CHARLES UNIVERSITY IN PRAGUE

FACULTY OF SOCIAL SCIENCES

Institute of Political Science

International Relations

Naďa Závodníková

CIVIL SOCIETY IN THE PEACE NEGOTIATIONS.

THE CASE OF COLOMBIA

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Abstrakt

Diplomová práce „Civil Society in Peace Negotiations. The Case of Colombia" se zabývá zapojením kolumbijské občanské společnosti do mírových jednání s gerilami Hnutí 19 (Movimiento 19, M-19) v letech 1989-1990, s Vojskem národního osvobození (ELN) v letech 1998-2002 a s Revolučními ozbrojenými silami Kolumbie (FARC) v letech 1999 – 2002. Analýza jednotlivých mírových procesů ukázala, že občanská společnost měla jen velmi omezený vliv na jednání. Účast reprezentantů občanské společnosti vedla k nárůstu počtu a rozsahu projednávaných témat, ke snížení úrovně organizovanosti jednání a kromě toho, že její zapojení nevedlo k posílení jednací pozice žádného z hlavních aktérů, samotní reprezentanti občanské společnosti neměli dostatečnou moc na to, aby mohli vyvinout efektivní nátlak na vládu a gerilu. Jednání občanské společnosti bylo ovlivněno především vnějšími neformálními institucemi – jež představují tradiční výkon moci, klientelismus, fungování politických stran a elit a pokračující ozbrojený konflikt - a vnitřními neformálními institucemi – především charakteristikou kolumbijské občanské společnosti a formou zapojení do mírových jednání. Naopak vliv formálních institucí – tedy ústavy a zákonů – se ukázal jako velmi malý.

Abstract

Diploma dissertation „Civil Society in Peace Negotiations. The Case of Colombia" deals with the engagement of the Colombian civil society in the peace negotiations with the Movement 19 (M-19) that took place in 1989-1990, with the National Liberation Army (ELN) in 1998-2002 and with the Armed Revolutionary Forces of Colombia (FARC) in 1999-2002. The examination of the selected peace processes revealed that the civil society had only limited impact on the negotiations. The involvement of the representatives of the civil society led to increase in number and extend of the objectives that were negotiated, decrease in the level of organization of the negotiations and while it did not reinforce the negotiating position of the main actors, it neither disposed with sufficient power to exert an effective pressure on the

main actors of the conflict. The performance of the civil society was influenced by the external informal institutions – represented by traditional execution of power, clientelism, functioning of the political parties and continuing internal conflict – and by the internal informal institutions – namely by the characteristics of the colombian civil society and by the structure of incentives in the participative instances. The formal institutions – the Constitution and the laws – proved to have only marginal influence.

Klíčová slova

Občanská společnost, mírová jednání, řešení konfliktů, Kolumbie, FARC, ELN, M-19.

Key words

Civil society, peace negotiations, confict solution, Colombia, FARC, ELN, M-19.

I declare that I elaborated the dissertation individually. All sentenses or passages quoted in this dissertation from other people´s work have been specifically ackowledged by referencing to author, work and page(s). Any illustration which are not the work of author of this dissertation have been specifically acknowledged.

I hereby approve publishing of this dissertation for research and study purposes.

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Acknowledgement

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List of Abbreviations

AUC	United Self-Defence Forces of Colombia
CRS	Current of Socialist Renovation
ELN	National Liberation Army
EPL	Popular Liberation Army
FARC	Revolutionary Armed Forces of Colombia
M-19	Movement of 19th of April
PRT	Revolutionary Workers Party

Introduction

> "If the 20 years of peace negotiations between the government and the armed actors and of citizen´s mobilization in favour of peace have not achieved to terminate the armed conflict, it is because something is failing."
>
> Herbolzheimer Flamtembersky: 2004, p.6

