from 1948–2010*

military actions resulted in massacres and, as the consequence of the clashes to dislocate the guerrillas from several areas in the country, caused forced displacement to spike.

The peace process was mired in its preliminary stages. The mere definition of a negotiation agenda was troublesome, demonstrating a lack of either commitment or knowledge of the management of a negotiation process. For example, in the three years of negotiations the parties failed to establish a verification commission, or determine a friendly third party to solve disputes in the process (Palacios, 2012).

For many Colombians, these years are remembered as years under siege. This sense, and the successful media campaign deployed by paramilitaries, increased the existing public sympathy toward the paramilitaries among some sectors of the Colombian élites, following the logic that ‘the enemy of my enemy is my friend’ (Ronderos, 2014). During this period, paramilitaries managed to influence and co-opt several political posts across the country, consolidating their power and encroaching themselves into the Colombian political system.

This was an unexpected outcome of the 1991 Constitution. The constitution provided for decentralization in order to allow representation to inform public policy. However, the co-optation and manipulation of local, regional, and national politics by power players with weapons and money from drug trafficking was not anticipated (López Hernández & Ávila Martínez, 2010; Gutiérrez Sanín, 2014).

This peace process came to an end when the FARC—EP hijacked a commercial airplane and kidnapped a member of Congress who was aboard. However, in spite of the fact that the FARC—EP was seen as an enemy by society, its influence on the next electoral campaign remained central. Politicians focused on the ideas of war and peace, and sought ways to appear supportive of peace but tough on the FARC—EP. Uribe came to power by giving voice to the frustration of Colombians towards the FARC—EP.

### *All-out war and peace: 2002–2010*

From the beginning of the 2002 presidential campaign, Uribe adopted the approach of former president López Michelsen of the early 1980s—that the guerrillas had to be obliged, by force, to negotiate. This was not a new strategy and was reminiscent of the approach undertaken by the administrations of Turbay, Barco, and Gaviria.

The Uribe Government’s approach to solving the conflict differed greatly from the unpopular peace process of its predecessor. The Uribe Government became involved in another peace process—not with left-wing forces, but with the paramilitaries (Pardo Rueda, 2007). This peace process, which was undertaken between the Colombian Government and the AUC, involved a demilitarized zone and an ill-defined ceasefire, and managed to garner the support of the Organization of American States (OAS). The process has been

widely criticized, however, its implementation created a series of institutions and structures related to demobilization, disarmament, and reintegration (DDR), as well as the first modern attempt in Colombia to establish a transitional justice framework.

The new Government improved several security indicators as a result of the de-escalation of confrontations with the paramilitaries, and the tactical retreat by guerrillas to the fringes of the state in response to the latter's military offensive. Expressed under Uribe, the capacity of the state to reassert its military might is partially the legacy of the 'Plan Colombia' campaign pursued by the Pastrana Government.

It is ironic that the improved security indicators in this period were achieved while the number of internally displaced Colombians skyrocketed (Ibáñez Londoño, 2011). Security might have improved for some, but not for all Colombians. By the end of Uribe's first term the failures of the peace process with the paramilitaries emerged (Pardo Rueda, 2007). In addition, and thanks to the legal framework that instituted a transitional justice framework as part of the peace process with the paramilitaries, the denunciation of the alliances between paramilitaries and politicians started to become visible. A standing symbol of the reach and the connivance between paramilitaries and a sector of the political establishment in these years is the standing ovation that the leaders of the paramilitary received in the Colombian capital Bogotá in 2004. At that time, paramilitaries claimed to have influence over some 30% of the Colombian Congress (López Hernández & Ávila Martínez, 2010).

One could argue that, in fact, one of the lessons of the Uribe Government was the acknowledgment by some sectors of Colombian society of the costs for human rights and democracy incurred in pursuit of an all-out war strategy. The international community and local organizations began to criticize the human rights violations taking place within the country as a product of the military campaign. At the same time, the failures of the peace process with the paramilitaries became evident. New 'paramilitary' groups, now labelled 'emergent bands', appeared in the locations of former paramilitary groups, recycling their repertoires and capacities almost perfectly. As the guerrillas retreated, the paramilitaries and their offshoots expanded.

