## ORIGINAL ARTICLE





# **Peacemaking through the lens of participation:** Revisiting the 2016 Colombian peace accord

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### Abstract

How should we analyze democratic participation mechanisms created to end a civil war? This article examines participation in the design and ratification of Colombia's 2016 peace settlement. By analyzing theoretical participation approaches and reviewing official reports, proceedings, and formal rules engendered by the peacemaking, we consider the ways in which the stakeholders participated to formalize the agreement between the government and rebels in the Revolutionary Armed Forced of Colombia-People's Army. The case argues that inclusion does not necessarily mean control of civil society over the peacemaking process; the participation of the political society and insurgency groups is a precondition.

#### KEYWORDS

direct legislation, inclusion, mini-publics, participation, peace settlement, popular assemblies

## INTRODUCTION

Participation lies at the core of democratic decision-making processes and is vital to refine the rules that constrain our behavior in society. Politics designs institutions, but the appropriateness of rules relies on citizen involvement in expressing grievances. Hence, as Held (2006) points out, there must be a shift in democratic theory from a focus on macropolitical institutions to an examination of the various diverse contexts of civil society, some of which nurture deliberation and debate. Today, several inclusive mechanisms to foster participation and enable political and social learning are tested. Yet, an important issue remains; in such attempts, do people have sufficient decision-making power to change the norms that uphold unjust political, economic, and social structures, or even war? Seminal frameworks have attempted to catalog the extent of citizen participation in governance (Arnstein, 1969; Fung, 2006), examine public participation in organizational structures (Smith, 2009), and understand participative citizenship movements (Bayat, 2010), but there is a lack of application in bargaining contexts to end warfare. Meanwhile, peacemaking is the act of bringing hostile parties to agreement through negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, deferral to regional agencies, or arrangements as peacemaking techniques (Boutros-Ghali, 1992; Kittani, 1998; Paris, 2004). Throughout the peacemaking process, inclusivity refers to the extent and manner in which the views and needs of parties in conflict and other stakeholders are integrated, such that arguably the fundamental causes of the conflict and needs of the affected are identified and increase the legitimacy of and involvement in the peace settlement, reducing the likelihood that the opposition will undermine the process (United Nations, 2012b).

Peace agreements have been a prevalent method of ending civil wars since the end of the Cold War, although peace achieved in this way may be fragile compared to peace achieved through a military authority. The provisions of peace accords create incentives for one or both sides to cease hostilities. Power-sharing arrangements commonly engage former insurgent parties in peacebuilding processes, but inclusiveness has become the paramount strategy to engage civil society in peacemaking overall. Nilsson and Svensson (2023) state that the inclusion of civil society actors in peace accords is common and vital to anchor the peace or draft the terms of the agreement. Cuhadar and Paffenholz (2020) point out that three decades ago, the pioneers of a multilayered peace process fostered connecting different levels of society with the so-called "circum-negotiation" or "public peace." Paffenholz and Zartman (2019) introduce political parties, armed actors, and processes to map a dialog methodology to disclose how to engage citizens in a peace process, in addition to the elites. Currently, a variety of stakeholders including businesses, civil society, religious leaders, and youth are taking part. These authors note that multilateral institution guidelines stress that without inclusion, there is no prevention of violence, no mediation or peacebuilding, and no sustainable political system. In this vein, Paffenholz (2014) posits that exclusion is apparent in the fact that agreements generally pertain only to the warring parties while presumably avoiding the complexities of consensus building. Including civil society actors helps address the causes of the conflict beyond the belligerents' own interests and leads to a greater sense of ownership, thereby reducing recurrence risk. A multiple negotiation framework (regime type, government's political ideology, political and legal constraints faced by negotiation actors) may maximize a government's short-term goals, but a legalized, transparent, and inclusive framework is more likely to promote the conclusion of a peace agreement (Bakiner, 2019). This body of knowledge that builds a dominant inclusionary approach to conflict resolution takes for granted that inclusion means participation, and vice versa. To our understanding, there is no scholarship devoted to examining a peacemaking process based on democratic participation approaches per se. Our participatory examination contributes to delineate the early inclusion (participation) of citizens in the peace process, paving the way for future research to determine if these mechanisms were the foundation for sustainable peacebuilding stages (Haass et al., 2022) in Colombia.

This article addresses the participation mechanisms activated during the peacemaking stage in the 2016 Colombian civil war peace process. The peace agreement was a milestone in the country's seemingly endless intrastate war. It was reached following talks—the informal phase from March 2011 to August 2012, and the formal phase from October 2012 to November 2016—between the main guerrilla group, the Revolutionary Armed Forces of Colombia—People's Army (FARC-EP) and the government of Juan Manuel Santos Calderón (2010–2018). Even though "Colombia's peace negotiations took place under legal guarantees, and were relatively transparent and inclusionary" (Bakiner, 2019, p. 484), research on this case of conflict resolution through the lens of participation has been neglected as focus is placed on inclusion of the victims of war through political representation (Mendes, 2019) or on an analysis of the results of the 2016 peace plebiscite. For instance, there is work on structured political predispositions and attitudes clustered into specific types of voters (Muñoz & Pachón, 2021), the experiences of violence (Esparza et al., 2020; Kreiman & Masullo, 2020), political preferences and conflict exposure (Liendo & Braithwaite, 2018), and exclusively negative attitudes toward rebels based on their criminality (Matanock & Garbiras-Díaz, 2018).

Other research is on polarization through a game-theoretic approach (Laengle et al., 2020), which overlooks the roles of citizenry.

Furthermore, policymakers, politicians, and civil society have raised multiple concerns about the legitimacy and quality of the agreement, jeopardizing the feasibility of the peacebuilding stage. This situation prompts us to ask, how should we analyze democratic participation mechanisms created to end a civil war? This article examines the participatory process of designing and formalizing a peace settlement in a country at civil war. We argue that even though peacemaking could be interpreted as a set of inclusionary mechanisms, whereby the civil society of the forming nation contributes to achieve a peace settlement, participation of the belligerents (the political society and the insurgency) is at the core of the accord's feasibility. To this end, we address from a case study perspective every participatory facet of the 2016 Colombian peacemaking process—the signing of the agreement, the peace referendum, the settlement amendment, and the final ratification.