The quote of Herbolzheimer Flamtembersky, a researcher of the Escola de Pau at the Barcelona Autonomous University, fittingly characterizes the starting point of this thesis. Colombia's search for the negotiated solution of its prolonged internal conflict has applied a number of approaches and has not stand apart the trends that dominated the conflict resolution theory and praxis in the 1990s. The country has its own experience with the involvement of the civil society in peace processes. Nevertheless, these are generally overlooked in the investigations made by the Colombian researchers. Important lessons that might be vital for the future peace processes can be drawn from the analysis of the involvement of the civil society in the past peace processes. Therefore this thesis will focus on the three peace processes where the civil society took part - the peace process with the M-19 which took place between 1989 and 1990, the peace dialogues with the ELN held between 1998 and 2002 and the peace process with the FARC between 1999 and 2002.

Despite these experience of civil society's participation in the peace processes in Colombia, normative and historical approach rather than analysis of the performance of the civil society in the peace processes prevails in the existing literature on the issue. Often the recomendations that the authors formulate are derivated from the peace processes that took place abroad (especially in Central America). Even though there are significant similarities between the countries, the national specifics do play role and should be contemplated. Given that there is no doubt that the civil society will play some role in the upcoming peace negotiations, the necessity of the formulation of lessons learned from the previous engagement of the civil society in the peace processes is evident.

The dissertation therefore aims to determine the limiting factors of the civil society's participation in the selected peace processes and on the basis of this analysis to

formulate a set of conditions for a more effective involvement of the civil society in the negotiated solution of the conflict. The research questions are the following: How can be the evaluated performance of the civil society in the selected peace processes? What were the limitations of the succesful engagement of the civil society in the peace negotiations?

Even though the involvement of the civil society represented an important precedent in Colombia, the hypothesis is that the influence of the civil society on the selected peace processes was limited. The civil society participation in the peace processes, whether in structured or unstructured form, did not necessarily contribute to smoothen the course of the negotiations. At the same time it did not turn out to be sufficient condition for the succesful culmination of the peace process (conclusion of peace agreement and demobilization of the guerrilla).

In order to define the factors that influenced the performance of the civil society in the selected peace processes, the method of process tracing will be applied. The analysis of the course of the selected peace negotiations will make possible to determine the importance of the intervening variables. Specifically, the incentives, the goals and expectations of the main actors - the government and the guerrilla group, the mechanisms of the peace negotiations and the performance of the civil society in the negotiations will be analysed. The information necessary for the correct interpretation of these variables will be based on a serie of interviews with the direct participants of the peace negotiations and on documents and archives from each of the processes.

As mentioned above the existing literature addresses the issue from the normative perspective reasoning why the civil society should be present at the process and what roles the representatives of the civil society should fulfill. Nevertheless, there is little attention dedicated to the reflection on the colombian experience with civil society engagement in the peace processes. Moreover, since the year 2000 the focus on the mobilization for the peace has dominated the debate.

The present text is slightly modified from the original project in two aspects. The adjustments were made in the delimitation of the chapters when the chapter that was originally plan to deal with the concept of the civil society was eliminated and the existing debate on the issue was just briefly outlined within the first chapter. The structure was then extended with the fifth chapter that presents the analytical

concept that was developed on the basis of the analysis of the selected peace processes and therefore facilitates the understanding of the findings. The second modification was made in the form of presenting the evaluation of the civil society's performance. Rather than a detailed analysis of the performance of each of the sectors a comprehensive evaluation will be introduced. This approach was adopted for it brings a more comprehensive explication of the engagement of the civil society.

The thesis will be structured in the following way. The first chapter will outline the evolution of the conflict resolution discipline and its perspective on third parties' involvement in peacebuilding. It will in more detail focus on the roles, functions and position of the civil society in peacebuilding and introduce the existing approaches to the evaluation of the civil society performance in peace processes. The second chapter will then briefly introduce the backround of the Colombian conflict. The incentives and goals that the main actors – the government and the respective guerrilla group - have towards the peace negotiations of will be analyzed in the third chapter. The following chapter will be dedicated to the examination of the performance of the civil society in the peace negotiations. It will begin with the analysis of the expectation that the main actors had in relation to the civil society participation, go on to briefly present the outcome of the selected process and finally focus on detailed analysis of each of the processes. The final chapter will be explanatory and will therefore resume the factors that were identified as determinant for the engagement of the civil society in the peace negotiations. In its second part the chapter will illustrate the performance of the civil society on a concept derived from the analysis made in the preceding chapter. It will be concluded with a formulation of conditions that are necessary for the involvement of the civil society in the peace negotiations.