In spite of this, the increased perception of security across the country enabled Uribe to be easily re-elected for a second term in 2006. He achieved this after modifying the 1991 Constitution to enable presidential re-election. However, the extension of his political mandate started to compromise the separation of powers between the legislative, the executive, and the judiciary in Colombia, as the 1991 Constitution did not include checks and balances in the case of re-elections.

Uribe continued his security policy in his second term. The government facilitated a discourse whereby the members of armed groups were referred to as terrorists, and Uribe was able to ostracize his political opponents by labelling them as supporters of terrorist groups (Tickner & Pardo, 2003;

## 28 *Colombia from 1948–2010*

López de la Roche, 2014). Simultaneously, a nationalist discourse emerged, and the glorification of armed forces was common. Advertisements appeared in television, radio and printed media, which touted the victories of war and military operations, and the possibility of winning the war was latent in media coverage. This world view was bolstered by strategic victories, such as the killing of the FARC—EP's military commander and its 'Chancellor', as well as military operations which resulted in the liberation of several people who had been kidnapped by the FARC—EP. These operations became useful propaganda instruments for the Government to show its successes. The nationalist, almost chauvinist, environment made opposition to the government extremely difficult (López de la Roche, 2014).

The effective propaganda, and the marginalization of opposition, masked worrying signs. The assassination of civilians, later claimed to be guerrillas or paramilitaries, by members of the armed forces showed the risks of an all-out war to institutions: between 2002 and 2008 around 4,000 civilians were murdered by the armed forces and then later presented as guerrillas or paramilitaries (Human Rights Watch, 2015). These events came to be known in Colombia as the *falsos positivos* (false positives). The Government put pressure on the military forces to demonstrate results under an incentive system that equated success with the number of casualties caused to the different illegal groups. The system of rewarding those military units that achieved higher casualties against the guerrillas or the paramilitaries<sup>23</sup> caused some military units in different regions of the country to resort to the assassination of civilians in the search for rewards and promotions.

In addition to this, accusations of nepotism and corruption came to surround the Uribe Government, which nevertheless attempted to modify the constitution once again to support Uribe's serving a third term. The attempt was aborted by the Colombian Constitutional Court, which ruled that a second consecutive re-election was against the Colombian Constitution. Still, a securitization policy and the continuation of the Uribe administration's approach proved important for Colombian citizens, since Uribe's Minister of Defence, Juan Manuel Santos, was elected as President under the expectation that he would maintain the approach initiated by Uribe. Once again the existence of the FARC—EP defined the campaign and the selection of the incumbent into the Colombian presidency.

### **The quest for peace: The Colombian state and its history**

As seen above, the history of Colombia can be described as a country at odds with itself. Attempts at reaching peace with different armed groups have been a constant element in the history of the country for the last 70 years. For the last four decades the state and its institutions have sought to end the conflict in Colombia by either force or negotiation. The multiple peace processes and formal and attempted negotiations involving different guerrillas and paramilitary groups across the country are proof of these attempts. Despite

different governments having managed to sign peace agreements with several organizations, and to demobilize a considerable number of fighters, a great paradox emerges: peace agreements have not been enough to stop the emergence and continuity of armed organizations within the Colombian state. The continuation of war and violence in Colombia has been facilitated by the incentives of illegal drug trafficking, the multiplicity of armed actors and interests in different territories, the difficulty faced by the state in operating at the fringes of its territory, and the challenge of consolidating a national covenant able to incorporate and embrace different local elites as part of a national project.

The Colombian democracy—the longest-running in Latin America—is belied by many features not typically associated with democracy: more than 7m. citizens becoming internally displaced persons (IDPs) as a result of the violence, giving it the highest IDP population of any country in the world as of 2017 (UNHCR, 2017); nearly 1m. assassinations since 1985 (Unidad para las Víctimas, 2017); the death of more than 50,000 combatants; the closure of political opportunities to political parties not aligned with the liberal or conservative élites; the assassination of blossoming political parties; the assassination of three presidential candidates in a single presidential campaign; and the stifling of dissent that opposed either radicals, the Government, or local élites (Gutiérrez Sanín, 2014). This is part of the political economy of Colombia that can be illustrated by its history. Colombia is a case study that challenges the categories or conceptions of what a democracy is and how it should operate (Gutiérrez Sanín, 2014).

