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Colombia's post conflict: A grassroots approach to the implementation of the peace accords as a necessary element to build a long lasting peace

Maria Paula Perdomo Garcia

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Colombia's post conflict: A grassroots approach to the implementation of the peace accords as a necessary element to build a long lasting peace

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Department

Political Science

First Advisor

Richard Stahler-Sholk

Second Advisor

E. Sidlow

Third Advisor

David Klein

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**COLOMBIA'S POST CONFLICT: A GRASSROOTS APPROACH TO THE
IMPLEMENTATION OF THE PEACE ACCORDS AS A NECESSARY ELEMENT TO
BUILD A LONG LASTING PEACE**

By

Maria Paula Perdomo Garcia

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**EASTERN MICHIGAN UNIVERSITY
DEPARTMENT OF POLITICAL SCIENCE**

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Thesis Presented By:

Maria Paula Perdomo Garcia

April 2018

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INTRODUCTION

Colombia is now facing a situation of great uncertainty, after over a year of having signed the 2016 peace accords that put an end to the longest armed conflict in Latin America. The current President Juan Manuel Santos' administration is struggling with passing as many laws through Congress in order to guarantee the fulfillment of the terms agreed with the former guerrilla group Revolutionary Armed Forces of Colombia (FARC) before the next presidential elections in May of 2018. The Colombian peace process has had to face several challenges. Starting from 1989, Colombia has gone through seven peace processes and failed to follow through all of them except for this last one. The fact of the matter is that all through these previous processes, there was insufficient political will and consensus for settling the armed conflict towards a long lasting peace. It was the deeply ingrained rural roots of the conflict, combined with the historic political opposition to change in the status quo and the lack of public support, that got in the way of ending a reality that caused so much harm to the Colombian society and economy.

Today, we see a concern about whether the substance of the peace process truly addresses the needs of all the stakeholders involved; perspectives on the achievements of this peace process vary depending on the actor responding to this question. Factors like

an accountable judicial system, guarantees of reparation to victims of the conflict, redistribution of the land, effective handling of illicit drug activities and the need for the Colombian society to recognize the relevance of adapting to a new political and social order (including demobilized members of the FARC), have challenged the Colombian government's capabilities to prove their commitment and capabilities to follow through on this peace process. The controversial nature of this peace process partly revolves around the conservative opposition's interests regarding land, and a sense of justice related to the political and social rights of the armed actors. While doing so, it leaves aside the protection of those people living in rural areas who are in need of reparations, security and an accountable judicial system to properly address their claims. The rural areas still feel neglected by the government, and yet the Colombian government is trying to solve a conflict that started because rural areas had to resort to violence to make their claims heard while still neglecting these areas.

Therefore, it is of great relevance to diagnose the trajectory of the Colombian peace process based on the willingness of the Colombian government to do what it refused to do before, restructuring the democratic institutions into more inclusive ones, addressing the issues of development in rural areas, and opening a dialogue based on a political reality where civil society can be represented instead of the "delphinism"

tradition (hereditary political power) that has ruled the country for centuries. The change that a new Colombian society needs to see to achieve a long lasting peace is one that includes those who have been excluded from the political agendas for centuries. This is why this research is going to focus on the question of how civic engagement in the form of grassroots movements is an effective transitional strategy to strengthen democratic institutions and ultimately build a long lasting peace in the post-conflict context.

Chapter I: Theoretical Frameworks on Post-Conflict State

Building and Intrinsic Challenges

Institutional Reform

There has been a common consensus regarding transitional post-conflict strategies in societies. The general goal at the end of the conflict is immediately associated with the establishment of democracy through participatory mechanisms in order to guarantee stability leading to long lasting peace in the aftermath. Matthew Hoddie and Caroline Hartzell brought attention to the dynamics that had attempted to legitimize the resolution of a conflict through democratic mechanisms. “The legitimacy of a new, postconflict dispensation through electoral validation was essential.”(Hoodie, M., Hartzell, C. 2010;2014, pp.9). However, post-conflict states have to face different challenges while trying to achieve a stable democratic society. In order to do so there must be a reconstruction of the state, which has to adapt and comply with the terms of the peace agreement, along with a new societal configuration involving the different actors of the previous conflict that have to coexist peacefully. In this sense, democracy is not a regime type that can be imposed, nor is it the only mechanism by which a government can claim to be legitimate. Regardless of democratic practices taking place, there is a need for structural reforms before democracy can be legitimate. “Precisely because the prior

regime has lost its legitimacy, there is no accepted legal or institutional framework that can confer authority on a nascent government, no matter how democratically constituted.”(Lake.D, 2010;2014, pp.30) Furthermore, “the relative novelty and weakness of state institutions in the postwar environment virtually assure that elections will fail to produce government leadership that the postwar population will accept as legitimate” (Hoodie, M., Hartzell, C. 2010;2014, pp.11). Therefore institutional strengthening through reform is a key aspect of post-conflict state building.

When it comes to conflict resolution, the functionality and nature of the institutions that facilitate and administer the post-conflict state is a topic of great relevance. Hartzell recognizes that in the case of many Latin American civil wars, “conflict can only be resolved if institutions exist to process or manage conflict. It is the breakdown of these institutions or the violent efforts of some actors to reconfigure them that lead to the outbreak of civil war” (Hartzell, 2010). The main actor’s capacity of building and maintaining conflict management institutions in the immediate aftermath of the conflict, as well as its flexibility to accommodate the needs of the people of a post-conflict society, is relevant to this discussion. Institutional change must include the interests of all actors involved in the conflict including rules of political inclusion, extension of security guarantees to antagonists and victims, power sharing and rules

regarding the structures that guarantee tools for justice and reparations to all actors (such as a legal system or land reform).

The main issue regarding institutional reform is that all the actors must be involved in this process. The process of institutional reform becomes a struggle for a balance of interests that may create resistance to compromise instead of cohesive compromises. On one hand there are “the strategic interactions of actors, most often defined as political and economic elites, and the reasons they seek to define the rules of the game as they do” (Hartzell, 2010). These actors try to resist significant change that will imply a shift in the status quo upon which they have been benefiting. The main points the conflict resolution efforts should address that are relevant to politico-economic elites are the exercise of coercive force, political power, and economic resources. On the other hand, the less powerful groups such as rural segments of civil society, including indigenous people and afro-Colombian communities have to push their agenda to see an institutional change that benefits their interests in the long term. The lack of power from these actors comes from the historical lack of recognition from the government of these groups as relevant actors in terms of representing their interest in the policy making processes. This has led the government to utilize this lack of recognition of marginalized groups and their association with a threat to national security as defined by the armed

forces, to exclude them automatically from having a say in the institutions of government to accomplish their agenda .

The incorporation of these three excluded groups, afro-Colombian, indigenous and peasants, must be implemented to balance the outcome of the negotiations. The negotiations of the terms of settling the armed conflict such as the Colombian peace accords, as well as those regarding the “how” of the implementation of this agreement in the transitional phase following the accords, must happen incrementally by all actors involved. This is with the goal of making sure all actors are involved and to prevent old elites from resisting large scale change. “Distributive issues are also likely to come to the fore at the end of a civil war. In this instance, actors will seek to ensure that one group's control and use of economic resources does not provide it with the means to threaten or exclude others.” (Hartzell, 2010). In this sense, collective participation in reform making processes are necessary to build solid institutions representing all parties' interests. We see this in the cases of the FMLN in El Salvador, and other formerly armed groups in Guatemala and Nicaragua, where the government addressed the former armed actor's needs regarding unequal distribution of land at the stake of previous landowners. However, it is important to recognize that even though these conflicts have similarities in terms of involving armed actors, they have had fundamental differences in terms of

length and intensity, involvement of external actors and the overall outcome in the post-conflict context. The effective incorporation of all stakeholders has to do with the previously mentioned variables, and it is important to recognize that outcomes will vary among countries. The capability to reform the system comes from the entitlement and power of a state to be able to do so. However “especially in the anarchy of a post-civil war state, social order is a prerequisite for legitimate political authority. Rather than writing constitutions and holding elections, state-builders need to demonstrate first that they can restore order.”(Lake, 2010;2014, pp.40)

Establishing a Legitimate Monopoly of Coercive Forces in the Context of Post-Conflict

David Lake has claimed that “the effective constitution of the institutions has to go hand by hand with the reconstruction of both the state’s monopoly of violence and the legitimacy of that monopoly...In the anarchy that exists after an indecisive civil war or where the international community has intervened to stop the killing, groups face the enormously difficult task of rebuilding legitimacy in an environment of fear and animosity.” (Lake, 2010;2014, pp.30) The most immediate need of a transitioning society is the need for order and security. In order for disarmament to happen, there needs to be a mutual trust established between the armed actors and the government’s military forces.

And so the priority role of the transitional state must be to “Protect people, defend property, and adjudicate disputes... so citizens will increasingly perceive the new state as legitimate and identify their own self-interest with the survival of the postwar government” (Hoodie, M., Hartzell, C. 2010;2014, pp.11) The duty that corresponds to the state as the only actor that can legitimately hold the monopoly of coercive violence must be not only effectively fulfilled, but supported by the citizens themselves. Institutional guarantees of security are vital in the sense that armed actors fear that once they disarm, they might be attacked. On the other hand, the victims should also be sheltered under the guarantee of non repetition, which is linked to protection from emerging armed actors trying to fill power vacuums left by the former ones. In this context, mistrust can be counterproductive to achieve negotiations and an agreement. “Then the type of agreement between the government and the population should look like a social contract where the government guarantees the people their basic needs and security and the people in exchange comply with the norms dictated by it... legitimacy follows from social order, not the other way around as in the current model.” (Lake, 2010;2014, pp.31). However, it is important to recognize that states are not always able to maintain order and security while they are still trying to establish a new political and social post-conflict framework.

Foreign Intervention

“If societies cannot create legitimacy from within the state of nature themselves, then some prior institution— in this case, the United Nations or some other international body— must confer legitimacy on the newly constructed state.” (Lake, 2010;2014, pp.36)

This intervention however, is another complexity in the process of settling the armed conflict, since there is the risk that extreme-right elites often feel threatened to accept foreign intervention due to the implications this brings to their status quo, as was the case in El Salvador and Guatemala. In this area, international actors such as peacekeeping forces might have a valuable transitional contribution to the settlement of a long lasting peace while the state works to regain control of the legitimate monopoly of coercive forces and establish social order. Prior to the 1990s, the peacekeeping strategy of the UN consisted of addressing security concerns solely while trust among actors was established in order to avoid the peace dialogues derailing. However, the nature of peacekeeping operations changed dramatically to more “complex-multi dimensional institutions” that focused on several tasks rather than just security enforcement. Boutros Boutros Ghali, UN Secretary General in the key period at the end of the Cold War, expanded the UN peacekeeping approach to include fostering economic and social cooperation to build

trust among internal actors of the conflict, developing social and economic infrastructure, and preventing the future return of violence. In fact “The strategies of restructuring institutions and soft intervention share a common emphasis on establishing incentives for individuals and groups to support a fragile peace and disincentivize from deflecting from agreement” (Hoodie, M., Hartzell, C. 2010;2014, pp.5) Furthermore, the potential role of soft intervention in the forms of providing targeted economic rewards to communities supporting the process, legitimization of the state authorities, embargoes and sanctions to non compliant states and delegitimization can help to lay the groundwork to organize the anarchic dynamics and power vacuums left in the post-conflict context. One example of this is the Supervisory and Monitoring Commission and the Cease-Fire Commission in countries like Mozambique (1992-94), as well as in specialized commissions dealing with disarmament, demobilization and reintegration (DDR) processes to prevent former armed actors from taking up weapons again and to sustain peace.

Soft-power intervention can also have its own drawbacks since “The international financial institutions (IFIs) that play a leading role in post conflict economic reconstruction efforts instead consistently have favored a set of policies intended to liberalize the economy and reduce the size and influence of government with the purpose of opening the economy to foreign investment” (Hoodie, M., Hartzell, C. 2010;2014,

pp.11). This economic liberalization became an incentive to the transnational companies due to the potential extractive activities, and exploitation of the labor market in post-conflict weak governments transformed them into one more actor whose agenda generally conflicted with the less economically advantaged and less developed areas of an already impoverished state. This becomes more evident since “economic liberalization was typically not part of the formal mandate adopted by international organizations overseeing the state-building mission, but was a universal policy usually grafted on by international financial institutions as a condition for (often desperately needed) development aid” (Lake, 2010;2014, pp.33)

Establishment of Legitimate Democratic Institutions

Another element of state building is introducing democratic institutions. For this to be achieved, the infrastructure element that constitute elements that guarantee the democratic practice in both, in its substantial as well as its procedural form. “In countries emerging from civil war, however, democracy’s “invitation to struggle” takes place in an environment in which the norms of nonviolent dispute resolution are new and

governments typically lack the capacity to ensure that political competition remains peaceful.” (Hoodie, M., Hartzell, C. 2010;2014, pp.9) Political inclusion requires a multidimensionality of trust among different actors, as well as trust in the system structure where political decisions are going to be made. The contextual circumstances under which the democratic elections happen have a significant impact on the further development of the society. Contextual circumstances include the fact that the end of a conflict does not mean the immediate transformation of a society, in fact, in order to achieve a long lasting peace and strong democratic institutions there needs to be a strong civil society. “Premature efforts to grow civil society may also make the peace more fragile. In particular, when the state is not yet reconstituted as a unified authoritative institution, but is cobbled together after a cease-fire as de facto jurisdictions awaiting a final agreement on the issues of independence, the attempt to grow civil society will foster attitudes and structures that further divide leaders and publics into separate communities.” (Roedger, 2010;2014, pp.53). Because institutional uncertainty is part of the democratic process, there is room for all stakeholders to compete for their agenda. Due to the fact that there is a conflict of interests among the different sectors of civil society such as the private sector, the landowners, peasants, indigenous people, afro-Colombian communities and the armed (or demobilized) forces, if there are no

further means of communication and mediation among stakeholders, the consequence will be a hostile environment. The civil society would be divided rather than unified against bad government practices that allowed inequalities and the violations of their rights. Ideally, the government outcomes should be the reflection of the participation of the strong civil societies that support it. Strong, politically inclusive institutions are necessary to avoid competition for the state's resources to legitimate the different rights that different sectors of society claim.

An important mechanism to facilitate this inclusion is the representation of the people's needs through an electoral democracy. However, building this political culture and strong institutions is a process based on trust, which is built only by effective compromises of all parties leading to inclusive policy making. The inclusiveness and transparency of the government institutions are important to mediate interests and represent the previously mentioned sectors of civil society. However, in its true form, the development of a democratic political culture in Latin America has seemed to decrease, leading groups of society to actively address their needs through their own means. In fact, the Latin American Public Opinion Project has shown that the percentage representing trust in the electoral system in Latin America has decreased by twenty two percent from 2004 to 2017 (LAPOP, 2017). It is also important to recognize that in the case of

Colombia, “only 24% of respondents report trust in elections, although elections have been regularly certified as clean from fraud by international observers in recent years.” (LAPOP, 2017, pp. 15). This could be reflective of the weak democratic institutions in Colombia, this could be due to the fact that even if the elections are certified as clean, the political actions taken by the elected leaders does not lead to a significant change. This is due to the need of the political elites in Colombia to preserve the status quo by not making any significant reform.

Transformative Justice as a New Alternative for Building a Long Lasting Peace

However, there is one more key factor among the theoretical frameworks of conflict resolution analysis, that is the structural causes that caused the conflict to arise in the first place and that remained embedded in the political and social context of the post conflict society once the armed conflict has stopped. One of the main approaches to building a long lasting peace is transitional justice, which according to the NGO the International Center for Transitional Justice (ICTJ), refers to the ways governments should approach the post-conflict to “address large scale or systematic human rights violations so numerous and so serious that the normal justice system will not be able to provide an adequate response.”(ICTJ, 2018) It is focused on the rights of the victims and

accountability for the perpetrators of these large scale-structural abuses. This is where transitional justice might not be as efficient as it is commonly thought, since “simply becomes the instrument of a transition that legitimates a foundation of inequality and injustice, and also undermines, or at least fails to empower, victims of past and future injustices to pursue their rights.” (Van der Merwe, H., Lykes, M., 2016, pp.362) due to its emphasis on addressing the causes of them being victims rather than providing means for them to transition to functional members of the civil society. Transitional justice is temporary, but what happens to victims once this short term of transition passes, how would a legal framework benefit them post-conflict? “The dominance of legalistic and individualistic approaches in transitional justice has important limitations: continuing asymmetries of social and economic power can render irrelevant the civil and political rights (CPR) that transitional justice seeks to establish”(McGill, 2017, pp.80) Therefore it is important to address structural violence from its major pillars: social marginalization, political exclusion and economic exploitation. The point of restructuring a society implies a reform from the roots of conflict, however transitional justice “mechanisms are related to the “justice process” (2010: 39), strengthening the argument that transitional justice is modelled on corrective criminal justice systems” (McGill,2017, pp.83). Transitional justice may do a very good job of addressing direct violence such as holding human

rights abusers accountable, establishing historical truth and arranging reparations to the victims of the conflict. However, this assumes that the post-conflict institutions are stable enough to provide judicial guarantees to the victims and provide appropriate means of accountability.