1 Theoretical Approaches to Conflict Resolution and the Role of Third Parties in Peacebuilding

Despite the fact that conflict and peace have been inherent parts of human history, it was only after the Second World War that the conflict resolution was established as an autonomous discipline. The development of the field reflected and was closely related to the existing international context and has experienced a special expansion in the last two decades.

The conflict resolution approaches will be adopted as a basic theoretical framework that will help us to understand negotiated peace processes. The chapter will therefore briefly present the existing concepts and approaches to the conflict resolution. It will then look in more detail at the role of the third actors in peacebuilding putting a special emphasis on the roles and functions of the civil society in peacebuilding and peace negotiations in particular. The final part of the chapter will analyse the efforts that have been made in order to establish instruments for the evaluation of the impact and of the effectiveness of the civil society's involvement.

1.1 Approaches to the Conflict Solution

The publications of Wallensteen (2007) and Ramsbotham, Woodhouse and Miall (2007) represent different perspectives applied to the categorization of conflict solution approaches and schools. Wallensteen (2007) defines the approaches to the conflict resolution on the basis of forms of analysis. On the other hand, the approach of Ramsbotham, Woodhouse and Miall (2007) seems to be most suitable for the purposes of this work given that their classification covers and explains in a more comprehensive way the categories presented by the other authors.

Ramsbotham, Woodhouse and Miall (2007) classify the conflict resolution approaches in two categories – the classical and the contemporary conflict resolution. The difference between these approaches stems from their understanding and from the definition of a conflict that determines their perspective on the way the conflict is terminated, the agenda that is negotiated and the actors that are involved. The following pages will therefore briefly introduce both perspectives.

1.1.1 Classical Conflict Resolution

The classical conflict resolution approach represents the thinking of peace and conflict that dominated the practice and the field of political science till the end of 1980s. Its concepts as well as the models and predictions were built on the assumption of the central role of states that are subject to the conflict and peace in the international relations. The game theory and more specifically the prisoner´s dilemma were the dominant focus applied in this approach (Ramsbotham, Woodhouse, Miall: 2007, pp. 13-17).

The approach defines the conflict as international and symmetric. It is international because it takes place between states that clash over particular issues that are considered to be their interest. The symmetric character is then related to the nature of the adversaries – as the states can be considered to be relatively similar actors (Ramsbotham, Woodhouse, Miall: 2007, p. 21).

The classical conflict resolution assumes that the conflict is ended through diplomatic initiatives concluded by a political pact as representing the agreement between the elites. Given that termination of the confrontation and the satisfaction of the interest of the belligerent parties are the primary aim, the underlying causes of the conflict are neither addressed nor resolved (Paffenholz, Spurk: 2006, p.20). Therefore we might relate the outcome of this kind of peace negotiation with the concept of negative peace – absence of direct violence - presented by the founder of the peace studies, J. Galtung (Galtung: 1969, p.183-184).

Given the main ideas, the classical conflict resolution can be linked with the conflict management school and with the conflict settlement approach. These approaches share the vision of conflict termination as already mentioned above – first, the objective is to satisfy the colliding interest or at least to regulate the level of violence, and second the protagonism is exclusively given to the elites.