Between 1948 and 2010 the Colombian democracy saw several efforts undertaken in the search for peace. Different Colombian governments have pursued peace. This quest, as well as the resilience of violence, has prevailed across time and been illustrated by the failures of previous attempts at peace with the FARC—EP and other groups. The peace negotiation with the FARC—EP that started in 2012 can thus be seen as the continuation of the history of successes and failures of the Colombian state in the search for peace. Its emergence is the outcome of a process in the making for four decades, which resulted in a mutually damaging stalemate between the warring parties and an interest by the élites of both the FARC—EP and the Colombian Government in undertaking a negotiation. This created the space and conditions for the negotiation between the Santos Government, and the FARC—EP between 2012 and 2016 (see Chapter 3).

Although the FARC—EP is recognized as the biggest armed organization challenging the power of the state, the demobilization of cadres from the FARC—EP will not mean that all the violence in Colombia will disappear overnight. Paramilitary groups, drug traffickers, and other armed groups will present challenges to the success of the 2016 peace agreement and to the state's ability to assert its monopoly of force in the country. The peace process with the FARC—EP has meant that the state has greater flexibility to allocate its resources against the remaining armed organizations, so it may oblige

### 30 *Colombia from 1948–2010*

them to submit to the state, or to facilitate a negotiation/surrendering process. However, this will require the state to establish government functions in those places where armed groups prevailed in the past, which may prove a challenge to state capacity. The provision of justice and other public services is necessary if the state is to take the opportunity to contest these other organizations and realize its sovereignty.

#### Notes

- 1 The author would like to express his gratitude towards Francisco Gutiérrez Sanín for his help in the development of this chapter. His contributions to previous versions of this document and his insights for the development of the text were invaluable.
- 2 Revolutionary Armed Forces of Colombia—People’s Army.
- 3 National Liberation Army.
- 4 Popular Liberation Army.
- 5 After the peace process with paramilitaries in the early 2000s the Government proscribed the use of the word paramilitary and started to use the acronym of BACRIM (criminal organizations) to designate organizations that were formerly described as paramilitaries.
- 6 Gaitanist Self-defence Forces of Colombia.
- 7 In which the former military dictator Rojas Pinilla lost the election to the Conservative candidate, Misael Patrana.
- 8 By means of Decree 3398 of 1965 and Law 48 of 1968.
- 9 The Uribe agreements should not be confused with the surname of former president Uribe (2002–2010). These agreements were signed on 24 March 1984 in the municipality of La Uribe (Meta province). The agreements provided for a ceasefire, and a procedure that would allow the transition of the FARC—EP into civilian life, a series of development initiatives in areas affected by violence, as well as an official statement of commitment from the state to combating paramilitarism.
- 10 Labour Self Defence Movement.
- 11 On 24 August 1984 in Corinto (Cauca province) and El Hobo (Huila province), a ceasefire was signed in order to facilitate the discussion around the reforms that would help to constitute a future peace process.
- 12 Patriotic Union.
- 13 Agreement ratified by Law 27 of 1980.
- 14 Quintin Lame Armed Movement.
- 15 Revolutionary Workers’ Party of Colombia.
- 16 Socialist Renovation Stream. This was a faction of the ELN which considered that the armed struggle was no longer viable and opted for political contestation versus the state.
- 17 Some argue, however, that before this time, the left-wing guerrillas were not actually dependent on financial or logistical support from the USSR.
- 18 A sub-group of the ELN and a dissident faction from the demobilized EPL also took part in this campaign.
- 19 This included several massacres, such as those that took place in Filipinas, Las Moras, San Rafael, La Lolita and La Chinita.
- 20 Coexistence or cohabitation, in English.
- 21 During this period at least 529 rural cooperatives were created in 24 provinces within the country, which involved at least 15,300 citizens (Verdad Abierta, 2013).
- 22 The United Self-Defence Forces of Colombia was a ‘federal’ organization of right-wing groups that in some cases included landlords, industrialists and cattle farmers



- looking to defend themselves from the guerrillas; in other cases it involved groups operating at the borders of legality, such as the emerald miners and traders, and in other cases it involved drug traffickers, and right-wing armed groups—the legacy of the big cartels of the 1980s.
- 23 There are other examples on how these ‘body-count’ indicators created perverse incentives. Notable examples are the assassination of civilians in the Vietnam War (Daddis, 2011), and more recently the use of these indicators in the war against drug cartels in Mexico (Ahmed & Schmitt, 2016).

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32 *Colombia from 1948–2010*

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