These are not the causes of the conflict, but rather an immediate response to the consequences. This is where it is relevant to recognize the differences between transitional and a new transformative type of justice, which goes beyond the immediate needs of the victims and transforms the basis for the post-conflict context differing from the previous context of the conflict, so that structural patterns are not repeated. “Transition can be seen as a bounded change in state to a known destination, capable of being managed, transformation is a deeper and more uncertain process, often involving cultural and behavioural change.” (McGill, 2017, pp.87). In this sense, a long lasting peace needs to be tied to addressing structural violence, such as the fact that “Latin American elites traditionally espouse a “modernising” rhetoric that denigrates indigenous cultural identities and excludes indigenous (and African-descendent) populations from political and economic power within society”(McGill, 2017, pp.81). Another example is “widespread poverty, exploitation and inequalities across society. Access to financial...structural violence is also seen in the systematic exclusion of certain groups

from services and opportunities that are provided to others”(McGill, 2017, pp.82).

Evidence of this is the income inequality levels in Latin America, is reflected by the Food and Agriculture Organization of the United Nations statement: “the Gini coefficient (which measures inequality) applied to the distribution of land in the region as a whole reaches 0.79, far surpassing Europe (0.57), Africa (0.56) and Asia (0.55).In South America the inequality is even higher than the regional average (reaching a Gini coefficient of 0.85), while in Central America it is slightly below the average, with a coefficient of 0.75.” (FAO, 2018). This is particularly relevant to explain the quality of living of the people in the rural areas. The poverty and exclusion of the marginalized groups of civil society in the rural areas can be reflected by the unequal agrarian distribution since working the land has been their main mean of sustenance. Rather than focusing on the government’s agency in modifying the structures of inequality (such as the agrarian system) like the ones addressed by transitional justice, transformative justice “emphasizes the local agency and resources, the prioritization of process rather than preconceived outcomes and the challenging of unequal and intersecting power relationships and structures of exclusion at both the local and the global level”(McGill, 2017, pp.88)

This is why transformational justice is a vital complement to the construction of post-conflict institutions, since it focuses on engaging that civil society element that is so necessary for the construction of democratic institutions. Transformative justice must involve participation from local communities as active actors, designing policies and practices in a way that is reflective of the local knowledge, understanding and manners of working. Once there is a structured framework of solutions provided by the locals, with the help of well functioning institutions, “Transformative institutions must exemplify the values they seek to promote rather than simply reflect the existing balance of power within society” McGill, 2017, pp.89). However when applying this concept in practice, it is possible to see how it is precisely the absent voice of the local communities, due to the government’s neglect, that restrains transformational justice from operating. There is a need to promote participation by marginalized groups, as designers, as data collectors and report writers to be able to advocate for their needs, based on factual data “to participate and allow truth commissions to “set political agendas for future social justice reforms aimed at true conflict prevention”(McGill, 2017, pp.96)

From this point of view, it is possible to see how transformative justice succeeds
in

complementing transitional justice, in the sense that it involves significant participation by local communities as active agents designing policies and practices in a manner that is intrinsic to the least advantaged (who are also the most affected areas by conflict) sectors of population removing cultural, financial or social barriers to meaningful inclusion. It provides a sense of agency to the marginalized communities to rebuild the post-conflict context that directly affects them, while the transitional justice mechanisms take care of the immediate legal side of the institutions and provide reparations to the victims. This will help to rebuild the relationship between the state and marginalized communities, contributing to a potential engagement on the democratic political culture. Lastly, it is important to recognize that the civil engagement of the marginalized communities by the government may not happen immediately. The communal efforts towards building an inclusive political culture cannot be one sided. Transformative justice must be supported by the government institutions to reinforce a structural change by addressing the local agendas. The relevance of the government's role in supporting the transformative efforts is going to be described in Chapter Five, which focuses on the case studies of the communities of San Carlos in Antioquia compared to the marginalized communities in Buenaventura.

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CHAPTER II: LESSONS FROM LATIN AMERICAN PEACE PROCESSES

Integral Approach to Conflict Resolution in Latin America

Having evaluated the extent in which transitional and transformative justice may offer a good conflict resolution strategy, it is also relevant to understand by which mechanisms these two approaches can be materialized. On the one hand, transitional justice offers a solution mostly from a legal-judiciary approach. Transformative justice on the other hand, requires a more radical reform of the structural injustices that gave birth to and prolong the conflict. Without the development of an effective binding legal framework that allows reform, the socio-economic structures of the post-conflict society will remain unattended. However, even before developing reformative legislations, it is important to identify the specific key areas of development that significantly impact the construction of a long-lasting peace. In this sense, the legal reform can be formulated to avoid ambiguities that might give place to deviation from the original goals by the parties that are threatened by these reforms.

Preti offers a “multifaceted” approach to handle reforms regarding post conflict society. This approach recognizes the different levels under which violence takes place in order to identify the most effective measurements to address it. Preti's interpretation of violence comes from Galtung's framing of violence as “avoidable insults to basic human needs, more generally to life, lowering the real level of need satisfaction below what is potentially possible” (Preti, 2002, pp.100). He classifies violence into three categories: direct (mental or physical), structural or indirect (built in economic and political

structures causing an unequal distribution of power and resources), and cultural (religious, ideology, language, art, that can be used to legitimize structural violence). An ideal post conflict state would be a state of peaceful cooperation rather than lack of armed violence. The main element of achieving peace through cooperation consists in the capability of the negotiating parties to understand that “what is rational (or irrational) for society as a whole, and what is rational (or irrational) for groups or individuals within that society. Processes that are dysfunctional for the majority of people may nevertheless be functional for a few”(Preti, 2002, pp.102). In this sense, we can understand the rational argument behind the use of violence by different actors. This argument has two main components, the relationship between the structure and those who take on the actions that prolong violence. The problem and its causes must not be dissociated from its function. An example of this is the juxtaposition between the root causes of the conflict, and the reason why it has been prolonged.

Preti found an intersection between the political economy approach and structural violence approach to the conflict, which incorporates the functions of violence within groups in its approach to root causes of the conflict while respecting cultural and political specific situations for each country. The first approach is the interaction between actors and structure of violence (government, local guerrilla institutions, local resistance groups, etc.) by understanding how these agendas combine and strengthen a particular economic and social system of power and profit. The second is interaction between functions and causes of the conflict. When it comes to historic or structural roots of the conflict, we look at political and economic inequality, social exclusion and cultural discrimination.

However, these structures can also serve a specific function for the elites to defend their status quo.

The Structural and Political Economic Factors of the Guatemalan Peace Process: Comparative Lessons

By using this type of analysis in the Guatemalan case, the first step to take is understanding the historical roots of the conflict. The UN-sponsored Commission for Historical Clarification (CEH) and the Catholic Church Human Rights Office (ODHA) were two main institutions that took the role of recording the political and social causes of the conflict in the form of testimonies. The Catholic Church focused more on the victims' testimonies, while the ODHA focused more the historical causes of the conflict. Their conclusion was that "The meaning of peacebuilding is therefore to create "structures" that remove causes of war and offer alternatives to war" (Preti, 2002, pp.104). This is where it is important also to make a distinction between historical and empirical reference. The Guatemalan conflict started as a traditional ideological conflict between a left oriented guerrilla force (the URNG) and the counterinsurgency strategy from the army to defend a highly unequal socioeconomic status quo. The conflict was characterized by massive forced displacements, extreme violence against civilian populations, and use of paramilitary structures. The relationship between the actors and the structures of violence during the war is one of oppression and inequality.

We can explain the functionality of the conflict from a political economy approach. "The continuation of war can be a consequence of the existence of vested

interests, both political and economic, often shared by parties so that the objective is not always to win the war but to increase the benefits of the belligerents: This situation of shared aims leads sometimes to forms of cooperation between enemies defines as 'cooperative conflict'" (Prete, 2002, pp.102)

Prete argues that "40,000 Guatemalan soldiers, plus around 500,000 members of army-backed civil patrols failed to bring under control the 2,000-strong URNG rebel group, despite the fact that it had not posed a major threat to the government since mid-1980s."(Prete, 2002, pp.106). These data suggests that belligerent actors may have not shared economic benefits, but they shared political aims towards achieving different economic benefits. There was an intentionality in prolonging the conflict.

Another important aspect of the conflict of interests between actors was the fact that the population found the involvement in the armed conflict more beneficial than their subsistence activities. The incentive for people to join the guerrillas was more economic than it was political. Therefore General Rios Montt designed the National Plan for Security and development as an essential element for the government's counterinsurgency campaign. Under this analysis, Rios Montt understood the functionality of war as an income generating enterprise and intended to replace it with a new institution. However, the war also served political functions. Such intentionality can be seen through the amount of attacks against the civilian population. More than suppressing guerrillas, it serve to suppress political and cultural opposition.

While analyzing post-civil war Guatemala, it is also important to recognize that after the accords Guatemala was categorized by the World Bank as one of the most

violent countries in Central America. Direct violence prevailed even after conflict was over, “The situation in Guatemala remained characterised by poverty and inequality. Ranking 120 in the 2000 HDI. 54 percent of the Guatemalan population live below the UN-defined line of poverty and 23 percent of the Guatemalan population live in the extreme line of poverty.”(Prete, 2002, pp.110). This leaves Guatemala with a “fragile democracy” in the aftermath of the conflict: “The democracy currently existing in Guatemala is actually a new form of violence, resulting from the military and political project started by the coup in 1981. The peace accords represent for the army the final institutionalisation of their strange strategic project to win the war militarily and politically by neutralizing and reinserting guerrilla in the political life”(Prete, 2002, pp.111). The military had changes in reduction of personnel, but kept its wartime budget and doctrine. Not to mention that this process did not account for the lack of peasant and indigenous participation while debating the terms of agreement (in a country where over half of the population are indigenous people who have been historically marginalized). We also see a trend from the international financial institutions to incorporate civil society into their portfolio in the 1990s. However, the nature of these economic and cultural ideals that were coming from above ended up marginalizing less powerful actors trying to materialize their claims from below. “The country’s ethnic diversity is still not recognized and valued as one of its sources of wealth and indigenous people continue to be subject to strong racial, ethnic and cultural discrimination, which undermines human rights” (Prete, 2002, pp.112).

In terms of addressing the structural roots of the Guatemalan conflict, we see a change in the relationship between belligerent parties, who agreed to peacefully coexist in the aftermath of the conflict. This did not address the direct type of violence towards the Guatemalan population. Even though there was a big involvement of international financial institutions and the United Nations towards trying to achieve a long lasting peace, the relevant decisions and direction towards which the Guatemalan post-conflict society was heading were up to the discretion of the domestic actors sitting on the negotiation tables. We see how the international financial organizations attempting to liberalize the economy had a heavier influence over powerful actors than the UN peacebuilding approach to restructure the society to provide alternatives to the function of war and to address structural violence. An important lesson from this case is that one cannot effectively address a conflict by imposing solutions that are not tied to its functionality and structural causes. "Solutions cannot be imported and peace has to be built by the people themselves: the role of civil society in defining the priorities in the peace process is crucial." (Preti, 2002, pp.116).

Establishment of a Transitional Society with the Aid of International Actors.

When it comes to institutional reform as a long term influential measure to address politico-economic inequalities of the conflict, it is important to recognize the importance of the short term goals in order to guarantee the stability of these new institutions and their capability of functioning efficiently, with binding authority and accountability. There are few possibilities of success when institutions are built in a

context where the society and the political climate that constitute them are still unstable and polarized, or still engaged in the same structures that gave birth to conflict and prolonged its duration. It is important that in the process of establishing a democracy by rebuilding a society's trust in institutions, there is also trust among the actors that were part of the historical violent structures. However, states attempting to put an end of an armed conflict often struggle to settle the conflict due to a lack of trust among belligerent domestic parties. This is the reason why strategies like peacekeeping are relevant to this discussion, so this section is going to focus on the role of international actors in settling disputes where domestic actors lack capacity.

Child argues that strategies that involve third party credible neutral verifiers and guarantors of peace agreement can be an effective approach towards the resolution of the conflict. The contribution of the Organization of American States (OAS) and the UN to the Central American peace has been relevant because "Instead of the previous simple and easily definable categories of peacekeeping, peacemaking and peace building, theoreticians and practitioners of conflict resolution now speak of "multifaceted" or "multi disciplinary" approaches. This explains the disparity between the success of the "Esquipulas" peace processes in Central America in the late 1980s aided by the UN and the OAS, in contrast of the Contadora peace processes (promoted by Mexico, Colombia, Venezuela, Panama) which were not perceived as being effective or credible. The UN interventions began with the UN observer group in Central America (ONUCA), which later contributed to the creation of United Nations Observer Mission in El Salvador.

In the 1980s, Latin America started to receive conflict resolution aid from the OAS, the UN and other countries such as Canada and Spain. These actors operated in different areas of the conflict according to their capabilities. Their roles in the Central American processes (Contadora/Esquipulas) were focused on peace making, in other words, resolving conflict through negotiation, mediation and arbitration or conciliation. However once peace was established in the form of a bilateral ceasefire, organizations like the ONUCA had to take a different approach such as peacebuilding and peacekeeping.

We see this type of intervention for the first time in the Nicaraguan case. The shift of strategies according to the context of the conflict was evident in this case, when the ONUCA was intended to function as an observation and verification organization. However, the unarmed UN observers did not have an impact in de-mobilizing troops. Therefore the UN Security Council had to expand ONUCA's mandate by giving it combat power. We see the implementation of strategies of peace-enforcement and peacekeeping by ONUCA when it sent a Venezuelan battalion to convince the Nicaraguan *contras* to demobilize, and was placed afterwards among the *contras* and the Sandinista Army to prevent armed altercations. At the same time, the OAS created the CIAV-OAS which was responsible for the disarmament, demobilization, and reintegration of every *contra* and *contra* family member who crossed the border back into Nicaragua from their camps in Honduras and Costa Rica. Later in the 1990s the UN designated a different commission to monitor the elections, another task that the post-conflict Nicaraguan state wasn't able to carry out on its own yet. What is interesting about the

international participation of different NGOs is that the Sandinistas trusted more the role of the participation of ONUVEN, UNDP and UNICEF than the regional OAS-CIAV. This is partially explained by the recognition of an implicit interest from the United States to protect the *contras* behind the involvement of the OAS, which had been historically dominated by the U.S.

The apparent bias from the OAS-CIAV was based on the fact that “If they did their job poorly, and did not support well the *contras* they would be criticised by their OAS superiors in Washington and by the US government, which was financing the whole *Contra* support operation. On the other hand, if they did their job well and effectively helped *Contras*, they would be criticised by the Sandinistas for going too far in keeping the *Contras* together, and possibly for even stimulating them to take up arms again.” (Child, 1999, pp.21). This is a clear example that the performance of a NGO is biased in the sense that its bound to serve the interest of whoever is funding it. This bias has in this case is based on the OAS’ history of being a political instrument of the U.S.

We see a deep contrast with the peacebuilding and peacemaking strategies that took place in El Salvador. The ONUSAL was the first mission to be sent before a ceasefire was concluded, where human right verifications were seen as part of the process, and the first time a UN mission was so involved in the resolution of an internal conflict from start to finish. This process worked because the government of El Salvador and the Farabundo Marti Front of National Liberation (FMLN) were both willing to end the conflict (and neither side was clearly prevailing militarily after 12 years of hostilities). The success of the OAS and UN effort in Nicaragua was a big contributor to these results.

The initial role of the ONUSAL was to supervise the accords signed between the FMLN and the Salvadoran government. However, the immediate task that the ONUSAL was designated for was the protection of human rights, given the fact that there hadn't been a ceasefire established at the time it was deployed. The consequent task that the ONUSAL faced was building trust among the belligerent actors. This is an important consideration regarding the role of international organizations, because it doesn't matter how effective an organization is in overseeing the disarmament operations, if the guerrilla members are not committed to the process as much as the peacekeeping actor is, the role of the latter may turn out to be irrelevant. For example, the fear that the FMLN was turning in their obsolete weapons and keeping their better ones for future use was later confirmed by the discovery of an arms cache in Nicaragua. Despite ONUSAL's efforts, this threatened the process, since the opposition parties had reasons to believe that the FMLN was not to be trusted, and gave an excuse to the government to not give up on police and intelligence functions.