As Ramsbotham, Woodhouse and Miall (2007, pp. 8-9) point out, the conflict management school and the conflict settlement are in fact interrelated. The conflict management – defined by Paffenholz and Spurk (2006, p.20) as one of the main theoretical approaches to peacebulding - consists in regulation or limitation of the conflict through conflict settlement and/or conflict containment. The conflict settlement itself can be defined as an elite peacemaking where the protagonists search for mutually acceptable agreement (Ramsbotham, Woodhouse, Miall: 2007,

pp.12-13).[1] The conflict management school therefore represents a broader term that involves the conflict settlement as one of the modalities.

1.1.2 Contemporary Conflict Resolution

The development of the contemporary conflict resolution is closely related with the end of the Cold War and the emergence of a new kind of conflict that took place within rather than between the states. It is precisely the work of John Galtung that laid the foundation to contemporary conflict resolution. Also Fisher and Keasley (1991), Lederach (1997) and Diamond and Mc Donald (1996) are among the representatives of the discipline.

The asymmetric nature of the conflict – reflecting the inequality in power and status of the actors – represents other aspect that aggravates the situation and complicates the search for peace and future peaceful coexistence. The contemporary conflict has been therefore denominated as protracted social conflict (Azar and Burton: 1986), deep-rooted conflict (Burton: 1991) or intractable conflict (Crocker, et all.: 2004; Zartman: 2005). The discipline brings a new definition of a conflict that is understood as an expression of unsatisfied human needs and consequence of structural violence.[2]

The treatment of indirect/structural violence is considered to be vital if the peace is to be accomplished. The conflict solution cannot be reduced to termination of direct violence, the roots of the conflict must be identified and resolved if peaceful existence is to be secured. Therefore the conflict analysis plays an important role in the contemporary conflict resolution approach (Wallensteen: 2007, p.5).

According to Wallensteen (2007, pp. 32-47), there are three approaches to the conflict analysis. The conflict dynamics approach assumes that the actors have not got autonomy of decision-making and their behaviour is determined by the action of the adversary. The identification of the phases of the conflict that might lead to the

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[1] Burton (1993, pp.55-56) points out the necessity to distinguish the conflict resolution and dispute settlement. The conflict solution – often excesively misused – refers to a solution that must satisfy the needs of all as the conflict itself is a clash over a non-negotiable issues of basic human needs. On the other hand, dispute settlement represents a negotiated or arbitrated solution of a conflictive but negotiable issue.

[2] Galtung (1969, pp.170-171) defines structural violence as an indirect violence inherent to the structure. It can be therefore understood as a social injustice.

de-escalation and give way to the negotiations is the primary objective. The second approach focuses on the functioning of the society and explains the conflict in terms of unsatisfied needs, and out of it arising frustration and deprivation. It proposes different techniques for the conflict resolutions. The third approach assumes that the conflict and the peace are result of rational decision. In its analysis, it goes behind the declared position of the actors and focuses on the identification of the real interests of the actors.[3] It emphasizes, that the setup decision-making authority – namely the efficiency of the decision-making, the importance that is given to the individual participants and the possibility outvote - is determining for the calculations and the behaviour of the actors. Concretely, Buchanan, Tullock (1999) draw the conclusion that the unanimity is the most effective rule in the collective decision-making process.

The contemporary conflict resolution can be identified with two theoretical approaches to peacebuilding – conflict resolution and conflict transformation school. Miall (2004, pp. 3-4) presents a more detailed analysis of the two approaches. Both of these schools share the assumption that the underlying causes of the conflict must be resolved. However, while the conflict resolution school insists that conflict can be transcended when the roots of the conflict are identified, positions of the actors are reframed and creative solutions found; the conflict transformation approach emphasizes the necessity to introduce transformation in context, actors, issues and structure in order to change the patterns of conflictual relationship. Even though some authors (Paffenholz and Spurk: 2006; Lederach:1997) see these two schools as separate approaches, others (Ramsbotham, Woodhouse and Miall: 2007, p.9) define the conflict transformation "as the deepest level of the conflict resolution tradition" establishing therefore the conflict resolution as an umbrella term.