The article is organized as follows. The second section presents the methodology, the case study, and the instruments applied. The third section analyzes the democratic participation approaches. The fourth section demonstrates how, following a democratic innovation line, the terms of the agreement were drawn based on six participation mechanisms. The fifth section provides an overview of direct legislation for peacemaking, stressing the mechanism's participation singularities. The sixth section examines the accord's amendment led by a political society, and its implicit exclusionary approach. The seventh section considers the ladder of citizen participation framework and organizational aspects of the mechanisms activated. Finally, we conclude in eighth section.

## CASE SELECTION AND METHOD

In Bobbio (2014), Gramsci (1999) notes that society can be organized into two distinct superstructural levels, first, civil society, which he conceptualizes as a private sphere, and second, the state or political society. Both levels are mutually reinforcing in that they give rise to a hegemony whereby dominant groups exercise direct domination through the public spheres, which influence the private sphere. Such a ruling class shapes the formal and informal institutions of the society through a "cultural hegemony," eliciting what we call a hegemonic elite. Hence, "civil society is not all material relationship but all ideological and cultural relationship; not the whole of commercial and industrial life but the whole spiritual and intellectual life" (Bobbio, 2014, p. 30). We shall examine the Colombian civil and political society in the 2010 peacemaking process.

Political and economic interests have enabled the perpetuation of the Colombian civil war. On the political side, civil war is embedded in Colombian society since its independence from the Spanish Crown two centuries ago. The belligerence between Conservatives and Liberals to consolidate a state model was accentuated by the assassination of the Liberal-Socialist "redeemer" Gaitán in 1948, unleashing a bipartisan war known as La Violencia and setting the stage for a simultaneous conformation of communist guerrillas mainly in the countryside. In the mid-1960s, inspired by the Cuban revolution (Karl, 2017), the FARC-EP emerged, wielding flags of grievances against the political elites. There are hegemonic groups that have long denied the grievances of dominated populations through so-called extractive institutions (Acemoglu et al., 2013). These elites have managed to preserve political power thanks to their electoral assets in regions where vote buying and electoral fraud are feasible. In the process, they have succeeded in maintaining an electoral system that privileges private funding and thereby the interests of professional politicians and their supporters (Lara-Rodríguez, 2023).

On the economic side, the civil war has been fueled by narcotrafficking. Since the 1980s, Colombia has been consolidating as the world's notorious leading cocaine producer,

controlling up to 64% of this drug's global supply (United Nations Office on Drugs and Crime, 2021). It is also home to rampant inequality, which is higher in rural areas. For instance, its rural Gini coefficient is nearly 0.72 (Unidad de Planificación Rural Agropecuaria, 2016), therefore encouraging peasant grievances about policies oriented toward land redistribution, infrastructure, and technological progress, flags that rebel groups hoist to increase their membership among peasants.

Meanwhile, armed actors defend the interests of narcotraffickers who perform brutish acts to protect their coca crops and smuggling routes and compete with others (Millán-Quijano, 2019). Furthermore, armed wings of rightist groups linked with large landowners organize security schemes to conserve or expand the ownership of their patrons' lands. These nonstate armed actors, either insurgents or paramilitaries, allow the emergence of "underground states" in the periphery, where the legitimate monopoly on the use of force, taxation, and justice to build public goods is overlooked by incumbents and assumed by some rebel groups (Lara-Rodríguez, 2018, 2021). Thus, in Colombia, the central state can develop without establishing a monopoly on the use of force because there may be a symbiotic relationship between the parties controlling the central state and nonstate armed actors (paramilitaries) providing political support (Acemoglu et al., 2013).

It is crucial to consider the Colombian trend to resolve conflicts violently when examining recurrent events. Twenty years ago, Pécaut (2001) suggested it was not yet a civil war, although it exhibited some traits of those seen in other countries; similarly, polarization among social actors could escalate to a civil war, but, as the majority sought peace and had no connection with armed actors, the author perceived it as a war against society. In August 2014, the Havana negotiating table convened the so-called Historical Commission on the Conflict and Its Victims (Comisión Histórica del Conflicto y sus Víctimas, 2015) to understand the societal vicious use of coercive and violent methods for conflict resolution. Multiple definitions are employed to examine the phenomenon-war, social armed conflict, asymmetric war, irregular war, or counterinsurgency war; the term armed internal conflict was incorporated based on the peacemaking process. The governing party referred to the conflict as the Half-Century War or simply the Conflict (Jaramillo, 2014). The Colombian Commission for the Clarification of Truth, Coexistence, and Non-Repetition (Comisión para el Esclarecimiento de la Verdad la Convivencia y la No Repetición, 2022, pp. 89–90) called the social occurrences an irregular war, intertwined with power dynamics, representations, and interests of diverse individuals and civil society groups.

In this light, we propose a pragmatic (or simple) construct to address the Colombian case. War is the use of violence to govern a territory in dispute, so the conflict between belligerent parties can take two spatial forms. First, interstate wars involve conflicts between the governments of different nations over territories with diffuse sovereignty. Second, intrastate wars occur when progovernment (formal or informal) armed forces clash with insurgency movements in a national sovereign space. In the latter, various scholars posit some attributes of what they call a civil war. According to Kalyvas (2006, p. 17) civil war is "armed combat within the boundaries of a recognized sovereign entity between parties subject to a common authority at the outset of the hostilities." Meanwhile, Balcells and Steele (2016, p. 16) identify irregular civil wars, which are "characterized by fluid frontlines and fragmented military control." Measurable attributes also emerge; Collier (2007, p. 18) defines civil war "as an internal conflict that involves at least 1000 combat-related deaths, with each side incurring at least 5% of these deaths," based on the University of Michigan database. Similarly, Högbladh (2011, p. 42), using the Uppsala Conflict Data Program topology, defines an armed conflict as a "contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths in one calendar year." Colombia has permanently been in intrastate war, with attributes categorized in a civil war rather than in an armed conflict, because there are more than two belligerent parties—the government (official armed forces), progovernment militias (paramilitary squads), rebel groups with political or profit aspirations, and organized crime groups with only profit interests. War aftermath records are also exceeded, and intensity of the conflict varies according to the state's presence, making it heterogeneous.