Overall, ONUSAL helped significantly to establish trust and maintain a neutral position on the conflict. The ONUSAL took over some of the tasks that the Salvadoran state wasn't ready to perform while it was transitioning to democracy. A clear example of this was when the ONUSAL also took over the role of running the 1994 post-conflict elections, when the Supreme Electoral Tribunal threatened to cause a collapse of the voter registration process and ruin the elections. The input of ONUSAL in the Salvadoran peace process was of great relevance, in fact former FMLN commander Joaquin Villalobos argues that "without the UN there would have not been no peace process, and

perhaps not even any negotiations” (Child, 1999, pp.23). In this sense, ONUSAL fulfilled the functional duty of a third party neutral actor described by Lake in the previous chapter, in which a more reliable institution is set in place until the Salvadoran state regained its legitimacy. This response was appropriate, however it does not account for the challenges presented post-conflict after the immediate elections that the ONUSAL supported. The achievement of political “stability” and conflict resolution in the short term does not mean the same structures are going to be in place in the long term, since the post-conflict political and social climate in El Salvador does not respond to the commitments established by ONUSAL during the peace agreements.

On the other hand, the peace process in Guatemala was more challenging in terms of achieving consensus among main actors of the conflict, as a result of differences regarding the functionality of the conflict as well as the nature of the pre-conflict political and social structures. In 1994, “ representatives of the Guatemalan government and URNG met in Mexico and signed the ‘Framework Agreement for the Resumption of the Negotiating Process’ where the negotiators requested the presence of the UN as a guarantor while refused to call for the OAS. This agreement led to the creation of the United Nations Mission in Guatemala (MINUGUA) which was formalized as an institution in 1994. The nature of the consensus building in this particular conflict was hard to navigate due to the fact that “the military generals believed they had the upper hand regarding the URNG due to their counter insurgency capabilities, even though it was at the expense of indigenous populations” (Child, 1999, pp.28). This is why MINUGUA fell short in terms of resources to handle the conflict, so it had to collaborate

with other UN agencies. It also saw several limitations of cooperation from the Guatemalan government over issues such as unresolved human rights cases, the disappearance of key guerrilla leaders, the slow pace of police reform and problems with the land reform program. This helps to account for the increase in crime rates and violence that Guatemala saw in the aftermath of the conflict. Public order was established by extra judicial mechanisms, since civilians were taking justice into their own hands. In the countryside, landowners began to establish their own private armies. The MINUGUA and UNDP rehabilitation programs seemed to have little impact on the reintegration of the ex-combatants. This also reflects the poor performance of the Guatemalan army in establishing a legitimate use of their coercive force to protect the Guatemalan people, resulting in the establishment of a culture of fear, prolonging the cycles of violence based on the lack of institutionalized security.

The point of analyzing this conflict is to emphasize the role of building stable institutions in the aftermath of the conflict. It is hard to build peace and heal a society affected by historical violence, where the transition has been from a violent context of inequalities to a silent context of structural inequalities constituting a negative peace. In other words, where the institutional post-conflict context does not allow for a transformative justice approach. The Guatemalan institutions did not engage in significant reforms, while MINUGUA and other international actors took care of stabilizing the society and assisted in the conflict resolution process.

This is why the role of external peacekeepers becomes even more challenging. In the Guatemalan case, MINUGUA had to fight the post-conflict violence while the

structural causes of violence were still triggering indirect and direct violence in the population. A similar example of this in El Salvador is when ONUSAL was charged with ferreting out and publicizing human rights violations which were frequently committed by officials of the Salvadoran government, while on the other hand building the human rights institutions of the very government it was criticizing.

Post-Conflict Context: Neoliberalism vs. Community Empowerment

It is easy to assume a direct relationship between the way a conflict ended and the type of society that precedes it. One would think that the conflict resolution and effectiveness of the peacekeeping operations would lay the groundwork for a long lasting peace and a change in the political structures towards guaranteeing a stable democracy automatically. The variable that is not often factored into the analysis is the elites, civil society and international actor's capability to comply with the terms of the peace accords once the external accountability mechanisms are removed. The cases of post-conflict Guatemala and El Salvador prove that the way a peace process ends, even when democratic elections are achieved, doesn't guarantee a positive peace (i.e., with the social justice component that is essential for peace to be sustainable) within that society. The post-transitional society and government are the main drivers of the course of the socio-political realities, regarding of the terms of the accords. Peace processes should not be treated as identical everywhere when it comes to analyzing their effectiveness. Each peace process has different stages from ceasefire, to disarmament, to trust building and reparations, to negotiation of the terms of the intended post-conflict society, to the actual

construction of the latter. The effectiveness of a peace process must be understood as the individual effectiveness of each one of its stages, as well as the actor's compliance with the final outcome. In both comparative cases, El Salvador and Guatemala, we see struggling post-transitional societies because of the lack of commitment to fulfill the terms of the peace accords from the political elites. In other words, the socioeconomic structure of extreme elite domination is the underlying obstacle to lasting peacebuilding.

Looking at the Salvadoran peace process, Wade argues that the main achievements of the peace process were "the cessation of armed conflict, the restructuring of military and police forces, the demobilization and integration of the FMLN as a political party and basic guarantees for human rights" (Wade, 2008, pp.15) In other words, the extent of the peace process was mainly deterring the direct violence imposed upon society. It is important to recognize that socio-economic reforms were not mentioned among the results of the peace process. This is a key point, since the economic inequality was one of the underlying causes of the Salvadoran conflict. "The structural roots of the Salvadoran process were socio-economic inequalities maintained by systematic repression from the government" (Wade, 2008, pp. 17). These much-needed economic reforms were left out of the peace agreements and assumed to be taken care of by the post-transition democratic society. "Although the FMLN has based its armed struggle on battling socio-economic injustices, the social and economic aspects of the peace accords were left until the end of the negotiations and were very limited in scope"(Wade, 2008, pp.22). The type of economic policy that came along with the establishment of a democracy was the driving factor in reproducing the same economic

inequalities by different international actors. Wade explains that “the application of liberal internationalism (through political and economic liberalization) threatens long-term prospects for peace” (Wade, 2008, pp.18), because of the structural violence that it reproduces.

According to Boyce, the type of reform that was needed to address structural socio-economic violence should have been in the form of an “alternative socio economic model designed to alleviate inequality and support the peace process to agrarian reform, reduction of military expenses, progressive tax policy, support for non-traditional exports and creation of financial institutions to provide local credit” (Wade, 2008, pp.18). These type of reforms, however, are incompatible with the principles of a neoliberal (“free market”) ideology and economic model.

The 1992 peace accords designated the Forum for Economic and Social Conciliation (FORO) to address socio-economic issues left out of the accords, and to guarantee former guerrilla members could achieve the socio-economic items left out of the peace accords agenda. The lack of fulfilment of these items was in part due to the unwillingness of “the Cristiani government to allow open discussion of its economic policies, a position that was supported by the United States and international financial institutions” (Wade, 2008, pp.23).

If one looks at the post-transition economy of El Salvador, “The decline in poverty and inequality in 200-2004 is impressive...The Salvadoran government has touted these improvements as the results of various anti-poverty measures implemented by various administrations. However the truth behind this trend reveals the poverty of the

neoliberal model” (Wade, 2008, pp.24). The amount of socio-economic reforms passed by the Salvadoran government does not contribute to this growth as much as the amount of remittances sent by family members working abroad, mainly in the United States. “The failure of the neoliberal model to develop a productive, self-sufficient economy is creating forced migration in numbers greater than during the war” (Wade, 2008, pp. 24). This type of “economic independence” from the transitional society on the government – similar to the “rentier state” phenomenon in some oil-rich states – has also given the government more freedom, since the responsibility of providing economic opportunities and rights was dissociated by the role of remittances. This explains the “Large presence of remittances has allowed the government to pursue policies that would have otherwise been met with widespread resistance” (Wade, 2008, pp.25) However this economy dependent on remittances won't be as stable, since this also means that remittances will only endure as long as the U.S. economy is strong and U.S. immigration policy is stable (particularly the Temporary Protected Status, or TPS, granted to Salvadorans since the 1980s).

The lack of a strong government responding to people's needs has also caused an increase in crime. The “Government responses to the crime wave have been constrained by the neoliberal model. Unable to address the problem through preventive and redistributive programs, the Salvadoran government has utilized authoritarian measures to fight crime.” (Wade, 2008, pp.27). Given the increase in crime, the association of the country's elites under the umbrella organization of the far-right political party ARENA took advantage of the public safety crisis to discredit the FMLN during the 2004

elections. The image of the FMLN linked with international terrorism became widespread, linking images of FMLN candidate Shafik Handal next to Osama Bin Laden. These elections had a serious impact on the Salvadoran political system. Later on, the “Salvadoran government also approved the Special Anti-Terrorism Law, which criminalized common means of protests, such as demonstrations, marches, occupying buildings and street blockades as acts of terrorism” (Wade, 2008, pp.28). This meant that despite the socio-economic inequalities, a lack of political representation and the increase in state repression, now the Salvadoran people were also legally prevented from acting as a civil society due to fear. The institutionalized fear prevents a civilian-led reconstruction of the post-conflict context. Crime has increased political polarization as well as the Salvadoran state’s legitimization of authoritarian repressive actions.

The new political context shows the unwillingness of ARENA to subordinate its own interests to the common good of a sustainable peace, so instead they are playing a “spoiler” role. In terms of economic progress, the fact that Salvadorans are leaving the country to find better economic opportunities is “symptomatic of a country in crisis, not enjoying the fruits of a hard-won peace” (Wade, 2008, pp.29). In conclusion, in the post-transition society, that initial climate of tolerance resulting from successful peace accords in El Salvador was disturbed and remains undermined by socio-economic inequalities, political polarization and violent crime due to the government’s lack of commitment to comply with the process. This implies that the much-needed institutional reform did not happen, therefore the fulfilment of immediate needs attached to even the limited transitional justice approach cannot be pursued by the government. On the other

hand, the institutionalized fear together with the lack of local means of sustenance prevents the civil population from engaging in a broader transformative justice approach where the post-conflict change would come from below.

The Guatemalan Response to Neoliberalism

Just like in El Salvador, neoliberalism has also been a predominant topic of the post-transition government following the peace processes and the 1996 peace accord. This context has facilitated the consolidation of an alliance between elites, military elites and transnational capital. (Granovski-Larsen, 2017, pp. 54). The post conflict state of Guatemala consists of the continuity of wartime, power and violence, alongside neoliberal economic reform favoring transnational investment and capital accumulation. The civil society has found itself in a situation where the economic system offers benefits that limit the achievement of their long term goals. “Black land-rights movements in Central America must choose between neoliberal land concessions and continued adherence to transformative goals.” (Granovski-Larsen, 2017, pp. 54). What is really interesting about the Guatemalan civil society as opposed to the Salvadoran civil society, is their approach to neoliberalism threatening their interests. Many Salvadorans, unwilling to mobilize against the state due to fear, decide to move abroad to sustain their livelihood. On the other hand, in Guatemala, “social movement actors have engaged strategically with neoliberal resources—in this case, funding for “market-led agrarian reform” promoted by the World Bank—to construct counter hegemonic forms of

socioeconomic organization, even in the face of a return to militarized repression.”(Granovsky-Larsen, pp.54)

The political reality of Guatemalan society was still very restrictive of their fundamental rights, due to the combination of neoliberalism and its economic context that favored the Guatemalan armed forces as a rising branch of the economic elite. “The Guatemalan armed forces had exerted their independence from the traditional oligarchy and had emerged as a significant economic, and not only political, power with control over vast areas of land (much of it stolen during the war), investment in banking and other sectors, and various areas of organized crime including the drug trade” (Granovsky-Larsen, 2017, pp.57). This also fostered a guiding principle of national reform based on neoliberalism, which set the country’s elite to dominate the post conflict period by refraining from social welfare, at the same time that the economy was open to the global markets and transnational extractive projects (such as mining and electricity generation).

However the response from the campesino (peasant) communities differed from the Salvadoran people. Given the lack of effective government structures and no defined guarantees after the peace accords were signed, the Guatemalan rural society took a different initiative towards getting their needs fulfilled. “The emergence of the campesino social movement in Guatemala began with the formation in 1978 of the Comité de Unidad Campesina (Committee for Campesino Unity—CUC). The CUC represented the first social movement organization focused on campesino demands to be founded by campesinos themselves....⁹⁹² a number of large campesino organizations including the

CUC and the CCDA created the first national campesino umbrella group: the Coordinadora Nacional de Organizaciones Campesinas”(Granovski-Larsen, 2017, pp.58) After the accords were signed, the challenges of administering the neoliberal resources and settling the terms for an agrarian reform, encouraged the creation of the Plataforma Agraria, a group of campesino and non-campesino movements which refused to participate in the state’s institution in charge of administering land (FRONTIERRAS).

The campesino movements were facing a transition to a resource extraction economy that was also focusing on the incorporation of agrofuel production. The use and distribution of land for a new rural economy and the intersection between private and campesino movements implied a demand for more involvement from the state institutions. However, the state presence remained weak in mediating and regulating extractive policies. The participation of the campesino movements in the new rural economic system protected peasants from repression and guaranteed them access to land to some extent. In terms of the conditions for indigenous populations in this new system, these were guaranteed by the Guatemalan state’s application of a “neoliberal multiculturalism” type of policy, which granted indigenous rights conditionally under this economic order. According to Granovski-Larsen, the state “actively re-constitutes them in its own image, shearing them of radical excesses, inciting them to do the work of subject-formation that otherwise would fall to the state itself.” (Granovsky-Larsen, 2017, pp.60). The issue with this type of cooptation attempt arises in terms of the fulfilment of the right of land, security and other basic needs that the state should be guaranteeing from the government to the people. Campesino and indigenous movements had to choose

between accepting the benefits offered by neoliberalism to satisfy their immediate economic and land-related needs, or ignore the system and fight for a deeper structural reform by rejecting this type of agreement. This is when anti-neoliberal forms of organization start to become a new alternative used by grassroots actors to harness the neoliberal resources in a beneficial way.

An example of this is the CCDA, which embraced FRONTIERRAS and other economic guarantees produced by the peace accords to organize a new scheme of production in the rural communities, and to push for political participation at a national level. One of the main successes of CCDA is the outreach it has had in assisting communities to gain access to lands for coffee production, to facilitate the financing of its three strategic objects: recovery and defense of land and territory, production and self-sufficiency, and political activism aimed at achieving state power. The accomplishments of these goals were also attached to the CCDA through networking with other local programs such as Cafe Justicia. The CCDA's goal is to make sure that once campesinos are given their lands, they are well prepared to contribute to the community's growth by adopting organic production of coffee as well as self-sufficiency techniques to avoid reliance on the state. Sustainability is not only encouraged in coffee production, it is also encouraged in macadamia nuts processing, honey production and structuring campesino local markets. We see this type of dynamis playing out in the community of Don Pancho where "each family received seven pieces of land across the farm's many areas (including coffee plantations, pasture, and vegetable plots) and the farm is managed by an elected community council and maintained by mandatory work on

community infrastructure” (Granovsky-Larsen, 2017, pp.63).The example of the community Don Pancho illustrates the effective role of the CCDA as a community organizer. The community used the land facilitated to them through FRONTIERRAS to work on a community basis, to achieve collective goals such as gathering the payments for the acquired land or achieving sustainability and economic dependency from state’s neoliberal policies. We also see that the organic local coffee market still has to operate within the global market, however the grassroots organizations have not compromised their political agenda in the process of participating in the neoliberal markets.

Rural communities have shown a spirit of resistance, preventing resource extraction through blockades and the use of community plebiscites as a tool of political participation against large-scale economic projects. One of the mechanisms by which these populations sought for help was the international law, mainly the Convention 169 of the International Labor Organization, which says that no “development” projects can take place in ancestral indigenous territories without “free, prior, and informed consultation” (FPIC) of the communities. These plebiscites were ignored by the government in 2012, causing the local communities to engage in a blockade of the mine El Tambor, to which the government responded with the use of armed force against the community. Due to weak state presence in terms of protecting campesino and indigenous rights and the strong state presence in terms of using the military to repress legitimate claims regarding the fulfilment of these rights, communities decided to find alternative approaches to fight institutionalized structural and direct violence.