1.2 Third Parties in the Conflict Resolution

With the change in character of conflicts that could be seen already at the end of 1980s, the contemporary conflict resolution approach was a dominant focus of peace and conflict studies. The intervention of the third parties in the search of the peace started to be emphasized and the focus shifted towards the definition of timing and nature of the third parties intervention. The third party was no longer supposed to

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[3] Zartman (1989, 1995), Fisher and Ury (1981) and Stedman (1997) can be ranked among the representatives of this approach.

act exclusively as a mediator that should help the parties to reach an agreement – corresponding to the perspective of classical conflict resolution. Its role was to contribute to look for an analytical way of solving the problems and to take active part in the transformation of the conflict (Ramsbotham, Woodhouse and Miall: 2007, p.9).

This section will begin with a short overview of the different categories of third actors in the conflict resolution. It will then focus on the civil society as one of the possible third actors and examine the its role in the peacebuilding and in the peace negotiation in particular. Finally, the framework for the analysis of the selected cases will be presented.

1.2.1 Who are the Third Parties in Conflict?

The main role of the third party in the peace process is to facilitate the communication and to help the adversaries to search for solutions of the conflict. Its invitation to the peace process is based on the assumption that it will be able to influence the calculations and the decisions of the main actors. Therefore, in order to fulfil its task it must be acknowledged and accepted by the confronted parties (Wallensteen: 2007, pp. 44-45). The main actors of the conflict have a central role not only in the choice of the third party, but also in the definition of roles and spaces for its intervention.

Reflecting the relation of the third party to the conflict, we can distinguish between external neutral and internal partial actors.[4] Generally the external neutral third party is related with traditional formal diplomacy being represented by delegates of states and/or of international organizations. The fact that these dispose with resources and with different kinds of inducement put them in the role of a facilitator or mediator of the negotiated settlement.

Increasingly international non-governmental organizations as well as development and humanitarian agencies got involved in the peace processes. They either fulfil a number of tasks delegated on them by the official representatives or take an active role in the conflict solution. Even though their engagement in the conflict

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[4] The following classification was derived from the works of Lederach (1997, pp. 71-90), Anderson, Olson (2003, pp.37-39) and Ramsbotham, Woodhouse, Miall (2007, p. 25).

resolution may be partial or at least influenced by their specific interests, the fact that these actors bear no responsibility in transformation of the conflict, and cannot be considered as representatives of some particular group, they have status of external actors and represent so called "informal diplomacy".

The category of internal partial actor appeared as a consequence of the changes in the characteristics of armed conflict and in the prevailing paradigm of dealing with them. Based on the assumption that the primary victims of internal armed conflicts is the population, the involvement of local actors/civil society is considered to be of vital importance for reaching peace and reconciliation. The involvement of the third partial also reflects the sensitivity that has been adopted to the cultural and social specifics of a particular conflict. The internal partial third party involves the representatives of local civil society and represents therefore a "citizen's diplomacy".

The functioning of the different levels of diplomacy is captured in the concept of multitrack diplomacy, presented by Diamod and Mac Donald (1996). They distinguish basically between three levels of diplomacy: track number one represent the formal actors who participate in the conflict on the basis of an official invitation (formal diplomacy), track number two involves the informal actors (such as local leaders) whose involvement is not official and finally track number three are all those initiatives stemming from the masses. The contribution of the model consists in that it recognizes that the different tracks can either work in a parallel way or substitute each other depending on the specific situation of the dialogues. The multitrack diplomacy works simultaneously at different levels and therefore represents a way how to overcome the deadlocks in the peace dialogues.

Even though, the third actors are in general considered to be "peace constituencies" or "custodians of the peace", the experience has shown that there are also actors who are not interested in the solution of the conflict and in the peace. Stedman (1997) classifies them as "spoilers". Given that the spoilers can block the peace process and even to contribute to its failure, their existence should not be overlooked (Wallensteen:2007, pp.46-47).

The term "third actor" traditionally referred to mediation carried out by formal diplomacy. Increasingly, however, the internal partial actors have been taking part in the conflict resolution. The following section will focus on the debate related with the engagement of the civil society in peacebuilding in greater detail.