Since 1985, the Colombian civil war has resulted in approximately 7,992,981 people internally displaced by illegal armed groups (FARC-EP, National Liberation Army [*Ejército Nacional de Liberación*, ELN], United Self-Defense Forces of Colombia [*Autodefensas Unidas de Colombia*, AUC], and *Bandas Criminales* [organized crime groups, BACRIM]<sup>1</sup>); 180,161 missing persons; 1,035,585 homicides; 37,372 kidnapings; and 8194 forcibly recruited children and adolescents (National Victims Unit—Unidad Para las Victimas, 2020).

Regarding the methodology, this article takes a normative argument, which places it in the realm of political theory, more focused on constructivism ontologies (see, Mahoney, 2021). We use an interpretivist paradigm and a hermeneutics-driven application of theoretical frames devoted to participation assessment, so we shall use one case study (see Yin, 2003), rather than a multicase study, due to the variety of mechanisms developed and the analysis based on a critical examination of inclusionary peacemaking notions. We employ two main instruments to move forward our argument. First, we use a theoretical instrument that reviews seminal works about the evaluation of democratic participation. A focus on these frameworks allows us to cement the analysis of a peacemaking level within the peace process. Second, we consider each participation mechanism as a unit of analysis; we carry out a documentary analysis of reports, peace builders' official documents, and formal rules from 2010 to 2016, which allows us to examine different relevant stakeholders to be embedded in our participation approach frame. To do so, it is necessary to disclose the groups and the characteristics of the stakeholders involved in each participatory mechanism activated during the facets of the peacemaking process. Additionally, we document the number of individuals or peacemakers who declared their demands for peace; organizational learning facilitated interactions with Havana's negotiating table.

Finally, the following narrative is a critical theory framework of the participatory mechanisms activated in the pursuit to make peacemaking inclusionary for Colombian civil society, not a criticism of Colombia's deliberative democracy or an adequate conceptual model to analyze it.

## PARTICIPATION APPROACHES

Western societies generally adopt democracy as a political system to allocate decision-making power and fight for full suffrage. Drawing on the republican conception of the state as an ethical community and from the liberal conception of the state as the guardian of market society, Habermas (1998) points out that deliberative politics remains a component of a complex society in which a discourse-theoretic reading of democracy that regards the political system as the peak of one action system among others provides the solution to social problems. Politics must then be able to communicate via the medium of law and to institutionalize opinion and will formation. Held (2006) notes elements of liberal democracy—competitive parties, political representatives, periodic elections—that are unavoidable in a participatory society. The principle of a participatory democracy emerged, with the possibility to achieve the equal right to liberty and self-development and concern for collective problems, which contributes to the formation of an informed citizenry capable of building the decisions to govern themselves. Held posits that the direct participation of citizens in the institutional design and the maintenance of an open system to innovate in politics are key features of participatory democracy. Meanwhile, the amelioration of poverty, the minimization of bureaucracy, and openness of information to ensure informed decision making are crucial to the model. Although some participatory ambiguities have emerged, the "participation of the governed in their government is, in theory, the cornerstone of democracy" (Arnstein, 1969, p. 216). Participation approaches are diverse, so their elements vary considerably. Citizen participation is a categorical term for citizen power in the redistribution of power, which enables those excluded from political and economic processes to be deliberately included in the future; the participation mechanism also yields synergy between public participation, representation, and administration (Fung, 2006).

Some influential frameworks to characterize or comprehend citizen participation provide crucial assumptions to analyze inclusionary peacemaking. First, Arnstein's (1969) ladder of citizen participation proposes three levels that typify eight rungs from bottom to top (see Table 1a), with manipulation as the lowest degree of participation, and citizen controls, the highest. Second, Smith's (2009) democratic innovations framework stresses two aspects—citizen engagement and institutionalized participatory political forms at different levels of decision-making (policy, legislative, and constitutional decision-making). This analytical framework focuses on the achievement of six democratic goods, as depicted in Table 1b. The innovations are categorized into four based on similarity, (1) popular assemblies, referring to forums open to all citizens, with rotation used to allocate positions of political authority; (2) mini-publics, which are examples of random sampling to engage diverse citizens in discussing common concerns; (3) direct legislation, whereby through the ballot box, citizens have equal decision-making power whenever the popular vote has a legislative or constitutional effect; and (4) e-democracy, whereby information and communications technology is used to enhance citizen engagement in political decision making.

Another approach is "the democracy cube" (Fung, 2006), an intricate three-dimensional geometric abstraction that classifies the level of participation in each axis; the mechanisms of public participation are presented as democratic from the lowest to the highest degree, except for the x-axis, which shows the opposite relationship. Finally, we have organic manifestations of street politics, or social nonmovements in which the citizenry organizes its political actions using informal channels through which it demands change in unequal and totalitarian societal structures (Bayat, 2010).

**TABLE 1** Typologies of participation.

(1a) Ladder of citizen participation		(1b) Democratic innovation  Goods Features	
(1a) Lauder of Citizen participation		Goods	reatures
Nonparticipation	<ol> <li>Manipulation</li> <li>Therapy</li> </ol>	1. Inclusiveness	Open to all, without restriction, with equal rights.
Degrees of tokenism	<ul><li>3. Informing</li><li>4. Consultation</li><li>5. Placation</li></ul>	2. Popular control	The equal right of citizens to take part in collective decision-making.
		3. Considered judgment	The capacity of citizens in decision- making is based on an informed and reflective assessment of the issue.
Degrees of citizen power	<ul><li>6. Partnership</li><li>7. Delegated power</li><li>8. Citizen control</li></ul>	4. Transparency	The ability of citizens to scrutinize decision-making regarding trust in the political process.
		5. Efficiency	Feasibility between financial costs and new democratic participation.
		6. Transferability	Will be taken at the city, national, transnational, and global levels.

Source: Authors' elaboration, based on Arnstein (1969) and Smith (2009).