Another example of this is found in collective organizations like the National Indigenous and Peasant Coordinator (CONIC), whose representatives “come from communities that have engaged in land struggles in the same areas covered by their collectives, giving them the benefit of understanding the cultural, linguistic, political, and economic dynamics of the region as well as a variety of direct-action tactics for land access...as of 2014, the group had seen 144 communities through to formal land ownership.” (Granovski-Larsen, 2017, pp.67) We see a period of local rural engagement in the form of collective boards known as “micro-regional councils.” The communities of Champerico and Retalhuleu have developed organizational priorities in areas such as the distribution of funding, and have planned and established systems of security (radio communication across the communities and holding cells for troublemakers) and health (health posts, herbal gardens, and training in traditional indigenous methods of treatment). These communities began to rebuild their own local institutions as a lack of responsiveness to the post-conflict governmental institutions. In other words, they assumed the responsibilities that the Guatemalan state had neglected even prior to the start of the armed conflict. However, they still respond to state’s neglect to their claims with marches, roadblocks, land occupations and protests, especially during the Perez Molina administration. They are still advocating for their recognition from the government as part of civil society.

From this we can conclude that the post-conflict period was characterized by aspirations to peace and structural transformation, competing with the transition to neoliberalism and the consolidation of power among economic and military elites within

a transnational economy. Now, the communities are seeking ways to respond to the neoliberal economy and the challenges that come along with the decisions made by powerful elites protecting their status quo. Social movements and collective participation in sustainable development strategies are now the social and economic strategy used by grassroots movements to fulfill their needs while avoiding state repression.

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Chapter III: Historical Background and Complexities of the Colombian Peace Process

Previous Latin American peace processes may be helpful to identify what strategies have been used under which contexts. They also allow policy makers and drafting actors of peacekeeping and peacebuilding strategies to identify what mistakes were previously made by other governments so that they are not repeated in the case of Colombia. However, it is relevant to this discussion to recognize that the Colombian peace process is distinct from those of Guatemala, Nicaragua or El Salvador. The Colombian conflict involved several variables combined with the involvement of illicit drugs fuelling the conflict, together with inadequate state responses that added a high degree of complexity to addressing a long-lasting, or effective at the very least, solution. The issues that negotiating actors and the Colombian government face are deeply rooted in social, political and economic cycles of structural violence that can be traced back to the period of “La Violencia” in 1948. This period of time was characterized by a violent struggle among the Conservative and Liberal parties to remain in power, under a system of limited political competition. “Colombia never overcame the nineteenth century political divisions between liberal and conservative: never resolved nineteenth-century issues of centralism versus federalism; never established a national government that truly forged and administered the nation; never replaced personalism, factionalism, and quest for partisan hegemony with a modern political agenda.” (Holmes, 2010, pp.21)

Even after the agreement establishing the National Front or “Frente Nacional” that put an end to “La Violencia,” the political and social change that was needed was not

directed to the areas in need. The Colombian governmental structures adopted a new political order by which the Liberal and Conservative parties would take turns in office as a solution to the previous violent period. However, several academics like Marco Palacios would argue that the bi-partisan struggle was not a fight between the Liberals and the Conservatives themselves, it was a struggle within a polarized society who identified with the ideals of different parties led by the party leaders. The ideological component was more a trigger for violence, given the underlying inequalities among different parts of the Colombian society such as the urban working class and the rural peasant class. William Ospina argues that the violence was a war between peasants and citizens from one party against peasants and citizens from another party. Jorge Eliecer Gaitan helped to promote a whole new way of seeing the political reality. Similar to other Central American dynamics in the 1930s, there was a class struggle between an agrarian oligarchy and the poor peasants. In this sense, the fight was not between two parties but between the agrarian oligarchy and the people. The fact of the matter is that the issues that gave birth to “La Violencia,” high levels of inequality in the agrarian and urban spheres together with dissatisfaction with the political order, were not addressed by a bipartisan agreement, since it focused on the political sphere only by sponsoring an “oligarchic democracy.” After the settlement of the National Front, the rural areas as well as the poor urban areas started to advocate for agency towards solving these underlying issues that the Colombian state has neglected to address. For the purpose of this research, the focus of this discussion is going to be narrowed to the rural areas since that is where the armed conflict first arose.

The Andes mountain range set the rural areas in a position of disadvantage due to the disconnect from the rest of the country that this geographical isolation represents. There is a deep gap between the rural areas where political decisions are made and the rural areas, extractive havens that support the economy of the country. This disconnect has made the issues in the rural areas less visible to the Colombian government as well as to the rest of the Colombian public opinion until now. Holmes argues that “geographic separation thus came to reinforce all the basic socioeconomic and cultural differences among major regions, and the result was an intense sectionalism that vastly complicated the first efforts at political organization” (Holmes, 2010, pp. 20) which ended up reinforcing a state of “permanent and endemic warfare.”

The first variable that favored the conditions for the armed conflict to begin was the state’s neglect of rural areas. The terms under which the state was involved in rural areas were conditioned on two main factors, the convenience of the landowners and the application of policies favoring export crops for the most part. “Throughout the 1960s, USAID, the World Bank and the Inter-American Development Bank all provided development assistance to Colombia with the explicit priority of supporting the development of commercial export crop” (Thomson, 2011, pp.337). This left small landholders in a powerless situation where all the state’s efforts to support the rural areas were specifically tailored to cash crops rather than public investment and rural development. Nicaragua, Guatemala and El Salvador experienced a similar rural dynamic related to the national economy’s “agroexport dependency.” Wealth was generated from export profits rather than a successful domestic economic growth based on the wealth of

their own people. In fact, profits for the agroexport elites depended on the continued poverty and limited land access of the peasantry, which guaranteed their availability for low-wage seasonal labor for harvesting export crops. It became hard for peasants to endure the harsh labor conditions and constant unaddressed violence from landowners product of the societal structures shaped by “La Violencia.” Peasant communities had to sustain themselves and claim their autonomy from landowners while trying to compete for the domestic market with foreign industrial agriculture enterprises. “The expansion of agricultural exports, which grew by an average of 8.7 per cent a year throughout the 1960s, had problematic corollaries in domestic food production.” (Thomson, 2011, pp.337). Food security, public security as well as economic sustenance became main unaddressed issues for the peasants.

This is when we start to see the close relationship between economic inequalities and conflict. In the case of Colombia, the attempt to address these inequalities by the peasants led to the beginning of a new cycle of armed violence, triggered by the same constant variables that triggered the previous one. The same unequal structures present during “La Violencia” were still in place under the new political regime, which means that the same struggles that the liberal-guerrillas were fighting for were transferred to a new social sphere. On the other hand, the Communist Party of Colombia (PCC), which was also left out of the National Front, took an important role in organizing the rural areas in order for them to “take justice on their own hands” given the government’s neglect to do so. Eventually, rural self-defense groups arose as a consequence of the combination of the discontent of peasants with the constant threat of violence from

landowners, together with the ideological and political fundamentals set down by the PCC after several failed attempts to get the peasants' interests represented in the government's agenda through political participation. And so, "The great social inequality and instability gives rise to a dynamic that confers legitimacy on revolutionary projects and violent alternatives" (Holmes, 2010, pp.81). The campesino self-defense groups were providing for the community's security needs as well as advocating for a self-sustainable communal system where they would organize independently in order to avoid going through the state to fulfill their needs.

At that point it was clear that the claims voiced by the PCC and the campesinos were only achievable through agrarian reform, which directly targeted the areas of economic interests of the United States in Colombia, since the peasant economic autonomy initiative challenged the export-based control of natural resources in the rural areas. Conflicts also emerged as poor peasants refused to be bound by unfair labor arrangements of big corporations, in the presence of a new local economic alternative. The government responded to this threat of a new political and social movement by repressing it. Gustavo Rojas Pinilla banned the PCC and attacked its armed enclaves. Forced displacements into Tolima, Meta and Caqueta led to settlement of communities that would later organize into the FARC government. This is because "The country's long history of government repression is closely tied to the influence of US counterinsurgency policy, which has sought to insulate the Colombian state from popular pressures for reform" (Thomson, 2010, pp. 338) In fact, it could be argued that the formalization of the FARC as an armed group was in response to the Marquetalia

Operation, a US sponsored military attack, part of a larger project called the Plan LASO (Latin American Security Operation). The US provided a bomber to attack the enclave as well as the training and armaments to do so. Most importantly, the United States intervention in Colombia was particularly successful in implementing its anti-communist agenda in Colombian politics as well as in society. Due to the Cold War context and the success of the Cuban Revolution, the United States foreign policy strongly focused on communism contention plans in Colombia to avoid the left taking power. The culmination of political exclusion together with increasing violence and lack of economic opportunities prove that the FARC's origin did not take place in a vacuum. However, its lack of mass support can be explained by the derogatory language used by the political elite-owned media, including TV channels and the main national newspaper, to refer to this group. The public media gave a clear impression to shape public opinion of the FARC: They were criminals.

From a structural violence approach, the origin of the FARC becomes a starting point towards the discussion of the issues that were carried all along the way until the present, while new factors of complexity were added to the Colombian conflict. The ideological antagonism between leftist armed rebels and a right-wing US-influenced government, also "gave birth the establishment of a rural subculture, a peasant social class and a revolutionary peasant group constituted by this same social class."(Thomson, 2011, pp.15). As a consequence we see new groups like the ELN and EPL built on similar two types of exclusion: social exclusion of the rural poor and political exclusion of the National Front. Despite the repeated attempts of these originally self-defense

groups to voice their need for government participation and political agency, the government took minimal action toward addressing the issues related to land distribution and rural areas improvement. An example of this is the Agrarian Social Reform Law in 1958; Thomson argues that even ten years after it was implemented, only 1 percent of the land qualified for redistribution was distributed(Thomson, 2011) It is also important to recall that most of this land was also state owned. The lack of the government's will to address the issues that the FARC, ELN, EPL were advocating for in their early stages would have costly consequences. The Colombian government's reaction to demands for reform has historically been characterized by repressive measures that are effective only in prolonging the effects of injustice rather than attacking the causes of it.

In fact, the poor conditions of the rural economy escalated to the point where the peasants were incapable of producing in large scale, or of generating goods with prices that could compete in the newly forming neoliberal market. This created the conditions for the growth of illicit drug cultivation in Colombia. The proliferation of illicit crops in Colombia implied the involvement of yet another relevant actor to the armed conflict (the drug cartels), as well as a change in the behavior of the Colombian legal institutions. Starting in the 1970s, the "narcobourgeoisie" generated a whole new wave of problems. In the first place, they were a source of financing for the guerrilla groups, who started to gain profits from taxing the amount of cocaine transporting or taxing peasants for the amount of cocaine produced, initially, so that armed groups like FARC became regulators and guardians of the illicit crops. However, It was not until 2002 after President Alvaro Uribe was elected that the FARC began to be involved in production and transportation of

illicit crops with the help of the AUC (United Self-defense Forces of Colombia, i.e. the right-wing paramilitaries). In the second place, given their economic affluence, their agenda was filtered through the Colombian legal system through a system of financial transactions to senators and congressmen or sponsoring political campaigns. A clear example of this was the election of drug cartel leader Pablo Escobar as representative to the House of Representatives in the 1980s, as well as the well known 800 Process, which sought to investigate the sponsoring of the Cali drug cartel to the presidential campaign of President Ernesto Samper as well as other congressmen. This new addition to the legal system implied a shift in priorities of the government towards an agenda that was beneficial to the powerful actors now including drug dealers, instead of addressing the strengthening of the rural economies or political participation of those with the willingness to advocate for that kind of policy.

Given the threat that conflict presented to foreign investment and economic stability, President Belisario Betancur started the first peace process in 1982 as the transition to illicit crops was happening in the middle of the armed conflict. This peace treaty included amnesty to guerrilla members, as well as the consensus to finally allow the FARC's political representation by the signing of the Uribe Accords which created the Patriotic Union (UP) as a political party for leftist rebels who lay down arms. The UP was also growing politically. In the 1986 elections the UP candidate Jaime Pardo Leal gained 328,752 votes, the biggest amount of votes that a leftist candidate had ever had. For the first time in Colombia's history, a leftist party had established a notable presence on the country's political scene. As a response to the threat of the rise of the left in

Colombia, the government reacted by implementing Law 48. This law allowed the military forces to organize and arm civilian units to fight the growth of the UP and the FARC. In fact, "In 1988 when the party's candidates proved victorious in sixteen mayoral elections, three of them were immediately assassinated." (Thomson, 2011, pp.30). It became a "political genocide": more than two thousand members of the UP were assassinated during five-year period.

An important enabler group of this "political witch-hunt" were the right-wing paramilitaries, who started as private armies hired by landowners, drug traffickers and the business sector to protect their interests from the FARC and other leftist guerrilla groups: The paramilitaries. The paramilitary groups started as local self-defense groups to oppose the FARC's growth in landowner areas. This was because the principle of self-defense became very important to maintain a sense of order in the rural areas from different groups, the peasants and the land owners. That is, because the Colombian government did not take legitimate use of their coercive power to attack the leftist peasants, "Paramilitarism served a strategic goal in combating a strengthening armed insurgency... Civilian authorities weakened the institutional role of the armed forces in part in order to become more integrated in a neoliberal economic order, while tolerating or facilitating paramilitary repression of political and military opposition to this integration." (Avilés, 2006, pp.285). This group of people that were now legitimized by Law 48 operated legally in the name of democracy, although they "are responsible for a large part of the violence and human rights of the country. In 1989 they killed 11 members of judicial institutions" (Bibes, 2001, pp.249). The amount of killings of members of the judiciary

branch showed the capability of organized crime to destabilize the government. Later on, in 1997 Carlos Castaño managed to officially unify all these isolated local private armies of anti-guerrilla resistance across the country into the United Self-Defense of Colombia (AUC), whose ideals were also congruent with some of the United States counterinsurgency strategies. At this point it is important to recall the involvement of the AUC with the illicit drugs trafficking, since “a 1998 classified document by the *Departamento Administrativo de Seguridad*” (DAS) listed Colombia’s top paramilitary leader, Carlos Castaño, as a well-known drug trafficker” (Bibes, 2001, pp.249)

After the 1988 elections, the remaining members of the UP retired completely from politics, ended up in exile, or went back to the jungle to fight together with the FARC. After this political genocide, President Gaviria tried to get the FARC to enter dialogue for another peace process in 1999. This initiative wasn't able to succeed due to the lack of willingness from the Colombian government to discuss economic policies. At this point the FARC were able to sustain their subversive activities by obtaining funding from illicit activities. They were now economically independent, which means that public support was not their main funding factor anymore. The profits the FARC made thanks to this business helps to explain their expansion in the 80s decade. The drug industry improved the FARC’s economic situation by adding to their source of revenue based on kidnapping, extortion and racketeering.

The independence of the FARC gave them an advantage in terms of having enough power to bring issues like the need for an agrarian reform and a new peace process to the government. By the early 2000s, the FARC were organized enough to be

able to afford to not settle for anything less than they were asking for. They remained faithful to their declaration in the FARC's Eighth Conference in 1993 to oppose the neoliberal economic policies that were being implemented in Colombia, and they would not settle on dialogues unless security guarantees and discussions of the economic policy were part of the negotiation agenda.

As a matter of fact, the Colombian government remained supportive of that neoliberal policy by letting it be the driving factor of the third agrarian reform. This reform was intended to be "market-led," which implied that it would be based on "voluntary transactions in which land is bought and sold for immediate cash payments at market prices" (Holmes, 2010, pp.342). But the efficiency of this agrarian reform was doubtful, since only 10 percent of the planned 1 million hectares available were distributed. Market-based priced lands were not a possibility for a struggling poor peasant class. In 2005, President Alvaro Uribe implemented the agrarian counter-reform, which was mainly in favor of the wealthy landowning class that it represented. This reform also included a prioritization of export crops and the utilization of land for biofuel production. Uribe also had a significant impact on the direction of the armed conflict through his "Democratic Security" policy to put an end to it through an intensified military offensive. Given the assumption that the FARC were a subversive leftist group, heavily involved with narcotraffic as well as a highly dangerous actor, Uribe proposed to put an end to the conflict by using a heavily militarized hard power approach to settle the conflict. He was a defender of security, which was the state-level cornerstone that the FARC was threatening. Uribe also manifested that his approach intended to support the security

approach through electoral democracy, public opinion consensus, since the FARC were also an obstacle to the fulfilment of truly democratic practices in Colombia. This military approach to the conflict resonated with the historical system of alliance between the United States and Colombia, when an internal situation in Colombia becomes a national security threat for the United States. In this sense, massive U.S. assistance began in 1989 under the pretext of a “war on drugs,” when presidential candidate Luis Carlos Galan attributed the proliferation of illicit crops to the Medellin cartel. Later, in 2000 President Clinton signed into law the first instalment of Plan Colombia, which authorized a package for the sum of 860.3 million of which 75 percent were to be designated to security. In 2003, Latin America is considered the most affected region in terms of domestic terrorism, and “as a result, US concerns in the region refer to the possibility that structural deficiencies and the rise of illegal activities” (Prevost, 2014, pp.20) as a direct threat to their national security. The U.S. funding was invested “too heavily in helicopters and military hardware, instead of support for civil society, democratic institutions and human rights defendants.” (Prevost, 2014, pp.166). This is proof of the how the economic support of the United States was important in order to sustain the war on terror under the claim of protecting the national security of Colombia, the United States and, implicitly, the national security of the entire region. The costs of this approach implied hundreds of deaths that continued until in 2012, former Defense Minister Juan Manuel Santos took advantage of the FARC’s weakened position to begin a process to settle the conflict through a more structured, peaceful way. The document that marked the beginning of the peace process was signed the 26 of August of 2012 in Cuba.