1.3 Civil Society as a Third Party in Conflict Resolution

According to the classification of the third parties, the civil society falls in the category of an internal partial being an expression of citizens or track two diplomacy. By civil society we understand multiplicity of organiziations with different institutional forms (associations, NGOs, community groups, etc.) that are indenpendent from the state (political parties, government sructures, etc.), represent social interests and search to influence the public life.[5]

The civil society emergence at political scene as well as in academic discourse in the eighties and beginning of the nineties was related with the democratization processes that broke out in Latin America and the post-Communist countries. The emphasis on civil society's participation did not confine to the political realm, it soon spilled over towards other fields, such as development, poverty reduction and peacebuilding that turned to be challenges for the newly democratized societies.

The following pages will therefore present the arguments for and against the involvement of the civil society in peacebuilding and they will deal with the definition of the roles the civil society can fulfil in the peacebuilding and specifically in peace negotiations.

1.3.1 Arguments for and against the Civil Society Participation in Peacebuilding

According to the report of Social Development Department of World Bank (2007) civil society is supposed to have a number of comparative advantages over the other actors that are involved in the peacebuilding. In the first place, the civil society has

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[5] The civil society could also be defined as what it is not. The civil society can not be reduced to NGOs as these are focused on specific areas of actions, namely the development, humanitarian aid, human rights advocacy, work with communities (Fisher: 2006, pp.3-4). It can neither be identified with the political parties as the civil society only pursues to have an impact, not obtain the power (Murillo: 1996, p.12). The civil society is also different from the peace movement that is represents multiple collective action without central coordination that searches to consolidate a social basis that would support the peace (Rettberg: 2006, p. 12). As a social institution that acts in the public sphere (Pérez, 1993 in Murillo: 1996, p.12) the activities of the civil society are not motivated with profit. Moreover, the civil society organiziations are determined – in their character and form - by cultural and political context of a particular country (Dovřáková, 2008; Glasius, Lewis, Seckinelgin, 2004).

got access to areas where the conflict has been taking place and therefore it disposes with information from the ground which results to be crucial for the observation of the situation at the ground and for fulfilment monitoring of the terms agreed between the main actors. The civil society also has got a strategic position in between the top leaders and the masses which gives it the access and the possibility to speak with the different parties and at the same time to promote social changes at the grassroots' level[6]. The major flexibility of action, more freedom to establish discussion concerning sensitive issues and less restrains to speak with different actors are the reasons which led Lederach (1997, p.75-76) to argue that the representatives of civil society organizations have got a key role in the construction of peace.

However, the proximity of the civil society to the conflict can turn to be one of the important constrains of its engagement. There is a general agreement among the researchers and academicians that the civil society is the main victim of a contemporary conflicts and its exposure to the violence seriously impacts its basis as well as its capacity and scope of action. Lederach (1997, p. 76-77) adopted the term "deeply-divided society" to characterize the impact of the conflict on the inter-social relations. The author argues that the population that is trapped in the conflict often adopts the strategy of survival focusing on safeguarding of basic needs. Its active participation in peacebuilding is therefore relatively limited. Lederach recognizes these limits and advocates for the middle-range leaders (ethnic and religious leaders, academicians, intellectuals and representatives of the NGOs) to have decisive role in peacebuilding.

The civil society's importance in peacebuilding lies in the fact that within a particular country it represents a political actor. While Barnes (2002, p.10) affirms that the civil society has the right to participate in governance, Anderson and Olson (2003, p.38) explicitly acknowledge that the civil society can establish topics for discussion and exert pressure in order to promote a specific issue in the political debate. Thus, it has the faculty of change enforcement.