We consider the analysis of the rungs and the achievement of democratic goods as reliable instruments to examine democratic participation in peacemaking; the democratic cube denotes a peculiar implementation, whereas street politics in our case could be more pertinent in a peacebuilding stage. First, we shall embrace notions of democratic innovation to address each participatory mechanism, then, in a second stage, we shall debate the application of the ladder of citizen participation assumptions.

# DEMOCRATIC INNOVATIONS: POPULAR ASSEMBLIES OR MINI-PUBLICS IN PEACEMAKING

## "Mesas" to contribute to the end of the Civil War

The participatory mechanisms applied during the Havana negotiations denote heterogeneous organizational forms. The first facet of regional forums, called *mesas*, or roundtables, helped end the conflict (United Nations, 2012a) in late 2012, and prompted the submission of proposals from different social practitioners concerned with peace in Colombia. These proposals pertained to three terms on the agenda, (1) agrarian development policy, (2) political participation, and (3) illicit crops and drugs. The aim of the *mesas* was twofold—guarantee civil society's broad participation in the agreement's terms, and assure that the proposals submitted would contribute to the peace talks in Havana. Indeed, guarantors delivered these initiatives.

The *mesas* were open, with no random selection sampling device that would allow them to be considered mini-publics, the key trait of popular assemblies. Nine of these forums or assemblies took place across the country—two each in the Caribbean and southern regions, and one each in the center, the Southwest, the Northwest, the South, and the capital Bogotá. Delegates of peasants; indigenous groups; Afro-descendants; women; unionists; higher education students; human rights defenders; children; youths; environmentalists; lesbian, gay, bisexual, transgender, and intersex (LGBTI) communities; peace initiatives; churches; trade unions; entrepreneurs; scholars; social researchers; victims of the civil war; and Councils of Communal Action (JAC) represented different social and sectoral organizations. In addition, political activists, networks, movements, guilds, and 2990 citizens from 1333 organizations across 32 provinces participated.

The process of each *mesa* covered 2 days. On the first day, workshops on the elaboration process of proposals were held, where participants with previous registrations organized in groups of 20–25 members discussed an issue. On the second day, the organizers provided a speaker from each group who, with the elected delegates, edited the final proposal. The workshops stressed to the delegates the necessary aspects of the proposals—avoiding an assessment of the situation and focusing on specific points but including discord statements or terms. Once the delegates had defended the proposals in each *mesa*'s plenary, the members of the *mesa*, the members of Congress on the Peace Commission, and the United Nations (UN) Resident Coordinator signed the documents.

In some cases, the delegates sent the initiatives via email after the presentation of the proceedings. The nine *mesas* comprised 83 working groups, with 213 deputies, including 95 women. All the proposals were systematized and edited in eight books.

# **National Rural Development Policy**

By the end of 2012, a national rural development policy forum was held with a territorial approach (United Nations & UNAL, 2012) through mini-publics. A call was made for participation by the groups implicated. The forum's organizers, as members of the UN and the

National University of Colombia (UNAL), called for representatives of the Colombian Farmers Society (SAC); the Ranchers National Federation (Fedegan); the Industrial National Association (ANDI); nonprofit civic organizations, social movements, and delegates of peasants, indigenous groups, Afro-descendants, victims, women, and human rights defenders, among others who had previously registered electronically. The forum saw the participation of 1341 individuals, and participants formed groups of 60 to discuss the terms of the agenda related to agricultural issues during two sessions, each lasting 4 h. The members registered an explicit statement to be debated in their groups, and the members without previous registration spoke at the end. Each group produced a report to be submitted in a "socialization group," formed by fusing two initial groups, resulting in 10 groups of 120 individuals. In a subsequent session, the reports were synthesized to create a final report accepted by the entire public. The forum included 40 speakers and 40 stenographers.

## Political participation

At the beginning of 2013, a political participation forum (United Nations & UNAL, 2013b) was held. Proposals were related to three provisions on the agenda, (1) rights of and assurance for the political opposition, in particular the new political parties' outcomes from the peace settlement and their access to the media; (2) democratic mechanisms for citizen participation and direct participation; and (3) effective measures to push the political participation of vulnerable citizens and security guarantees. This forum included the corporate sector and delegates of peasants, indigenous groups, Afro-descendants, women, unions, human rights defenders, development programs, churches, scholars, youths, LGBTI, victims, grassroots organizations, nonprofit organizations, associations, citizenship platforms (especially social movements), and parties or political movements with a proportion of the public close to 11% and 20%, respectively, all with previous digital registration. Each organization had to send 50% of this delegation from remote regions of the nation, and the groups had to be half female. In total, 1245 individuals and 480 organizations participated, meaning all the delegates of the parties, social movements, and organizations invited attended. The right-wing Democratic Center party (Centro Democrático), headed by the senator and former president Álvaro Uribe Vélez, refused to take part.

Forty speakers and 40 stenographers with better skills to promote fair word usage coordinated the groups based on illustrative material. On the first day, a methodological explanation was provided, and four panels were established. On the second day, a session of 20 base groups, with 60 persons each, presented proposals concerning terms on the agenda and registered their proceedings or their willingness to submit an oral dissertation. Each base group produced a report on the three provisions. Subsequently, the four stenographers of the respective groups compiled the proposals into one report. On the third day, the participants were merged into five socialization groups of 240 persons each to review the reports, with every group writing one report. The five reports and the 20 subreports of the base groups were delivered to the central committee of stenographers, who systematized the proposals by term and provision to end the session with a plenary in which the final report was submitted, including a section with other recommendations.

## Women's Summit on implementation and verification

In Bogotá from October 23–25, 2013, backed by European diplomacy and nongovernmental organizations (NGOs), the UN Colombia and UN women created the organization of the National Women's Summit for Peace (Organización de Naciones Unidas Mujeres, 2014), which

nine organizations and women's platforms of Colombian society promoted. The mechanism aimed to convene all women to participate in peacebuilding and was focused on the sixth term of the peace accord—implementation and verification. The forum called on women from the Caribbean, Amazon, Andean range, eastern plains, and Pacific regions (30 provinces and 68 municipalities) to discuss political visions and experiences in peacebuilding and make a proposal on how to face the challenges of a likely postagreement scenario. There were 449 women in the summit, with delegates from feminist organizations, human rights organizations, peasants, victims, indigenous peoples, afro-descendants, students, youths, environmentalists, business leaders, churches, representatives of education entities and research and cultural organizations, unions, grassroots, members of the press, and athletes. Furthermore, 89 delegates were from communities in countries abroad and the national government.