One can arguably say that Uribe's heavily militarized approach against the FARC in order to prevent them from claiming their political rights is counterproductive of the essence of the representative principle of democracy. However, the militarized approach built on the public opinion regarding who the FARC were in the beginning of the XXI century, compared to who they were in 1964 when they first started. Their offensive violent approach to achieve their means (due to the government's denial for them to participate in the government decision making processes through democratic means) translated into a criminal image, their involvement with illicit crops turned them into drug dealers, and their leftist ideology translated into an immediate threat to democracy. This last element was also fuelled by the public opinion's fear of Colombia following the steps of Venezuela if the left was allowed in power. All of these elements contributed to a poor image in the view of Colombian public opinion, who only knew as much about the FARC as the mass media allowed them to. Additionally, there has been an ingrained fear of the left, mainly rooted in the Cold War US- influenced context, to rise to power all through the history of Colombia. In this sense, the fears of the Colombian population formed the basis of public opinion. It is also important to recall that the Colombian civil society was not aware of the implications of the responses of the Colombian government that included sponsoring paramilitary groups (responsible for the largest share of civilian killings), or decision making processes based on narcotraffic money. In fact, they were not aware that "the paramilitaries are pro-governmental with strong links with the state" (Sanin, 2008, pp.6). There was a common enemy between the government and the paramilitary forces in their initial stages of formation, that being the leftist-oriented

guerrillas. Therefore, due to the paramilitary success, “a number of Colombian army officers tolerated and encouraged them. This included the provision of intelligence and weapons, as well as putting them in touch with retired officers who provided training and technical assistance.”(Spencer, 2001, pp.6). Whether or not the government recognized publicly the legitimacy of the paramilitaries and their actions against the FARC and ELN, the fact is that it was aware of their existence and allowed their operations. Furthermore, the Human Rights Watch gathered evidence that suggested that there was a clear alliance between the Colombian armed forces and the paramilitaries in 2000. There has been proof that “the Third Brigade provided the Calima Front with weapons and intelligence.” (Human Rights Watch, 2000). There have also been claims that “Among the alleged paramilitaries Attorney General investigators told Human Rights Watch enjoyed free access to Fourth Brigade headquarters in 1997 and 1998 was Jacinto Alberto Soto, known as "Lucas" and believed to act as the ACCU's accountant” (Human Rights Watch, 2000). There is also evidence of a joint paramilitary-army attack to the village of El Aro with the goal of emptying the area, since it was believed that it was full of FARC supporters. Witnesses affirm that it was the paramilitaries entering the village while the Colombian army surrounded the area.

However, the civil population was never aware of the rural areas' situation. Due to the geographic disconnect between urban and rural areas, it was hard for Colombians to perceive the conflict in terms of its origins and how it developed, because the information that they received was also biased by the main media channels owned by the country's bourgeoisie and political elites for decades. For example, one of the main

newspapers circulating in the urban areas, “El Tiempo,” and the main national TV channel “Caracol,” were owned by one of the most politically active families: The Santos. This explains the negative public opinion view of the paramilitaries and the leftist-guerrillas in contrast with their support for the Colombian armed forces.

Complexities of the Colombian Peace Process Compared to other Latin American Processes

President Juan Manuel Santos’ approach recognized the underlying issues that an armed settlement of the conflict could not address. Santos’s government was facing a peace process far more complex than the previous processes in Latin America in terms of achieving a consensus from all parties on a set of viable solutions. This is due to the lack of trust by the FARC of the Colombian government’s capabilities to respect the agreement and follow through, given the precedent of three previously failed peace processes. Another issue that added complexity to the peace process was the involvement of the illicit drugs issue, as well as the amount of additional stakeholders involved such as the private sector, the Afro-Colombian and indigenous population, the rural populations, and foreign government intervention. For this analysis we may refer to Preti’s understanding of conflict as a whole. If one was to break down the nature of the Colombian armed conflict, one must then include an analysis on the causes of the conflict as well as the functionality (for the armed actors) that allowed it to sustain itself for half a century. Speaking in terms of structural causes, one may attribute the conflict to the unequal conditions experienced in rural areas. First, the issue of land distribution has

been transcendent throughout Colombian history since independence. This is due to the legacy carried from the colonial period, when wealthy landowners had the power over extensive territories. As a consequence of this, peasants were bound by this system where they had to work for their “pancoger” (subsistence) for the landowner or work in their small lots for sustenance. Second, peasants suffered from the lack of state presence that neglected the right of small landowners to protection from landowner abuses and attacks, as well as lack of an effective judicial system to punish the perpetrators. Third, the lack of state presence also was reflected in the lack of public investment in rural infrastructure, education, healthcare and agricultural technification. This was a major issue once peasants could no longer support themselves due to their disadvantaged position in the markets compared to the foreign industrial companies. The economic decline of the rural areas has a lot to do with the neoliberal policies implemented since the 1980s for the convenience of transnational corporations. Fourth, the violent repressive response from the state to the self-defense campesino communities’ claims, allowed the latter to evolve their self defense nature towards an offensive strategy to use violence as a mean to get their claims heard. These structural causes were not properly addressed.

We see a common denominator in all Latin American conflicts where their origins can be tracked to similar structural causes. This is true especially for the land question and the highly repressive regimes that aimed to quiet the voice of the people and establish order by violent means. Guatemala and El Salvador had similar initial points where campesinos started to organize themselves into armed groups to voice their concerns as a response to a highly repressive regime. However, none of these previous armed conflicts

lasted as long as the Colombian conflict has. There are several factors that contribute to this outcome. The dynamics in the rural areas involving private armies hired by conservative landowners allowed for the Colombian government to further utilize and transform these groups into part of the counter-insurgency strategy, the paramilitary forces. This strategy gave the Colombian government the possibility to advise unconstitutional war strategies through the AUC without the direct involvement of the legitimate Colombian army. This made state accountability difficult to take place. Most of the repressive regimes in Latin America were led by the armed forces of each country, as is the case in El Salvador. Nicaragua, on the other hand, used the *contras* to fight the Sandinista National Liberation Front (FSLN). The *contras* were a US-backed and sponsored group, which means that the responsibility of these actions does not rely exclusively on Nicaraguan domestic actors as is the case of the paramilitary forces in Colombia. In addition to the appearance of a third armed actor (AUC), the sustained nature of the conflict can also be attributed to illicit crops as the source of funding for the FARC and the AUC. This allowed the irregular armed groups to keep funding their operations for decades. As a final combination of the previous factors, the end result was that highly corrupted legal institutions received economic remunerations in favor of sponsoring the “parapolitics” or the “narco-politics.”

At this point it's important to bring up Preti's functionality approach, in the sense that the armed conflict began to have a functional benefit to all the parties involved once they realized that they could achieve their own agendas through it. It was precisely the functionality of the conflict for each individual party that prevented them from achieving

a consensus to put an end to it. Ironically, each party's actions were legitimized by the offensive actions of the other parties. This also resulted in an interactive dynamic of cycles of violence where the rule of law was broken down in parts of the territory, justifying opportunistic use of violence rather than the use of violence based on political reasons. The end of the conflict implied that the justification for engaging in profitable yet unethical actions was not present anymore for the Colombian government and the paramilitaries. This means that any attack from the government or the paramilitaries against the people in the rural areas under the excuse of them being subversive organized forces like the FARC, could seem illegitimate due to the "end of the conflict" and the removal of the FARC as an armed actor since it's now conceptually a political party. However, It's also important to keep in mind that actions may be taken against dissident members of the FARC that did not turn in their weapons or returned to illicit activities. In the case of the Colombian government, the presence of an armed group that could be labeled as a terrorist criminal organization legitimized their reluctance in engaging in reforms addressing the structural causes that the FARC was advocating for. After the The use of violence from the campesino self-defenses allowed the transformation of a social justice issue into a military enterprise. The government could guard their interests in terms of land by using the monopoly of armed forces against those who voiced their concerns in the rural areas by categorizing them as leftist-criminals. The paramilitaries were taking advantage of the economic remunerations from landowners and drug dealers as well as the support of the Colombian government by fighting the FARC, as well as getting their agenda through the Colombian legal institutions due to the fact that they

were handling the military side of the anti-communist fight, together with the neoliberal political reality of Colombia in the 1980s . Lastly, the FARC had also a legitimate excuse to use their armed capabilities to fight a system that made it impossible for them to accomplish their political and social agenda, while also remunerating themselves from illicit crop activities.

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CHAPTER IV: THE PEACE ACCORD AND ITS CHALLENGES

The 2016 Peace Agreement

After four years of negotiation, the Colombian government and the FARC representatives reached a hard-won peace agreement. The peace negotiations started in September of 2012 in Havana, Cuba. The General Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace was signed as a roadmap to follow through and conduct the peace talks. These peace talks intended to address larger structural issues that could not be addressed only by the end of the conflict. The exploratory meetings of the Colombian government and the FARC representatives led to six main points of discussion: integral rural development, political participation, end of conflict, solution to the issue of illicit drugs, ratification, implementation and verification. Santos recognized that a belligerent approach to war would only keep perpetuating the conflict instead of settling a dialogue where both parties could advocate for their interests.

As described in Chapter 1, there are several complications when it comes to settling the grounds for the post-conflict. One of these areas of discussion is the prevalence of the economic interests of different groups that can be factors that fuel the conflict. In the case of Colombia, there has been a conflict of interests among the regulations on the use of land. The new post-conflict economic alternatives regarding the land must be more appealing to all stakeholders, especially to those sectors of population that had to resort to illegal and illicit activities during the conflict, so that they don't resort

to their old practices in the post-conflict period. It is also important to recall the attempt of the FARC leaders to fight neoliberalism as the economic policy that will address poverty and inequality, particularly after the post conflict. Additionally, the unequal arrangements regarding the rural areas combined with a repressive response from the government as a solution to the peasants' claims has been one of the major structural causes of the conflict. The issue of land distribution, technification of rural agriculture, lack of basic services like education and healthcare, and violent confrontations between the government and armed actors have not only hindered the development of rural areas, but also contribute to the apparent lack of attractiveness of Colombia's economy to foreign capital due to the additional cost of the damages to infrastructure and roads that the armed groups' attacks caused. It was to the advantage of the Santos administration to settle the conflict in the most effective way before its presidential period was over, even if that meant compromising the traditional elite interests that facilitated the prolongation of it during the negotiation process. Just as in the Guatemala, Nicaragua, and El Salvador's peace accords, the fact that there has been a settlement of an agreement discussing the relevant issues to put an end to conflict does not guarantee that these solutions are going to be immediately implemented.

Other important comparative variables in the post-conflict peace-building have been brought up by various academics regarding the different areas of the state that were affected by the conflict. When it comes to the judiciary branch to account for the rights of the victims and the accountability of the perpetrators, it is important to consider the matter of transitional justice in the post conflict period. Transitional justice refers to the

challenge of “how to make one-off moral compromises during transitions without these becoming precedents for shaping the new society; and second, how to build a foundation for future justice in the context of the denial of justice during the transitional period.” (Van der Merwe, 2016, pp. 361). In other words, its short term application during the transition will shape the prospects for long term stability. Another challenge of building a peaceful post-conflict society involves the participation of civil society in building such context in the long term. A post conflict society must see a shift from the previous oppressive structures present during the conflict context. In this sense, transformative justice can help to bring about a “change that emphasizes local agency and resources, the prioritization of process rather than preconceived outcomes and the challenging of unequal and intersecting power relationships and structures of exclusion at both the local and the global level” (McGill, 2017, pp.88). The application of these different approaches in the process of implementing the Colombian peace agreement will be discussed in this chapter.

In terms of content of the peace accords, it is evident that the FARC negotiators made a point to include all the factors that fostered these structural inequalities, which the Colombian government finally consented to include. In fact, the first point of the peace accords addresses the land issues in terms of distributing three million hectares to the rural population. This point focused on the redistribution of lands with no title, unduly appropriated or occupied. It also attempts to increase the environmental regulations regarding the use of forests and the protection of the ecological interests of the country. These lands are meant to be distributed mainly to rural women and displaced people to

ensure their sustainability. This point of the accord, the comprehensive rural reform, also ensures that there will be measures taken to enhance the use of land in terms of seed capital and technical assistance, as well as the creation of favorable conditions for productivity such as roadways, irrigation system, healthcare, education, housing and market access. The Comprehensive Rural Reform “ must successfully achieve an in-depth transformation of the rural situation in Colombia: greater inclusion at a regional level, eradication of poverty, greater equality and guaranteed full enjoyment of citizens’ rights and, as a result, guaranteed non-recurrence of the conflict and eradication of violence.” (Final Agreement to End the Armed Conflict and Build a Stable and Long Lasting Peace, 2017, pp.10). It is important to recognize how the Colombian government phrased the “structural transformation” of the rural areas in the Final Agreement in terms of abstract values of “fairness, equality and democracy” instead of mentioning structural re-distribution of land, which is one of the main historical sources of conflict in Colombia. The Agreement mentions that there will be a democratization of the use of land “Land Fund for the CRR (3 million hectares) and section 1.1.5. Large-Scale Rural Property Titling (7 million hectares), the next 12 years will see an extension under the Comprehensive Rural Reform to 10 million hectares...the goal of land titling will be achieved within the next 10 years and the land titling within the DPTFs within the next seven years” (Final Agreement to End the Armed Conflict and Build a Stable and Long Lasting Peace, 2017, pp.13). The terms of this redistribution are not included in the peace accords. Just like in the case of Guatemala, the land redistribution task is

designated to a special rural and legal system that was not clearly defined at the time the accords were signed.

It is important to recall that according to the Peace Agreement, the land reform is going to involve active participation from the rural population, promoting dialogue mechanisms between the government and the communities. The accord proposes the incorporation of programs that will help to define the agricultural frontier and strengthen the rural economy through the Farmer Enterprise Zones (*Zonas de Reserva Campesina*). This new land reform would be carried out in a way that rural areas are given the necessary tools in order to compete with globalization as well as partake in the national economy. The Agreement also makes it a goal to eradicate extreme poverty and reduce rural poverty by 50%. It is clear that the Colombian government has proposed an attempt to fulfill these goals, but if one was to track the actual steps taken by the government to implement and proactively seek their achievement, one must look at the economic indicators of the rural areas that have been affected by the conflict. In the example of the communities in the Northern Cauca where around 80% of the population is poor, there is 64% unemployment and 21% of the population cannot write or read, and claims for education and health reforms have not been addressed by the government. An example of the government's response to these claims that should have been addressed by the implementation of the Comprehensive Rural Reform (CRR) were taken care of by the government by the construction of a municipal high school in the area which was never finished, or by attempting to move the people to government-funded housing, to remove

them from areas of economic interest. Such was the case of the communities in Kilometro 9, La Esperanza and San Juan.

Additionally leaders of these communities like Rodrigo Castillo stated to members of the Witness for Peace Delegation in 2017 on an interview: “we cannot complain, the most violent one is the state.” (Castillo, R. personal communication, July 16, 2017). Looking at the economic indicators of Colombia, the organization Colombia Reports shows that the poverty rate of Colombia has decreased from 28% to 26.4% from 2016 to 2017. It is also important to note that the rural poverty rate has decreased from 38% to 36% in the last year. (Colombia Reports, 2017). It would be relevant to the following mechanisms to further investigate which indicators are being measured and see if they are truly reflective of the condition of the people in the rural areas.