Nevertheless, the political participation in the countries that suffer from internal conflict is often limited. Barnes (2005) sees the explication in the fact that the conflict contributes to depolitization of the civil society which looses its capacity to

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[6] For more details consult Social Development Department: 2007, p. 39.

defend its interests in face of the main actors of the conflict. On the other hand, Cohen and Arato (2000 cited in Massal, Bonilla: 2000, p.22) argue that the cultural characteristics are the determinants of the political performance of a particular civil society: "...The civil society [in Latin America] is weak and poorly organized which impedes the changes from bellow. The strategy of participation and of institutionalization is in the context of Latin America the only alternative to obtain the change....The aim [of civil society] is therefore the political efficiency and not the consolidation of the basis" (Massal, Bonilla: 2000, p. 22). In other words, the Latin American civil society has got low capacity of political impact on its own and in order to obtain more power it relates itself with the state institutions.

The invitation of the civil society to participate in peacebuilding often pursues the aim to provide the process with legitimacy. The openness of the process leads to major transparency (Barnes: 2002, p.7), contributes to generation of social and political consensus on the issues that are negotiated (Barnes: 2002, p.7; Fisher: 2006, p. 20) and generates peace constituency – defined by Lederach (1997) as public opinion supportive to the peace process. Therefore the engagement of the civil society in peacebuilding is considered by Zuluaga to be both the remedy to the questioned legitimacy of the main actors and the mechanisms corresponding to democratic principles of problem solution (Ardila Muñoz: 2006, p.5).

The legitimacy is derived from and depends on the representativity of the main participants in the negotiation process. In case of the civil society this is often the subject of serious doubts. As Barnes (2002, pp.10-11) points out, the linkage of the participants to real constituencies is decisive. Only if they are recognized as representative of a particular sector or group, the process can be considered legitimate. Therefore the composition and the character of the civil society play crucial role. The civil society that is poorly organized and where the representation does not stem from grassroots can hardly increase the legitimacy and social acceptance of the peace process.

Barnes (2002) points out that the civil society can in certain circumstances become a guarantee of a process and prevent the surge of spoilers. According to Stedman (1997), there are two ways of how to limit the impact of the spoilers over the peace process: first, the peace agreements should be implemented expeditiously without any changes, and second, a parallel channel for the inclusion of potential spoilers should be developed (Wallensteen: 2007, pp.46-47).

However, as the chapter dedicated to empirical analysis will point out, the peace process takes place in the settings of animosity, resistance and mistrust that can lead to appearance of spoilers not only on behalf of the armed opposition, but also within the different parts of state establishment or even within the civil society. As the definition implies, the civil society is not a homogenous actor, it is rather a heterogeneous entity formed by plurality of groups that pursue their interests correspondingly with their ideological orientation. Leiras (2007, p.24) supports this argument saying that "there is no theoretical evidence that the civil society represents the social interests in political arena in a better way". He also warns against the assumption that the civil society always promotes the democratic values (Leiras: 2007, p. 41) . Therefore it is possible that some part of the civil society could – and in reality many times it will - turn into a spoiler. This situation is likely to happen according to Dabéne (2000, p.230) when the participation of the people does not lead to a solution of the problems. In such cases it generates frustration and the peace procedures are perceived to be endangered by the progress of the negotiations, or when the expectations related to the outcomes of the peace process are not satisfied.

The engagement of the civil society has got a special importance in the final part of peacebuilding, the post conflict reconstruction. Higher degree of agreement's acceptance from the part of civil society is seen by Lederach (1997) and Barnes (2002) as a prerequisite for the reconstruction of social and political relations.

1.3.2 Roles and Functions of the Civil Society in Peacebuilding

There is no doubt that the civil society has gained respect as a legitimate participant in the peace process. In order to evaluate the performance of the civil society in peacebuilding, the roles and functions it fulfils should be analyzed. These will be the issues to be addressed in this section.