Of the nine base organizations, four were elected as panelists of a national and international forum on (1) women's role in the ratification and accountability of the peace agreements, and (2) implications for women in the implementation of the accords, from their own voices. The initiatives were chosen to highlight the women's role in fostering a peaceful culture and mediated conflict resolution stemming from different expressions of violence. In these initiatives we found resistance; feminist movements; victims' organizations; land recovering and collective reparations; humanitarian treaties; points dealing with the past, forced recruitment, and sexual violence prevention; communitarian press; businesses; and housing projects, which are the lessons systematized into the summit proceedings. The participatory mechanism also covered scenarios and processes to overcome hatred, inequalities, and cultural and structural factors of violence.

Hence, 31 initiatives (70%) come from urban areas, and 12 initiatives (30%) were developed in rural communities, but spatially the Andean range region concentrated 51% of the social initiatives; 30,200 persons (mainly direct war victims) participated in the 43 local initiatives documented by the base organizations. The findings showed that peace for women goes beyond laying down arms; cultural discrimination and patriarchalism also perpetuate violence. The belligerent parties supported and acknowledged the women's rights in the peacemaking process to the extent that after the summit, two women's delegates were included at the Havana negotiating table.

# Illicit crops and drugs

Toward the end of 2013, regional and national forums on the issue of illicit crops and drugs (United Nations & UNAL, 2013a) were formed in line with the third term on the agenda. The national forum with 1200 citizens in Bogotá, and several regional forums with 300 participants, had singularities. To secure the massive presence, practitioners of the issue had to be identified, specifically individuals from regional platforms (approximately 10%); with experience in crop substitution (9%); with expertise in public health and narcotics consumption (9%); and with know-how in the production and trafficking of narcotics (5%). This forum also included the corporate sector and delegates of peasants, indigenous groups, afro-descendants, women, unions, human rights defenders, development programs, churches, universities, youths, LGBTI communities, victims, grassroots organizations, nonprofit organizations, social movements, environmentalists, and political parties. Registration shifted to a limited quorum controlled by the organizers, who had contacted the leaders and deputies of different social movements and social organizations, stressing the corporate sector and political parties in virtue of their attendance but low level of participation during the final participatory peacemaking mechanism.

The forum took place over 3 days. On the first day, methodological instructions and information regarding achievements in the negotiations in Havana were based on the proposals

from the first term on the agenda. On the second day, thematic and socialization groups were organized, different from the activities of the most recent forums. Every group worked for 8 h (two 4-h sessions), with participation based on explicit rules. Each group had two speakers and two stenographers, who carried out their functions according to explicit rules. The stenographers in each group wrote the group's diary, with footnotes to acknowledge the author(s) of the proposal and the group's report based on the debated provisions. On the third day, five thematic groups joined all the participants from the previous day. Thus, two socialization groups, each with 300 individuals, argued about provision (a) on illegal crop substitution, two socialization groups with 200 individuals each debated provision (b) on health policy and programs to prevent consumption, and one group of 200 individuals debated provision (c), pertaining to drug production and trafficking. The 21 reports produced were merged into three. Therefore, 10 groups of 30 citizens each took part in the socialization of term (a), resulting in one report; another report for the seven groups discussed provision (b): and four groups of the last thematic group (c) resulted in a third final report. The session closed with the declamation of these documents—not the group's diary as in past forums—to the plenary.

In addition, provisions (a) and (c) were considered during the regional forum in the city of San José del Guaviare, located in a largely rural area characterized by intensive coca bush cultivation. The province of Guaviare sent 200 participants, compared to 50 each from Meta and Caquetá. These participants were divided into 10 groups, each containing 30 individuals. The regional forum lasted for 3 days. On the first day, the organizers provided methodological explanations of and information on advances in the rural development policy term in Havana. There was also a presentation of the national forum for the term in question, a regional contextualization conference, and a panel of experiences. On the second day, the goal was narrative building from collective testimonials. Stenographers registered the collective testimony, the proposal for each group, and a report emphasizing the terms of the discussion. On the third day, two final reports were written (one per term) and displayed. The narratives and reports were sent to the negotiating table in Havana.

## **Victims**

The citizen participation mechanisms for the design of the peace agreement ended with the victims' forums (United Nations & UNAL, 2014) developed during the second half of 2014. The cornerstone of this term was a statement by the negotiating table in Havana (Gobierno de la República de Colombia & FARC, 2014) introducing 10 principles. Through three regional forums in the cities of Villavicencio, Barrancabermeja, and Barranquilla, as well as a national forum in the city of Cali, provisions (a) Human rights for victims and (b) Truth of the fifth term (victims) were discussed. The spaces where the forums were carried out are associated with the regions most affected by civil war, and all 32 provinces and the capital city sent deputies.

Because the issue of victims affects all Colombian society, all social sectors were included, with emphasis on the victims of any armed actor and diverse forms of harm or violence; 17% of the participants in the regional forums and 60% in the national forum were victims. Also present were deputies of human rights violations organizations, deputies of offenders of international human rights, refugees, and foreign victims (connected by video conference). Delegates of the following organizations composed the remainder of the public—corporations, peasants, indigenous groups, afro-descendants, women, unions, political parties, social movements, development programs, churches, universities, youths, LGBTI communities, grassroots organizations, environmentalists, and the media. Each regional forum was originally meant to include 400 participants, but due to demand, the number increased to 500. The national forum was supposed to have 1200 participants, but this number ultimately reached

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1500, 33% of whom came from Colombia's Pacific and southern regions. In each forum, women represented 50% of the public.