The second point addressed by the peace agreement involves the political participation of the parties that would be representing the FARC’s interest in the political arena. This agreement made sure to address rights and guarantees for the political opposition. There also seemed to be a commitment from the Colombian government to guarantee security measures for ex-FARC combatants, leaders of social organizations and human rights advocates. This point also tries to cover democratic mechanisms for citizen participation in the form of a National Council for Reconciliation and Coexistence to engage citizens in reconciliation, anti-stigmatization and diversity awareness program. In order to guarantee transparency in the democratic procedural practices, the Colombian government also advised the creation of city oversight boards and the involvement of watchdog organizations. In order to engage the civil society in the democratic practice,

the Colombian government has committed to execute educational programs about democracy and political and social organizations and for the promotion of leadership of women in politics. In other words, building what the United Nations calls “cultures of peace.”

The third point addressed by the Colombian government has to do with ensuring a long-lasting end to the conflict. This section included the terms of the bilateral, definitive ceasefire and terms in which the laying down of arms was supposed to happen. The accord proposed a transitional space for the FARC-EP members to lay down their weapons, the Transitional Local Zones of Normalization. The settlement of these areas included certain guarantees from the government such as safety protocols for the safe transportation, handling, storage and control of the weapons, ammunitions and explosives of the FARC-EP. As a second part of this point, the government designed a plan for the reincorporation of the FARC-EP members to the civilian life and political matters. The FARC members who lay down arms would be granted special measures of security and care, especially the minors who were involved in the armed combat. The political reincorporation would ensure that the FARC’s right as a political party is recognized; this measure also includes the designation of 5 seats for the FARC in each chamber of the Colombian Congress. The economic and social reincorporation of the FARC will also include programs of socially productive and environmental programs, as well of a conditional monthly basic wage corresponding to 90% of the national minimum wage. The government also commits to give the demobilized FARC-EP members access to

education, housing, culture, sports and recreation, psycho-social care and family reunification plans and programs.

The fourth point of the agreement discusses the solution to the illicit drugs issue. The accords address Creating a National Comprehensive Program for the Substitution of Crops Used of Illicit Purposes (Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito - PNIS), as a chapter of the Comprehensive Rural Reform (Reforma Rural Integral - RRI). This institution would be in charge of making sure that there is an appropriate substitution program that would provide alternative beneficial opportunities to drug-crops to the peasants in the rural communities. There would also be an intensification of the fight against criminal organizations engaged in drug trafficking, as well as stricter policies regarding regulating the chemicals used to process drugs.

The fifth point addressed the armed conflict victims' rights in terms of truth, justice, reparation and guarantees of non-repetition. One of the first measures taken by the Truth, Coexistence and Non-Repetition Commission (Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición). This entity would be in charge of advocating for the realization of the right of truth to the victims as well as their recognition. One of the most controversial points of this section is the creation of the Special Jurisdiction for Peace (Jurisdicción Especial para la Paz), which would investigate and punish cases of crimes committed in the context of the armed conflict. This was an important source of discontent among the public opinion which resulted in the failure of the October 2, 2016 referendum to ratify the peace accords, due to the lack of accountability of perpetrators of human rights abuses which translated into a legal

framework fostering impunity. The revised accord (which was approved by Congress on November 30, 2016, but not submitted to referendum) stated that crimes such as crimes against humanity, genocide, serious war crimes, hostage taking, kidnapping of civilians, torture, extrajudicial executions, forced disappearances and sexual violence would not be subject to amnesty or pardon. The accords promise comprehensive measures for peacebuilding purposes such as collective land reparation, development programs, return of displaced persons, land restitution and the promotion of social-coexistence. It is important to note that this point is impossible to implement without the effective fulfillment of the previous points of the agreement. The Colombian government committed to protecting the right to peace in areas most affected by the conflict.

The final point is the implementation and verification mechanisms. The accord creates an Implementation, Follow-up, Verification, and Dispute Resolution Commission for the Final Agreement (Comisión de implementación, seguimiento y verificación del Acuerdo Final de Paz y la resolución de diferencias - CSVR). This commission will run on a 10-year basis and would be in charge of the fulfilment of all the points discussed in the agreement. As a result, this commission will produce a Final Agreement that will be prepared over two presidential periods, which shall be included in the National Development Plan (Plan Nacional de Desarrollo - PND). However, this measure is hard to guarantee because of the institutional uncertainty that the May 27, 2018 presidential election will bring. This commission will also make sure to address funding mechanisms for the implementation of the peace accords. This is going to come mostly from the General Transfer System (Sistema General de Participaciones) and the General Royalties

System (Sistema General de Regalías). This point also includes different measures to ensure transparency and consistency with the terms accorded in order to build a long lasting peace. Colombia's High Council for the Post-conflict states that the cost of the implementation of the peace accords is around \$42.5 billion over the course of 15-20 years.

Given the limited economic resources for the Colombian government to cover the complete costs of the agreement, the role of foreign donors will be important, especially the EU Trust Fund for Colombia, which is set to have a sum of 95 million Euros to help Colombia implement the peace agreement in the early recovery stages and secure a stable and lasting peace. The United States has also contributed funds to finance the implementation of the peace accords, through the Peace Colombia program, increasing funds 25% compared to those available for Colombia in 2016. Another source of donations from the United States is the United States Agency for International Development (USAID), which also attempts to address social and development challenges among the private sector, the Colombian government and the rural areas. Colombia also has received funding from the World Bank and the United Nations. However, according, "the amount received by foreign actors is estimated to be no more than 9% of the total funding needed"(Ballesteros, 2017)

Implementation Challenges: From Paper to Reality

Even though it has been over a year since the peace agreement was signed, the effectiveness of the application of this peace can begin to be evaluated in terms of the

initial level of commitment from the Colombian government in terms of implementing the peace process. The Colombian peace process has been acclaimed internationally based on its written content, however, it is important to make a distinction between the image that the international community is perceiving based on the content of the agreement and its domestic perception based on the implementation. There are several short-term points of the agreement that have not been properly implemented, and this can cause serious repercussions when it comes to the establishment of a long lasting peace in Colombia. A successful implementation of the peace accords in a way that the government's actions stay loyal to the object and purpose of the peace treaty, will necessarily challenge the dominant political and social structure. In this sense, modest reforms will be useless to establish a long term peace unless these are implemented progressively with the aim of changing the system.

When it comes to the land reform, the coalition of political and social groups including landowners, cattle ranchers, agribusiness elites and extractive multinational corporations keep engaging in continuous efforts to stymie implementation of the accord. The relevance of the land point of the peace agreement is that if properly implemented, an integral agrarian reform will challenge the status quo that has been ruling the Colombian political and social context since the colonial period. Even though the agreement provides that land would be redistributed, protected and better managed, we still see the government delegitimizing the agreement by taking little initiative to put the rural population socio-economic interests over the transnational corporations' agenda. In the specific example of the community La Esperanza, the local inhabitants told Witness

for Peace delegates on an interview that they were not allowed to extract wood from the forests since the territory where their community lives was declared a national forest reserve, while foreign companies are allowed to do so (Interview, July 17, 2017). Another example is the Communities of Kilometro 9, who claim to have been displaced by the crowd control forces of Colombia (ESMAD) from their houses so that their lands could be used to build a road for transnational companies to be able to transport their goods from the port of Buenaventura. This is a common issue affecting returning indigenous and Afro-Colombian communities. These communities need more serious forms of protection for their land rights as well as the security of their community leaders and social activists. There needs to be an acceleration of the creation of the strengthening of the rural legal system to process and address such claims. In this sense, there would actually be a creation of territorial regulations in order to promote dialogue between government and the people as agreed in the accord regarding the use and distribution of the land.

In terms of political participation, one of the main challenges that the implementation of this peace agreement has struggled with has to do with the social and political atomization of the country, based on a deep tradition of exclusion and fear of the leftist ideology. The peaceful inclusion of the left into the political system has to do significantly with the levels of acceptance from public opinion of the idea of the FARC participating in political decisions. This can be seen in the “Observatory of Democracies” surveys, where even though 67% of the Colombian population agreed to a negotiated peace, only 41% supported a negotiated peace accords with the FARC. In fact, the

percent of trust by the civil population towards the FARC did not go over 7% in 2016 (Galvis, N, 2016, pp.25). However, this type of project of rebuilding trust and engaging the civil society in a democratic culture is hard to achieve due to the members of the “no campaign” sponsored by former President Alvaro Uribe. Without political unity, the promise of social unity is hard to achieve. The accord’s aim to address the historical past of the country based on a coexistence approach has become hard to implement, when the stigma around ex-members of the FARC follows them in the political and social spheres. One could argue that the results of the 2016 referendum are reflective of this political fragmentation that led to a social fragmentation, taking place in a context of poor democratic culture. The fact that only 40% of the Colombian population participated in the referendum was reflective of a poor democratic culture, combined with the lack of enabling mechanisms from the government to guarantee safe access to voting sites in face of the different burdens that made it hard for people to vote (The Caribbean region faced a hurricane that day). The polarized responses of the voting population could be explained by the areas of influence that the “no campaign” had an impact on the public opinion by advertising the peace accords as a way to give the country to the FARC, a legal framework to enable the left to transform Colombia to be like Venezuela. Regions like “Norte de Santander experienced misinformation campaigns led by locally influential right-wing groups that emerged after the official demobilization of the paramilitary umbrella organization AUC.” (Idler, 2016). It is also interesting to note that those departments that were most affected by the conflict voted yes, while those who were geographically distant from the actual context of the conflict and urban areas that

received the most influence of the mass media voted no. This is also another example of the urban-rural divide in the country, a remaining structural obstacle to implementing a sustainable peace.

The political participation of minorities and the rural communities that have been most affected by the conflict still needs to be addressed. According to the Kroc Institute Report by the University of Chicago, it is necessary to foster “the participation of Afro-Colombian and indigenous minorities in peace accord implementation, particularly monitoring the fulfillment of the promises contained in the accords” (Haugaard, 2017). The government must also re-build institutional trust by staying loyal to the agreement in order to establish a solid democratic culture. In this sense, the legal processes regarding investigation of disappeared persons and accountability of the perpetrators of human rights abuses during the conflict must be upheld. The appropriate functioning of the Special Jurisdiction for Peace is necessary as a preliminary step towards establishing a long lasting peace.

The Colombian government has also lost a lot of credibility from the FARC members with regard to implementing the third point of the peace accord. The failure to reincorporate the former FARC-EP members is a detrimental factor to the long-term stability of the country. This is especially true because the guarantees of non-repetition of the conflict are also based on how well the Colombian government achieves the incorporation of the former guerrilla members by giving them adequate guarantees such as access to education, job training and healthcare, among other factors. This is particularly important in terms of the Colombian government being able to provide

security guarantees to them. There has been an underlying lack of trust coming from the precedent set by the assassination of the UP candidates in the 1980s during the period of democratic elections. This fear has also been fueled by the amount of assassinations of human rights activists in Colombia: *The Guardian* claims 2017 as “The deadliest year on record for human rights defenders in Colombia, with 121 human rights activists killed in that year.”(The Guardian, 2017). The degree to which the Colombian government commits to fulfilling the immediate needs of the demobilized FARC members will determine whether or not they will return to the armed struggle as dissidents or engage in other illicit activities to ensure their sustenance.

The international NGOs like WOLA and the Kroc Research Institute from the University of Notre Dame have agreed that the handling of the illicit crops is one of the weakest points in this agreement. This process does not incorporate international verification mechanisms, making it hard to enforce the “voluntary” character of the illicit crop eradication. Cristian Delgado, who manages human rights for COCCAM, counted 27 of its members killed since January 2017. Participants in crop-substitution efforts have been among a growing wave of social leaders killed in post-conflict Colombia.” (Washington Office for Latin America, 2018). This blurry distinction has caused a significant number of confrontations between the Colombian state forces and campesino communities. Due to the lack of alternative economic opportunities, the campesino communities refuse to allow the eradication of their drug crops. If coca, the only source of income, is removed, then peasants are going to be left embedded in an unequal economic system based on the lack of sustenance and market access opportunities. This

explains the situation in the communities in San Pablo in Tumaco, where the crop eradication process is running with no attempt to improve the quality of life of the campesinos in terms of infrastructure, substitution alternatives, electricity, access to education and healthcare. The Latin American Bureau has claimed that in face of the government's lack of compliance, "The campesinos of San Pablo did not just talk peace; they are the ones building it. They communicated peacefully and willingly entered into dialogue with an armed actor they previously hid from. Yet, as one of them said, 'the state is not complying with what they agreed and offered us.' Those on the frontline of conflict, at most risk of being marginalised or worse, are doing their part" (Chonan, 2017). The aggressive anti-narcotics policy has also been influenced by the US government pressure due to its high demand for results, leaving the interests of the rural communities aside in favor of the acceleration of the illicit crop eradication process.

The fifth point of the peace agreement has also been questionable when it comes to its implementation. There is still so much to do for the victims of the conflict. A lot of it has to do with the issues regarding the first point of the agreement. The distribution of the land, and the respect for the rights of the victims of the conflict to a safe return to their lands, has been an ongoing issue since the peace agreement was signed. Such is the case of the people in the Kilometro 9 in Buenaventura, where returning victims and Afro-Colombian peasants were kicked out of their land by the ESMAD (riot police) in order to clear this territory for the settlement of extractive foreign enterprises' activities. Or the case of the community of La Esperanza in the Cauca Department, where the government fails to respect the collective title as part of the Victims Law and the right of

the displaced people to have safe access to their lands, leaving them unprotected against local violence, as well as refusing to respond to their legal claims regarding illegal invasions of their assigned lands. The issue of security is still a major problem when it comes to the previously mentioned communities as well as the populations living in the “humanitarian spaces” (grassroots initiatives to create peace communities and exclude armed actors even before the peace accords were negotiated), where the government was supposed to protect the victims of the conflict from the remaining paramilitary forces. This is a result of the remaining members of the demobilized AUC turning into informal criminal bands (BACRIM) in the areas with low state presence. The lack of state presence in these areas allows the BACRIM to operate freely and make use of the rural populations as they choose. According to the delegation of Witness for Peace in July 2017 in Colombia, Henry Lopez Trujillo, a member of the neighborhood La Ballita in Buenaventura claimed that the situation of the humanitarian space is getting worse every day, and the government military forces are not protecting the community. The promises of infrastructure improvements such as common green areas, hospitals, sewage systems and schools have not been implemented, leaving the people in this communities living in unsanitary conditions.

The right of truth to the victims has also been a weak point of the peace agreement since the JEP (Special Peace Jurisdiction) is only covering the human rights violations as well as cases of forced disappearances since the Alvaro Uribe administration. This excludes the case of the “false-positives” from the investigation, in which the military killed civilians and pretended they were armed rebels. The lack of

compliance from the Colombian government regarding the Truth and Reparation principles has led communities like the ones in the center of the city of Cali, to take historical memory and advocacy for truth into their own hands and denounce forced disappearances and violent crimes against civilians through the Foundation GuaGua. Part of this organization is in charge of secretly running the Gallery of Memory Tiberio Fernandez, to honor the loss of those victims that have not been recognized or accounted for the government. The secretive nature of this gallery is due to the well justified fear of the community members to be labeled as insurgent opposition forces and be persecuted by the government simply for preserving historical memory.

Apparently, the Colombian government has been using the ESMAD or public control forces of the country to quiet the claims of the people from these rural, poor and isolated regions where the civil society voices their discontent with the implementation of the peace accords and the continued lack of fulfilment of their basic rights. A clear example of this was the use of the ESMAD forces in the “paro civico” (general strike) of last May, where the crowd control forces used gas bombs and rubber bullets in their intervention against the peaceful protest of the people of Buenaventura regarding the previously mentioned issues. The populations have found mass social movements to be an alternative solution to taking up arms against the neglect of the state. Their situation also worsens as there is no efficient mechanism that will prosecute the cases, where the departmental authorities refuse to address the social needs of the people and further infringe on their constitutional rights such as the right to land, security, education and healthcare. Once again we see history repeating itself.