In the process, the meaning of "victim" was based on the UN General Assembly's resolution of December 16, 2005 (United Nations, 2005). The sample of victims features forced displacement, land dispossession and loss of belongings, massacres, indiscriminate attacks, executions, sexual- and gender-based violence, enforced disappearance, assassinations, land mines, kidnaping, torture, children involved in the civil war, death threats, freedom restrictions, violence against vulnerable communities, and violence against political organizations. The selection of the public was an intentional sample, performed by the organizers to fulfill pluralist aspects. Given the weak participation of political parties and their essential role in decisionmaking processes, the organizers contacted their leaders and representatives and called for their assistance in engaging with the victims. Citizen participation was ensured by telephone calls, emails, word of mouth, and social platforms to contact members.

Based on the principles of negotiating table statements, the three regional participatory mechanisms were performed in the same number of cities and convened citizens for 2 days. On the first day, a speech on the advances of the peace talks in Havana and explanations of the methodology and the working groups were given to the public. Mourning was held on the second day. On that day, the groups held discussions, and the act of remembrance was carried out. Reports were compiled and presented to the public, with the organizers' words closing the session. Therefore, 12 groups, each with 41 participants, discussed the 10 principles. Furthermore, afro-descendant citizens asked for and were conceded a group. Every group was assigned two speakers and two stenographers, who performed their roles according to explicit rules. Each participant was given 5 min to make their argument. One week after each regional forum, the organizers sent the final report for each practice to the negotiating table.

Three weeks later, a single report of the national forum consolidated everything. Participants were kept anonymous to avoid revictimization episodes. The Personería del Pueblo (People's Ombudsman) provided psychosocial and judicial support during all the forums. The national victims' forum was carried out over 3 days. On the first day, a speech on the advances made at the negotiating table in Havana and a presentation by a panel of experts and scholars addressing multidimensional concerns for the victims were held. The latter was made for organizations, social platforms, and other populations acknowledged as victims and ended with a methodological explanation. On the second day, a panel of organizations presented its proposals and roles, and the groups worked on the principles. The groups switched places during the morning session on the third day. In the afternoon session, a mourning ritual was performed, and the group reports were presented. Thirty-one groups were created and worked simultaneously; 10 pertained to the concerns of the provinces of Chocó, Valle del Cauca, Cauca, Nariño, Putumayo, Tolima, Caldas, Risaralda, Quindío, and Huila, including one group of adolescents and youth. All the groups discussed the 10 principles, each group with 50 participants from diverse backgrounds. Each group also included two speakers, each given 5 min to speak, and two stenographers who compiled the proposals based on the principles shared.

# **Direct legislation**

In this facet of the peacemaking process, the settlement achieved at the Havana negotiating table, based on the previous participation mechanisms, was submitted to plebiscite for Colombia's citizenry. As Haass et al. (2022) posit, the role of citizens in the peace process is conditioned by the political behavior (preferences, attitudes, expectations) of noncombatants. The preference of the masses can be slanted toward a decision that either permits or impedes direct legislation. Still, incompetent citizen behavior can weaken the institutions of

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representative democracy. In referendums, voters commonly reflect the interests of the powerful (Smith, 2009). Voters also tend to be superficial, ill-informed, and thoughtless, exhibiting a clear sense of disconnection from the political process, suffering alienation, and emphasizing politicians' personalities rather than focusing on policy in media-saturated elections (Held, 2006). The agreement-ratification referendum gave voters and opposition groups opportunities to derail carefully constructed peace settlements, so the main risk of this type of consultation is voter rejection (Collin, 2020).

On September 26, 2016, the peace settlement, Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace, was signed at a ceremony in the city of Cartagena de Indias, on Colombia's Caribbean coast. On October 2, a referendum was carried out for the citizenry to ratify this peace accord. The electoral result was rejection, the "No" for peace vote winning by a narrow margin of 50.21% of the 13,066,047 total votes, a difference of 53,894 ballots (Registraduría Nacional del Estado Civil, 2016).

A subsequent verdict on December 16, 2016, by the State Council (Consejo de Estado, 2016), the highest court of Colombia's public administration affairs, exposed examples of electoral fraud in this participation mechanism and showed how hegemonic elites had manipulated citizens' judgment. It was said that "No" supporters had inflicted psychological violence against voters and misrepresented several crucial aspects of the peace agreement submitted to the vote. Massive systematic fallacies were brought to light, especially regarding gender ideology, the elimination of grants and pensions, impunity, victims, and a shift toward a Venezuelan state model.

## Peace settlement amendment

The next facet of this conflict resolution case was the acceptance of the unexpected results of the democratic mechanism and the reactivation of the negotiating table, now focused on the active participation of the political society that believed there had been a hegemony of belligerence, with the notion of a state military victory against the rebels—in their mind, the terrorists. The government initiated a new participatory mechanism called National Talks for Union and Reconciliation (Diálogo Nacional para la Unión y la Reconciliación), moved forward in October 2016, and led by the president, through meetings with both "No" and "Yes" promoters. Different social groups were included to debate and modify the terms and provisions of the accord signed in Cartagena, but acting with celerity to maintain the cease in hostilities. The "No" supporters, led by the former presidents Uribe Vélez and Andrés Pastrana, convened delegates of Colombia's armed forces veterans' association (ACORE), three neo-Pentecostal religious groups (Cristo me Ama [CMA], Confederación Evagélica de Colombia [CEDEMOL], Pacto Cristiano por la Paz [PCP]), the federation of FARC-EP victims (FevCol), eight high-profile career politicians and rightist activists, and the Democratic Center party, including the vigorous participation of the next president Iván Duque (2018–2022) (Presidencia de la República, 2018). Up to 445 proposals to make changes, adjustments, and clarifications were submitted to the negotiating table in Havana, and the agreement was amended thanks to the hegemonic elite, or the participation of the opposition.

Simultaneously, the government kept building a political coalition via the National Political Deal (Gran Acuerdo Político Nacional). Still, a significant part of the 'No' supporters led a strong opposition of the reformed peace settlement. On November 24, 2016, at the Colón Theater in the capital city Bogotá, the government and FARC-EP signed the new peace agreement. To sidestep the soaring political polarization in civil society, a direct consultation was not held, and the ratification of the accord was moved forward through representative liberal democracy scenarios, in the Colombian Congress. Participation of the legislative branch was constant in the peacemaking process, due to the creation of the House of Representatives'

accidental commission of peace, assigned with the function to study, analyze, and propose initiatives to overcome situations of the civil war that disturbed peace and reconciliation between the nationals (Cámara de Representantes, 2010). On the same day, the bill reached the legislative branch for deliberation and unanimous approval. As a result of the government's National Political Deal, there was a stable coalition in the two chambers to complete the ratification. In the four debates and final vote on December 1, 2016, the Senate showed 75 votes, and the House of Representatives, 130, to pass the bill, with zero votes against (El Tiempo, 2016). A few days later, to proceed with the demobilization and implementation of the accord, the Constitutional Court through Sentence C-699/16 (Corte Constitucional, 2016) reinforced the explicit activities of the constitutional amendment of July 7, 2016.

Although a peace agreement had been reached, its amendment includes political practices carried out by the executive branch, to reach enough governance for ratification. The opponents' modifications were a result of informal political decision-making processes rather than an explicit participatory mechanism. The political deal headed by the national government in the Congress indicated absolute unanimity. To some extent, the formalization of the participatory mechanisms addressed were democratically consolidated via representative processes. Simultaneously, the formal institutions that cemented the peacemaking process were reinforced by higher courts of the judicial branch. In this crucial facet, the participatory elements were mostly moved forward by the political society and were tailored to Colombian polity and its power structures.

# CLIMBING THE LADDER OF PARTICIPATION IN PEACEMAKING

We have evidenced the facets of the Colombian conflict resolution in the 2010s, stressing participation mechanisms from the democratic innovation or democratic goods lenses. Now, we shall revisit each one from the idea of the ladder of citizen participation, complemented with organizational aspects to set up the assessment. The *mesas* that helped end the conflict convened 2990 citizens across the entire national space. On the ladder, it was a consultation open to all and encouraged the social interaction of Congress' delegates. Activities moved forward through the explicit submission of proposals based on the terms of some agenda and with encouragement from the social interaction of peace builders who began to believe in the peace process. The mechanism was inclusive, transparent, and, in some ways, transferable, although with a degree of tokenism, but its importance lies in that it was a first step for a subsequent societal and political learning process.

The rural development policy forums saw the participation of 1341 citizens, but with limited space because the mechanism took place in Bogotá. On the ladder (see Table 1a), we perceive a placation, considering the nature of the participants. The activity *explicitly code knowledge in the form of reports* experienced some constraints because speakers and stenographers did not have adequate experience, whereas the organizers knew the dynamics. Still, the degree of social interaction between the delegates of the traditional agricultural and large-scale producers was remarkable, as it was between corporations and peasant movements. This interaction also enabled the spread of considerable knowledge, thereby influencing citizen participation in poor rural areas. The process was transparent, transferable, and presumably efficient, through managing the costs of convening the occupied workforce in the sector.

The political forum involved 1245 individuals and emphasized the convening of professional politicians. On the taxonomy rung of the ladder, placation is configured considering the exiguous participation of hegemonic parties. The accumulated knowledge and activities of the rightist party proved be crucial to defend the status quo. To do so, they boycotted the mechanism and further infringed on the peacemaking process. This mechanism

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was performed in a reduced space because it was settled in the capital, limiting social interaction. Moreover, we can note its inclusiveness and efficiency, albeit with limited judgment and popular control, especially regarding the opposition of rightist political movements. The women's summit fostered by the UN was relatively different from the other mechanisms in which the UNAL performed a role as organizer and was moved forward at the behest of the negotiating table. At the summit, 538 women were included in drawing up peacebuilding initiatives in diverse regions and from divergent conflict aftermaths, considering approximately 30,000 persons, so two women were included at the negotiations table. Here, we perceive one step forward in the degree of citizen power, on the partnership rung of the ladder. This forum allowed the creation of a gender subcommission—also including delegates of the LGBTI community—resulting in a peace agreement with a gender perspective.

Although the regional and national forums on illicit crops and drugs called for 1500 practitioners, on the ladder, it did not pass the tokenism rung. We also perceive that knowledge sharing occurred in a repetitive fashion or through reports transferred to Havana, including the viewpoints of social scientists, although the activities seem to be the same as in a forum. This mechanism spread knowledge at a degree that informed the judgment of involved citizens. Participation became more dynamic, enlarging the space and including locals of regions affected by coca bush cultivation. Finally, a diverse set of participant groups allowed a fluent social interaction.

The victims' regional and national forums were one of the most evolved nonelectoral conflict-resolution participatory mechanisms. The activities called for the involvement of up to 3000 persons. Here, the spaces were significantly improved, involving four cities but encouraging the presence of deputies from each province and e-democracy or online attendance for refugees. Again, participation by the political society was poor. Although this practice essentially spread knowledge about the brutality of the civil war and its aftermath, the social interaction was so weak as to be insufficient to influence voters' attitudes at the ballot box. This deliberative mechanism elicited the direct participation of the victims through its delegates at the high level and fostered the creation of the victims' commission linked to the negotiating table. Citizen power via partnership is evident, thanks to the relevant role carried out by these stakeholders in the consolidation of their terms in the peace settlement.

To understand the elements of direct legislation for ratifying the accord, the space was enormous because it was applied nationwide, so on the citizen control rung, attitudes of the citizens were translated into votes. Similarly, the Colombian citizenry exerted direct authority, but a great proportion of the civil society was influenced as a spectator following the hatred broadcast by the hegemonic political society, in which fallacies and psychological violence performed a detrimental role in the attitudes of the voters in urban areas, who went to the ballot box feeling angry. The public electoral contest was confusing, and the points in the agreement were poorly informed, disclosing delays in the government's campaign.