At the macro-level, the Colombian government has made an attempt to address structural violence in the form of the peace accords, however we see little effort to achieve these goals at the micro level. Once again, the areas most affected by the conflict struggle with holding the government accountable for their lack of compliance. The government military forces seem to be more responsive to protecting the areas where transnational corporate interest reside, than to ensure the security of the victims of the conflict. An example of this is the community of the 9th Kilometer nearby Buenaventura. Peasants claim to have been kicked out of their lands by the ESMAD forces so that these land can be used for “mega projects” to better utilize Buenaventura’s port, as well as to harvest the forest for economic purposes. This can be associated with the interest for the Colombian government in encouraging foreign investment, as part of its neoliberal strategy to have greater participation in the international markets. However, the protection of foreign enterprises in Colombia does not have to imply its prioritization over the rural populations and victims of the conflict, to whom the majority of the peace agreement was addressed. In this sense, one must start to look deeper into the intersection of the economic resources that are needed to fulfill the points of the peace accords, the use of land and the economic interests of the foreign multinational companies that have an interest in extractive activities on Colombia's land. One of the determining factors for the Colombian peace agreement to be successfully implemented, as well as one of the main guarantees for a long lasting peace, is the tension between the protection of the rural population’s interests and the government’s strategy for economic growth based on neoliberal policy. It is possible to observe the negative implications of the adoption of

strong neoliberal economic policies in the immediate post-conflict context in the cases of El Salvador and Guatemala. In fact, in the case of El Salvador, the neoliberal model left Salvadoran people with no option but to try to explore different means of sustenance through migration to other countries due to the lack of economic opportunity for the local people. “The failure of the neoliberal model to develop a productive, self-sufficient economy is creating forced migration in numbers greater than during the war” (Wade, 2008, pp. 24). Wade also claims that “The Cristiani administration’s refusal to take a more holistic approach to the peace process in terms of the failure to address socio-economic problems or to appropriately assess incompatibility of the neoliberal model despite not only popular opposition to it” (Wade, 2008, pp. 29), a symptom of a future socio-economic crisis. In the case of Guatemala, there “is a state form characterized by its postconflict and neoliberal aspects, one that reflects a continuity of wartime power and violence alongside an economic reorientation toward the facilitation of transnational capital accumulation....Just as the neoliberal right used the peace process to create a favorable economic context, the Guatemalan armed forces also navigated the transition to ensure a continuity of power” (Granovski-Larsen, 2017, pp.57). In other words, the elites and foreign capital made a profitable transition from armed conflict to (negative) peace.

These countries have now the lowest economic indicators in Latin America as well as the lowest literacy rates, Human Development Index and the highest infant mortality rates. This is due to the unregulated penetration of foreign companies in the form of extractive economic activities in the same areas where the victims of the conflict,

peasants and indigenous populations struggle for their sustenance. In this sense, the Colombian government should focus on addressing the short term economic and social needs of the departments of Antioquia, Meta, Caqueta, Cordoba, Cauca and Valle del Cauca while building strong institutions that can support the new rural judicial system, as well as accountable courts, while fostering economic growth. A long lasting peace can only be achieved by meeting short-term goals for the Colombian government to earn institutional trust, and building a national political culture based on tolerance and civic engagement.

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CHAPTER V: A Holistic Grassroots-Based Approach to Peace

Neoliberalism and Peace

When it comes to achieving a sustainable peace in a post-conflict context, the economic aid that will allow funding for the execution of the peace agenda becomes a relevant factor to a long term peace. The economic side of the post-conflict context is going to determine what projects can be afforded and the market conditions under which the new societal order operates. In the case of Colombia's peace agreement, the fact that there is a signed peace accord does not imply its immediate execution. It is in fact the ability of the Colombian government to fulfill the short-term basic needs of the people, that will progressively build a long lasting peace. In this sense, the conditions that facilitate the affordability of the terms of the Colombian Peace Accords are going to be a necessary factor to guarantee stability.

The economic actors of the conflict and how they interact in the post conflict context needs to be further detailed. It is clear that the main economic actors in the post conflict are going to have a big influence on the way the post-conflict peace is built. The previous chapter discussed how the reparations and illicit drugs components of the agreement were among the weakest in terms of implementation. This is due to the clash between the immediate interests of the private sector (industrialized extractivist activities and a push for neoliberal policies) and the interests of the Afro-Colombian, indigenous and peasant groups (implementation of their rights to land, reparations, and increased political participation) since they share a geographic location: The Colombian rural areas. The influence of the private sector has a big impact on the peace building process,

since its extractive or development activities take place in the same location where the less advantaged populations of Colombia are settled. In the case of Colombia, the relationship between the economic elites and the political elites is very close, since these political elite members often are closely linked with private enterprises and large amounts of land. Based on the neoliberal paradigm, the Colombian state should give free rein to extractive activities from the private sector, however the entrenching of a neoliberal economy in Colombia could have counter-productive implications for long term peace. This is a convenient paradigm for the Colombian elites, since their economic activities could be undertaken with the least amount of regulation. In this sense it is important to clarify the functionality of the conflict in terms the costs of conflict vs. the cost of peace as reasons for the private sector to agree to support the end of it. According to Rettberg, the cost of conflict implied an inconvenience to different private-sector stakeholders since the “actual and perceived costs of conflict include levels of kidnapping, extortion, domestic physical destruction and a general sense of (insecurity, as well as international pressure via sanctions or conditional loans and credits” (Rettberg, 2007, pp. 465). The private sector has had to face some costs of the conflict such as “repeated destruction of infrastructure such as energy and communication towers and roads, and members of the private sector are preferred targets of kidnappings and other types of extortion” (Rettberg, 2007, pp.484). On the other hand, there is also a significant cost of peace: “Costs of peace include new taxation to support reconstruction efforts, while gains of peace refer to new investment and saving opportunities which have been difficult or impossible to realise due to the conflict” (Rettberg, 2007, pp.465) for the government. The costs of peace

would mostly be afforded by the public, while the gains of peace will be accumulated by the private sector and economic elites. The question then becomes, what cost are the Colombian economic and political elites willing to pay.

While engaging in this utilitarian analysis, it appears that neoliberal market operations would be further fostered if they took place in a conflict free environment. The most convenient solution for the highly politically influential private sector would be to settle the conflict in a way that they can still perform their extractive and economic activities, without having to afford security costs or deal with the overall impact that the conflict brings to the economy. It is important to recognize the agency that the private sector has in the post-conflict context and “consider how historical and institutional contexts lead to differences in the organisation of the private sector and the makeup of business-politics relations” (Rettberg, 2007, pp.494).

The Private Sector's Role in the Colombian Post-Conflict

Part of the success of the implementation of neoliberal economic policies in Colombia, while other Latin American countries like Brazil, Chile or Argentina are taking a different protectionist approach to their markets, is the influence that the United States has had in the country's political system. The liberalization of trade from Colombia benefited significantly U.S. enterprises. “The trade liberalisation process was accompanied by an increase in financial capital flows, which absorbed resources from other sectors of the economy, primarily those destined to the provision of social rights (for example social protection programmes). This in turn increased the volatility and

vulnerability of the economy and led to a financialization of the economy and public policies, through the creation of policies aimed to guarantee financial stability and the rapid privatization of health, pension, and education sectors, which depend increasingly on financial actors, such as private pension funds.” (Forero, n.d, pp.4). The beneficiaries of this type of policy were the political-economic elites as well as U.S. transnational companies.

This influence was intensified by “the role of transnational lobbying by US and Colombian policy-makers, as well as the influence of transnational corporations all played instrumental roles in the initiation, development and implementation of Plan Colombia.” (Aviles, 2008, pp.410). “Policies were also put in place to offer legal and physical security for foreign investments, a policy called “searching for investor confidence through democratic security,” which ultimately guaranteed the territorialization of transnational capital in Colombia” (Forero, n.d, pp.4). The basis of this relationship was to foster Colombia’s economic growth through the incorporation of the economy into the global market. This type of trade relationship between the two countries was formalized by the negotiation of a Free Trade Agreement signed with the United States in 2006. It is also important to recall the implications for the Colombian rural elites, contributing to Colombia’s economic growth by exploiting one of the main sectors of the Colombian economy which is the exploitation of natural resources. The terms of this agreement did not benefit the economic activities of the rural areas since there was no increase in the export market for Colombia in the U.S. “The numbers indicate that, contrary to what was said by the defenders of the treaty, Colombia has not

increased its exports to the United States, the opposite is true, they have drastically dropped from about \$21 billion 969 million dollars to \$9 billion 842 million in 2015,” said Senator Jorge Enrique Robledo, from the leftist Democratic Pole.” (Telesur, 2016).

However, given the armed conflict that Colombia had gone through, together with the high production of illicit crops that fueled it, it was difficult to talk about economic incorporation in the midst of instability which translated into risky investments for transnational corporations. In this sense, the United States “contributed to Colombia’s strategy, which prioritised the militarisation of the counter-narcotics struggle in an effort to establish the rule of law in those regions of Colombia deemed crucial to success in the ‘US drug war’” (Aviles, 2008, pp.410). In other words, U.S.-led military escalation displaced rural populations and cleared the way for profitable investment by multinational corporations. It’s also important to recognize how the Colombian conflict had an effect on the performance of the U.S. economic enterprises in the country.

This militarized approach towards the eradication of illicit crops directed by neoliberal political elites within Colombia and the USA, transnational policy-making organisations and transnational corporations (TNCs), allowed the United States to claim it was targeting the high inflows of illicit drugs to the U.S., as well as to settle the grounds for further economic intervention once instability was settled. Aviles then argues that “Any potential threat to US imperial control over the region’s natural resources or challenge to the principle of open markets must be addressed through the repression of a guerrilla insurgency and its peasant supporters. According to this perspective, defending US imperialism is the central aim of Plan Colombia and not counter-narcotics.” (Aviles,

2008, pp.412) This explains the questionable actions of the Colombian government while utilizing its coercive force deliberately in aims of providing a quick solution to the country's drug production. The production of illicit crops is not an isolated event that takes in a vacuum, therefore a solution to this problem cannot be only addressed to the production of illicit crops itself. Peasants had to engage in the illicit crop production due to the lack of opportunities to compete in the national and international market with their cash crops and to gain enough to sustain their living with the subsistence crops. Furthermore, the impacts of the methods of eradication promoted by the United States proved to be ineffective and harmful to the poor peasants that engage in these activities. "Despite official claims to the contrary, aerial eradication does not significantly reduce coca cultivation in Colombia, and that where it does have an impact, this is both temporary and in part due to displacement associated with fumigation efforts, generating significant human and economic costs. Also, coca cultivation in Colombia tends to occur in agricultural departments characterised by limited market access and state presence." (Dion, 2008, pp. 401)

A structural approach to fostering economic growth in Colombia through the strengthening of local rural economies could have been a less expensive and more effective strategy to deal with the drugs issue. However, the United States as well as the Colombian elitist government found an increase in the military response to the armed conflict a more convenient strategy, repressing the claims for land reform and anti-neoliberalism instead of addressing the root causes of the conflict. Therefore in 2000 President Clinton signed into law the first installment of Plan Colombia. The economic

policies implying secure and stable business environment, the liberalisation of capital markets and the opening of markets to foreign direct investment, “played (and plays) a central role in the construction and strengthening of this transnational process by linking policies related to the drug war or the ‘promotion of democracy’ to the implementation of free-market economic reforms and the expansion of international trade” (Aviles, 2008, pp.415). Aviles develops the term “transnational state” to talk about an international elite who support the same model of economic market through neoliberal policies throughout the global South. In this sense, Plan Colombia would not only open up investment for the U.S. market, but also benefit international investors.

This economic integration has a high price for the peasants and people living in the rural areas that are most affected by this conflict. The long term consequences of this type of system would be a repetition of the cycle of structural violence that caused the engagement of peasants in illicit crops production. It is the neoliberal economic policy that forces peasants to engage in the production of illicit crops to gain their subsistence due to the unequal conditions that they would have to confront in the global market. The underlying issue behind coca production is the necessity of the peasants to find means of sustenance in response to their exclusion from the neoliberal system. “Strengthened actors in Colombia that have promoted the neoliberal economic direction of the economy, and that have repressed civic and armed anti-capitalist globalisation movements” (Aviles, 2008, pp. 426) use Plan Colombia as a strategy to further Colombia’s economic incorporation into global markets, while the drug war tried to create the conditions that would favor this incorporation.

This suggests that the oligarchic interests of Colombia that are tied to the neoliberalist ideals are key to understanding the post-conflict economic context. One of the main tools of neoliberalism to penetrate the Colombian economy are the free trade agreements pushed mainly by the United States. “Uribe Vélez’s government adopted a policy of ensuring the conditions for “investor confidence,” which consisted of showing an improvement in security conditions in order to attract foreign investment.” (Chambers, 2017, pp.128) Therefore, under the assumption that economic growth could only be achieved through a national security approach, in 2006 the Colombian government signed a preliminary free trade agreement. As mentioned before, a strictly neoliberal approach to the political economy of the conflict can turn out to be counterproductive. “The social and economic disaster caused by neoliberalism requires us to recognize the interrelation between economic and social rights and civil and political rights.” (Chambers, 2017, pp.129).

The civil rights of people regarding increased income generating activities, more opportunity for competition and a wide market for small producers to sell their products, overrode the social and economic rights of the peasant populations to benefit from the public investment that neoliberalism discourages. The human rights discourse that accompanies neoliberalism in Colombia is relevant since the transnational corporations “need to accumulate what Erni calls “rights assets” in the international community through investment in humanitarian projects. This allows them to have the “externalities” associated with their economic activity balanced by their investment in human rights” (Chambers, 2017, pp.134). This is one of the reasons why given the lack of intervention

of the state in the economy, some of these human rights responsibilities that the state should be complying with, are transferred to these transnational companies. In this sense the provision of human rights to the people has become a rhetorical tool of foreign actors' intervention into rural economies, since said intervention would be associated with the development of the region. The presence of the multinational companies brings the promise of generating jobs and stimulating the economy. However, reality does not reflect this development. In fact, "neoliberalism exposes the post-conflict individual, community and state to the full force of a market framework in which they are unable to compete, and often unable to access" (Richmond, 2014, pp.453) Chambers brings an important contribution to this discussion, and that is that the link between economic growth and fulfilment of basic needs linked to human rights is undeniable.

What makes a difference is which human rights are prioritized and how those should be addressed, i.e., individual rights (including property) vs. collective (economic and social) rights. "From a socialist and liberationist position, human rights discourse has been criticized for its liberal origins and for concealing capitalist exploitation... or they constitute, therefore, the beginnings of an awareness of struggle, of the search for better conditions for the full satisfaction of human needs." (Chambers, 2007, pp. 135). Richmond proposed an interesting approach to dealing with the market system in the post-conflict context. He argues in favor of a "A social-democratic and welfare-oriented state, in which redistribution occurs through local taxation and international subvention, may be more suitable for post- conflict transitions, as long as this can include local (subaltern) rather than international (governmental) decision making. It would need to be

assisted by internationals, and eventually give way to a contextually determined polity” (Richmond, 2014, pp.464)

Siegel notes that the future for post conflict societies does not necessarily have to be bound by neoliberalism, but can also be adapted to a “neo-extractivist approach” where resources are still extracted but not in the traditional neoliberal oriented way. “It combines old practices of natural resource exploitation with new social policies and a stronger role of the state. In this model, income generated from export-led growth based on primary products has become the basis for economic and social development” (Siegel, 2016, pp.496). In this sense, to avoid the inequalities of an extensive extractivist economy dominated by foreign actors taking unilateral decisions, neo-extractivism proposes a type of extractive enterprise that implies a constant dialogue with the people in the rural areas. “Citizens and civil society organizations do not necessarily advocate a complete stop to all resource exploitation, but rather demand a say in the location and extent of particular projects, as well as mitigation of negative impacts and a fair distribution of the burdens and bene-fits of intensive resource exploitation.” (Siegel, 2016, 498). Some see neo-extractivism not as an alternative to neoliberalism, but rather as a transitional stage towards a more inclusive economic system regarding minorities, small landowners and peasants. Colombia is a resource-rich country. Equatorial-tropical countries “are countries very rich in natural resources, and they may even be receiving significant quantities of cash revenue, but they have not managed to lay the foundations for their own development and they continue to be poor”(Acosta, 2013, pp.71). The

presence of natural resources is not the issue. The issue is where the accumulation of the wealth generated by these extractive enterprises go to.

Neo-extractivism proposes that a democratic approach to the economy through local participation in the areas of resource extraction takes place could be a valuable contribution to fighting the inequalities that hinder development and stability in the rural areas of Colombia. "Casting a vote in elections every few years should thus not be the only way citizens can participate. This is particularly important in relation to two types of decisions; those directly affecting citizens' environments and livelihoods; and those regarding central debates affecting society as a whole" (Siegel, 2017, pp.503). A participatory economic development approach seems to be more compatible with the inclusiveness in the economic policy decisions as well as the peasants' participation in the market.