The facet of the settlement amendment was in the hands of the political society, so the hegemonic elites bargained over the modification of the rejected version of the peace accord thanks to the spurious support of the plebiscite results. Yet, this facet unmasked the power of other stakeholders (former militaries and their dependents, neo-Pentecostalism movements) that refrained from participating during the mini publics or peace forum mechanisms. Led by charismatic leaders, this segment of civil society's participation can be understood as manipulation or therapy. The final ratification of the accord signed in the Colón Theater is difficult to sort out on the ladder of citizen participation because this facet depends on the way each legislator made a decision. Did they have permanent interaction with their constituencies (which could be considered as citizen power), were they pressured by public opinion and the media, or did they vote on the bill according to interests adapted to the coalition to back up the government agenda? Hence, the ratification of the settlement was determined by the traits of Colombian democracy and the preferences of its political society.

## CONCLUSIONS

This article questions how we should examine democratic participation mechanisms created to end a civil war. To respond, we amplify and provide systematic evidence to Mendes' (2019) argument, in which inclusion in peace processes has been used as a "bureaucratic box" with no distinction between the notions of participation and representation. We also propose a practice-driven answer in a novel case to the question posed by Paffenholz and Zartman (2019), which address at what level, under what conditions, in what relations with others, and for what purpose are youth, religious groups, violent or nonviolent parties, and business groups included. Finally, our method could complement the inclusion Paffenholz's (2014) models one to four, particularly in a peacemaking process. Through this case study, we implement theoretical notions of the ladder of citizen participation and the achievement of democratic goods through peacemaking facets—the signing of the agreement, the peace referendum, the settlement amendment, and its final ratification, which formalized the 2016 peace settlement.

Our findings denote a diverse set of participatory mechanisms toward conflict resolution. The popular assemblies and mini-publics mechanisms follow the notion of "track-two diplomacy" (Cuhadar & Paffenholz, 2020), known also as interactive-conflict resolution, fruitful attempts at inclusion, and splendid organizational forms to spread a disruptive nation's peace ideal. Although the decision-making power remains premature in these mechanisms, the grievances and claims of the people engaged with peace were—according to the Havana peace negotiation table—incorporated in the approximately 300 pages of the final peace accord. When the negotiation and mediation moved forward, these mechanisms underwent a refinement process, but with homogeneous features. There may have been a so-called acme participation mechanism in the peacemaking process (peace plebiscite), but the results expressed the interests and strategies of the hegemony in opposition, unmasking the nation's fracture that is the root of this civil war.

Regarding the ratification of the amended accord through the legislative branch with unanimous approval, we can consider that the mechanisms of representative democracy were activated but with presidential incentives to strengthen a coalition to support peace and respond to pressure from public opinion. In this facet, we can assume that to some extent the citizenry representatives reinforced the previous participatory mechanisms. One caveat of the peacemaking process of the 2010s is the exclusion (by refusal or omission) of other armed illegal groups from the Colombian civil war, such as the ELN rebels and BACRIM. Finally, inclusion or participation mechanisms in a peacemaking process are relevant to move forward successfully a conflict resolution negotiation, but the willingness of the rebels and the political society is a precondition. Therefore, civil society control over the peacemaking process was spurious because it was conditioned by the will of the political society and Colombian liberal democracy traits, where the citizenry is poorly informed about the interests of its elites, who are elected thanks to linkages with the market, and the elite's boldness in gaining votes is based on charisma and fallacies of its leaders. Therefore, even though the process from a liberal viewpoint was democratic supporting the hegemony, it could be understood as one stage of a learning process in the pursuit of a more deliberative democracy or a society with actively wellinformed citizens concerned about crucial problems, in our case, warfare.

The peace negotiations with ELN rebels and the Colombian government started in 2012. The current administration of Gustavo Petro (2022–2026) is encouraging a new phase of negotiations with these insurgents, aiming for "Total Peace" or *La Paz Total*. Still, echoing Mexico's accord (Gobierno de la República de Colombia & ELN, 2023a), the bargaining parties are determined to establish a "Great National Deal" to achieve a notion of peace that, at first glance, aligns with the peacebuilding process with FARC-EP. The first point on the agenda is called "society's participation in peacebuilding," divided into five terms, but the concept of participation is oriented to build that "Great National Deal" rather than define the

mechanisms to pursue deliberation. The second point, called "democracy toward peace," apparently pursues debate on the issues of the country's prevalent formal and informal political institutions. The third point, "transformations toward peace," builds on the outcomes of the previous point, moving toward the policy-making stage, but it does not address how stakeholders will reach decision-making.

Accord number nine, or first Cuba accord (Gobierno de la República de Colombia y ELN, 2023b), is based on the points in Mexico's accord, emphasizing the creation of a "Great National Deal" to overcome—a new definition of the Colombian civil war—the political, social, economic, and armed conflict. The stakeholders involved coincide with those mentioned during the design of the 2016 peace settlement, including the youth urban social movements of the 2019 protests, but overlooking the counterparts of the rebels and the hegemonic political society of the 2010s that reformed the FARC-EP's settlement. The Cuba accord created the National Participation Committee (CNP) associated with the negotiating table. This committee is composed of 80 members from 30 organizations and will be managed by the UN and the Colombian Church, with four delegates from the ELN and four from the official government. It will move forward with eight popular assemblies to debate the points on the agenda, but we can perceive that these mechanisms are devoted to conforming a mass of supporters of the "Great National Deal" toward a potential power-sharing agreement.

This article does not address Bayat's (2010) notions of street politics by virtue of organic participation mechanisms stepped up during the strikes, riots, and urban citizenry manifestations in the peacebuilding stage (2019). The examination of this popular disruption could complement model nine or mass action posited by Paffenholz (2014), making it a potential avenue for future research. In the policy making and conflict-resolution fields, this article contributes to peacemaking from a novel participatory approach rather than arguing with the commonly accepted frame of inclusionary peace processes, although divergences in how to assess participation and inclusion can complement each other.

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## **ENDNOTES**

- <sup>1</sup> Disturbing agents of the rule of law that emerged after the demobilization of 31,000 members of AUC groups between 2003 and 2006 (Prieto, 2012).
- <sup>2</sup> (1) Acknowledgment of victims; (2) responsibility acknowledgment; (3) satisfaction of victims' rights; (4) victim participation; (5) the clarification of truth; (6) reparations for victims; (7) safety and protection guarantees; (8) nonreply guarantees; (10) rights' approach.

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