Neo-extractivism may involve interactions with the local communities, but there are no substantive changes in the current structure of accumulation. Thus, neo-extractivism maintains "involvement in the international market in a subordinate position that serves the globalisation" of transnational capitalism"(Acosta, 2013, pp.72). The main critique to neo-extractivism that it fails to address is that the issue is not about extracting the natural resources, the issue is about who controls them. Whether or not the local communities have a say and are supported by the government in terms of how the extractive economic activities are performed, the underlying issue remains the same: Colombia's extractive activities are still determined according the foreign actor's demand. The underlying global economic system still rules the means of production

regardless of how the production is handled. Given the prioritization of extractive economic activities as a source of capital to “finance development,” Acosta argues in his critique of neo-extractivism that “societies will have to bear the costs of this complex and conflictive relationship between communities, companies and the state. Local development plans will be placed at risk, because mining or oil extractivism will take precedence over any other activity. In the end, the plans drawn up in a participatory way and with informed consent by the local community will be torn to shreds” (Acosta, 2013, pp. 74).

In a state like Colombia, allowing rural areas to take a role in the economic decisions affecting them causes an endogenous opportunity of growth in the post-conflict context, assuming that the environment to engage in productive economic activities is safe from violence, is a significantly less expensive approach than to solve the symptoms of inequality through militarized approaches like the war on drugs. However, without a more inclusive character, where local communities don't just provide for the economic system in place but rather have the autonomy to shape it, this approach creates conditions for a failure of the “guarantees for non-repetition” point in the peace accord's agenda; since peasants are restrained from the only profitable economic activity they can engage in, while leaving unaddressed the underlying social issues that engaged them in illicit crop production in the first place, as described in the previous chapter. The situation in Tumaco can be an example of the materialization of this logic. Removal of the crops without a sustainable alternative in which the people have a say, will bring no benefit to the locals.

Grassroots Peace as a Holistic Alternative to Neoliberalism.

Thinking of the development of rural areas, and the fulfilment of the short term goals supported by the points of the peace accords that affect rural areas, is a complex question. This is due to the fact that to a great extent the Colombian government, weakened by the conflict and biased towards the interests of the political elites, never developed the appropriate rural infrastructure and legal institutions to extend basic services such as electricity, drinkable water, education, healthcare and a proper administration of lands. The period of time that has passed since the peace accord was signed shows the continuing lack of capacity by the Colombian state to provide these basic services that need to be addressed to guarantee the proper return of the victims to their lands; the economic prosperity of the rural agrarian sector; and the encouragement of a political culture that will welcome the peaceful reintegration of the ex-guerrilla members to civilian life, so that they do not need to find a way to sustain themselves by going back to their weapons. Economic growth framed in terms of GDP does not necessarily produce better living conditions and services for the population, and many cities with rapid economic growth over long periods still have large sections of their population living in extreme poverty. "The unwillingness of those in power to address this is also evident, as is the lack of competence, capacity and accountability among most of the city and municipal governments that have had the main responsibility for addressing growing levels of deprivation" (Mitlin, 2007, pp.485).

However the reluctance or lack of capacity of the state to act in the interests of the poor rural populations of the country can be addressed by the local affected populations through a non-state dependent active engagement in their communities. Given the evident lack of fulfillment of the transitional justice elements in Colombia's rural areas (truth, justice, reparation, reintegration and guarantees of non repetition) it is important that steps are taken somehow to avoid returning to a conflict. It is clear that a different economic policy than neo-extractivism in the long term would benefit the overall growth of the country, however, steps can be taken further to ensure the engagement of all sectors of society in the peacebuilding process. Former UN Secretary General Boutros Boutros-Ghali's approach to peacekeeping and peacebuilding can be complemented by letting the affected populations lead the process and assert their role as self-sufficient economic actors, rather than through international aid and governmental compliance with the peace accords.

This is where grassroots peace can be helpful to provide the rural areas the resources that they need in order to settle the post-conflict instability, regardless of the state's intervention. Ehrlich defines grassroots peacebuilding as "The locally led actions to reconstruct, recuperate, or rebuild collective goods destroyed during a civil war"(Ehrlich, 2017, pp.4) The grassroots approach that he proposes aims to build upon the " lack of trust, depleted social networks, and no informal institutional legacy make it very difficult for the community to organize around grassroots peacebuilding." (Ehrlich, 2017, Pp. 5) He advocates, like Siegel, including the local people in the development of international programs that will affect them. An internal approach is necessary, since

exogenous actors only provide useful short term help while security conditions are settled. Only locals can implement and build their communities, if the state fails to fulfill their duties, once international support is gone. Such is the case of the Guatemalan grassroots-led NGO Desgua. In the midst of the economic neoliberal policies that followed the peace accords, the rural Guatemalan communities decided to organize themselves in a self-sustainable, self-reliant way so that they took advantage of their local resources to fight the adoption of neoliberalism as their economic system. In the case of Colombia, different communities have found ways to strive for autonomy since they don't have a supportive state to fulfill their needs; examples of this will be discussed below.

“Within the context of grassroots peacebuilding, local actions are conceptualized, organized, resourced and carried out by the ordinary people who were impacted by local dynamics of irregular warfare in a civil war” (Ehrlich, 2017, pp. 25) In fact, “successful post war peacebuilding requires a strong international presence at the local level, a meaningful engagement with local actors, and sustained commitment of resources and personnel” (Ehrlich, 2017, pp.33). Peacebuilding should take place at all levels of the nation-state. In this sense for example, in the case of transitional justice, there is no point in lobbying for laws regarding land and reparations of victims in the higher courts of the country, when local peasants often fail to exercise their legal claims through these legal frameworks. This is due to the fact that the system that connects the source of justice (the legal system) and the rural people is crippled, resulting in claims that are filled but never addressed, legal processes that take so long to process claims that they end up passing

the dates of their validity. The crippled legal system requires large mobilizations such as the 2017 Paro Civico, which prevented the main port of the nation from functioning, to bring attention from the Colombian government to the rural areas' claims and show attempts to properly address them.

There is a clear distinction between the legal frameworks provided and their application in the field. "An ordinary person living in a rural area probably never came in contact with high level commanders, yet might have to interact with a lower-level demobilized combatant in his or her neighborhood on a daily basis." (Ehrlich, 2017, pp. 51). Such is the case of the community of Puente Madero, the "humanitarian space" of Buenaventura's port, where they are supposed to be under the jurisdiction of the Law of Victims which is supposed to grant them protection and means of subsistence as well as a legitimate right to own their lands. Enrique Chimoja, the special envoy of the Catholic NGO "Justicia y Paz" described the reason why the rural populations cannot use the law to their benefit: Even when this law is in place, the community is not getting the full protection that this law entitles them to, due to their lack of knowledge of the legal framework they are protected by, the lack of knowledge about the legal system's processes that allows them to demand accountability if the law is breached, and the lack of security measures due to the lack of compliance from the military forces protecting the area to keep paramilitaries away.

When analyzing the potential solutions of the conflict and effective measures to achieve it, even though it is tempting to want to exclude the private sector completely as well as invent solutions that reduce the role of weak dysfunctional states, it is important

to recognize the unavoidable interdependence of the latter and the rural communities. One could argue that blaming the Colombian government completely for the lack of compliance with the peace treaty is based on unrealistic expectations. Besides corruption and a strong link between political elites and the private sector, part of the reason why the implementation of the peace accords has stalled is due to the historical structures linked to political atomization, high levels of intervention from the United States, and the way the legal and civil institutions have historically been shaped to function in favor of the elites. A peace accord may address the solution to the conflict, but not the transversal historical institutions and internal dynamics of the government such as corruption, clientelism, and a systematically biased legal system. A state with deeply crippled institutions during the conflict cannot be expected to function as an integral entity in the immediate post-conflict context. Part of the post-conflict strategy should be focused on rebuilding the governmental institutions of the country, while at the same time strengthening civil society by empowering the development of the less advantaged areas through cooperation between these populations and the private sector.

This type of cooperation has to correspond to the needs of the stakeholders whose interests are most directly affected in the post-conflict context. Each actor should take an autonomous initiative towards its contribution to long-term stability. In this sense, the government should focus on strengthening its institutions to guarantee accountability and extend civil rights to the population, so it can be ready to fully comply with its role of providing security, re-distributing and protecting new agrarian institutions and reshaping the responsiveness of the legal system to the claims of less advantaged people. Not doing

so can result in outcomes similar to the cases of Guatemala and El Salvador, where the government remained embedded in the same repressive and corrupt structures in the post-conflict context, being unable to respect the rights of the people. At the same time, the civil society must break the stigma of the ex-combatant, as well as organize themselves in function of advocating peacefully for the changes it wishes to see in the post-conflict period. The rebuilding of the society must be shaped around strengthening “cultures of peace.” These are defined by the United Nations as “set of values, attitudes, modes of behavior and ways of life that reject violence and prevent conflicts by tackling their root causes to solve problems through dialogue and negotiation among individuals groups and nations.” (UN International Day of Peace day, 2018). In this sense, all the polarized views of the settlement of the conflict that led to the outcome of the failed 2016 referendum, and the social and political divides preventing Colombia from strengthening a national sentiment leading to a strong democratic culture, could be tackled by seeking to build a Colombian culture of peace.

The private sector on the other hand must adapt itself to the new context where the rights of the civilian rural populations are respected, and incorporate a civil and social rights approach to its extractive activities. It is clear that the functionality of the conflict has changed for all actors involved and the stabilization of the country is necessary, therefore only through the compromise and joint effort of all stakeholders can there be an overall beneficial solution.

An example of the type of civic initiative that is conducive to peace is the Community of San Carlos in the department of Antioquia. The voluntary return of the

internally displaced people of this area included the development of a holistic approach towards making the village habitable again. The locals developed strategies to remove landmines, “they organized to remove landmines from unpaved roads, agricultural fields, and around schools so that they could resume their livelihood and help other displaced people return. Residents removed landmines by hand” (Elrich, 2017, pp.49). They repaired the infrastructure such as schools and road damaged in the conflict, as well as repairing the buildings and re-establishing the institutions in charge of providing basic services. In the economic sector, locals can rebuild the economy of the village by starting small local enterprises to stimulate the economy of the region. Also, “a locale might establish a community-owned ‘peace’ store that provides subsidies to farmers who grow crops that are not conflict-oriented (coca, for example) and sells them in the store. The community store may also follow a ‘peace protocol’ that prohibits the sale of goods or services to anyone in uniform, as a means to remain neutral and civilian-based.” (Elrich, 2017, pp.55). The locals also promoted a movement towards reincorporating the demobilized combatants into civilian life. Once the community of San Carlos started these development projects that were led by the locals, it was a lot easier for the state to provide the help needed, since it didn't have to worry about the administrative tasks. The civic engagement of the San Carlos community advanced “further, and to the federal government’s credit, it gleaned best practices that would be incorporated into the national Victims Law.” (Elrich, 2017, pp. 61)

In terms of grassroots organizations, it is possible to see local initiatives from different ethnic sectors in Colombia that claim recognition of their rights. The most

salient of these entities is the “Ethnic Chapter” represented by a coalition of Afro-Colombian communities, and its participation in the development of the peace accords since 2012. It explored the “critiques of capitalist accumulation and alternatives to development based on distinct productive relations coming up against the ravages of both the internal armed conflict and a dominant development model, both expressive of class relations. These alternatives to development—expressed through new discourses of “Buen Vivir,” “Sumak Kawsay,” and “Ubuntu” —have been fundamental to the survival of these communities.”(Gruner, 2017, pp.175).

It is vital to understand the vulnerabilities and interests of different groups and the relationship of their organization as a civil group, as well as their capability to voice to the government and the international community their needs, instead of letting these two actors impose and develop solutions for them. Solutions must be community led and context specific and the role of the NGOs, IGOs and the Colombian state should be to facilitate instead of imposing one-sided solutions. We see the variation of struggles that different populations in Colombia are facing: “The Black and Indigenous population living in or near another important port city on the Colombian Pacific coast, Buenaventura experiences endemic poverty; it is also the site of troubling violence and, particularly, of violence against women, which has taken on brutal dimensions...Other regions made vulnerable to violence related to development include Northern Cauca, where large-scale legal and illegal mining and other extractive projects are located; el Choco province—also rife with mining, petroleum, illicit crop production and other

interests; southern Putumayo region, areas along the Caribbean coast, and the border with Venezuela.”(Gruner, 2017, pp.179)

However, it is important to utilize all the strategic resources available in order to maximize outcomes and enable the economic resources to provide for the specific needs of the different communities. This type of economic financing can be not only provided through state grants and development programs, but if well used, the private sector can contribute to these tasks. In order for this to happen, it is necessary for the Colombian state to act as guarantor in favor of the local interests to make sure that the rights of the people are not being violated by transnational or private economic activities. The lack of economic opportunities has become evident in the post-conflict context, along with the negative consequences of not realizing the potential of the private sector to generate jobs and contribute to the society. In fact, “part of the demobilised population has joined a number of new illegal armed groups, which from 2006 to 2012 saw more than 11,500 of their members arrested. Of these, nearly 15 percent were demobilised combatants” (Thosell, 2013, pp.180). In this sense, it is understandable where the neoliberal argument for economic reintegration through private sector activities is relevant. However, the context for economic neoliberal growth in states weakened by armed conflict may be counterproductive to achieving peace, due to the lack of accountability that the government can provide to prevent the potential abuse and exploitation by TNCs. Therefore, Thorsell argues that “in the absence of strong state and local capacity, the private sector and civil society can provide supporting and sometimes substituting roles, especially in implementation of DDR programming.”(Thorsell, 2013, pp.185). The

implications of an unregulated private sector sponsored by neoliberal policies could be addressed by establishing a stable post war context where the extractive economic activities are not only inclusive of the rural populations, but where the economic policy of the country is dictated based on the empowerment of local rural communities. This implies a full implementation of the Comprehensive Rural Reform (CRR), rather than an imposition of the global market logic in the systems of rural production, even if it includes the reframing of the role the transnational corporations play in extracting and controlling Colombia's natural resources. The approach the government must take to achieve economic growth must be measured in terms of the wellbeing of its population and the purchasing power of the domestic consumers, rather than the amount of foreign investment capital. Then it is possible to establish a new relationship between economic capital and social capital, where wealth could be measured in terms of a Human Development Index instead of a GDP approach. In this way, the overall economic growth is going to be led from the domestic society, rather than imposed by external economic actors such as the United States or TNCs.

Conclusion

Conflict-resolution strategies such as the traditional UN peacebuilding, the democratic peace, the war on drugs and transitional justice do a good job addressing isolated variables that relate to the causes of the structural violence. However, addressing structural violence requires a significant change in the structures that allowed for conflict to happen and that these causes are not usually isolated. In the case of Colombia, this

leaves the unattended areas of society in a vacuum that can be filled by the remaining armed actors, such as the BACRIM or new armed forces like the “Autodefensas Gaitanistas de Colombia” or Gaitanist Self-defense Forces of Colombia, which are a “neo paramilitary” group that is also engaged in drug trafficking. This group has been a rival of the FARC and the ELN and has refused to participate in any peace process while it also has put efforts to occupy the power vacuum left by the demobilized guerrilla groups. There are still members of the other armed group of Colombia, the ELN (which has not yet signed a peace accord) as the actor that can establish a base of power through the regional monopoly of coercive forces. The focus on transitional justice only, or a political economy approach only may leave out factors that concern the civil society such as the poor quality of living of the people of Choco, Buenaventura, Tumaco, Putumayo and Northern Cauca. That makes it difficult to apply all the terms of the Colombian peace accord effectively. In this sense it is important to recognize that there has to be a buy-in consensus at all the levels of society in the political, economic and social aspects of the reconstruction of the post-conflict context.

It is evident how cooperation among all stakeholders can be achieved through a holistic approach that transcends purely the role of the state. Peacebuilding needs to be thought of as a continuous collective process rather than a single political task from the government. It is important to recognize the role that every single actor that has a stake in Colombia’s peace accords. They should participate in its implementation to guarantee their optimal satisfaction with the post-conflict status quo, due to the functionality and profitability that peace may bring them. In this sense, solutions must come from those

who were historically affected by the conflict (the victims and populations in the rural areas) and its underlying structures, as well as the interests of those actors who perpetrated the repetition of the cycles of structural violence such as the state and the transnational private sector. This means that grassroots movements shaped by local civic engagement, such as the one in the San Carlos community or the local communities of Buenaventura that organized the paro civico in May of 2017, have a decisive role in shaping the direction in which policy making should go at the higher levels of the state. Local community agency combined with a responsive state, together with a regulated private sector, would provide the necessary support for all the areas that peacebuilding could encompass in order for it to hold a share of all the interests of the actors involved.

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