The roles of civil society change in accordance to the development of the peace process. Quintín (2002) and Mitchell (2006) understand the peace process as composed of three phases – prenegotiation or preparative phase, formal talks/negotiation and post-agreement or implementation and consolidation phase. While Quintín (2002, pp. 91-93) suggests that the civil society fulfils the roles of mobilization and advocacy oriented to create an opportunity and obtain a voice

respectively, Mitchell argues that the civil society has got a potential to become involved mainly in the second and third phase of the peace process. The functions the civil society is ascribed in Mitchel's scheme are: the facilitator when the civil society focuses on getting the sides to the table and providing backing to the developing talks; the legitimizer, envisioner and guarantor roles that should be developed during the phase of talks/negotiations and finally, the verifier, implementer and reconciler roles characterising the post-agreement phase of the peace process (Mitchel: 2006, p. 20).

Different concept of timing and type of activity the civil society can perform in the peace process is developed by Lederach (1997). In his integrated framework the peacebuilding activity is related with the variables of time and level of intervention (see figure 2.1). In this way Lederach (1997, pp. 115-116) defines five categories for the intervention in the peace process:

- crisis management that corresponds to the immediate treatment of conflictive issues, solution of root causes on the level of system that should be addressed in the early stages of conflict transformation,
- vision which refers to the formulation of the long-term project on the level of system
- transformation that relates the middle-term activity on the level of relationship and subsystem, and prevention oriented on the monitoring of the once conflictive issues on long-term basis.

These categories are related to Lederach´s pyramidal scheme of leadership in the way that each category fulfils certain tasks: the top level leaders are supposed to be involved in the high level negotiations and the questions related to cease-fire, while the middle-level leaders´ focus is on conflict resolution education, on the involvement in the peace process as a member of peace commissions and as an internal-partial third party facilitator and mediator; and the grassroots' leadership works on the formation of the local population, on the psychological and emotional question of postconflict trauma treatment and reconciliation and within the local peace commissions (Lederach: 1997, pp.77-90).

Figure 1   Lederach's integrated framework for the construction of peace
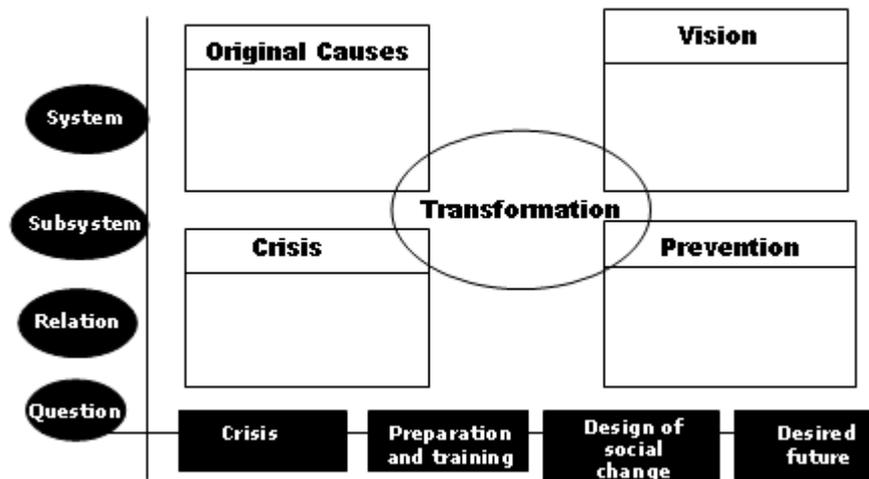
Source: Lederach:1997, p. 115.

Apart form the defined roles it is important to mention that the civil society is also a political actor. In such role it formulates agenda, pursues the goals of specific interest groups and participates in the discussion on the political, social and economic issues treated at the negotiating table. This position is in strict contrast with other roles we defined previously, such as mediator, facilitator and observer, because as a political actor the civil society is supposed to play more active role in the peace process. It means that the civil society can result in being an opponent to the main actors involved in the negotiations.

1.3.3 Civil Society in Peace Negotiations

Having specified the range of roles the civil society can assume, it is important to address the question about the spaces where the activities of the civil society can be developed. Even though the main concern of the representatives of the civil society is their position in the peace process, this issue seems to be overlooked in the academic work on the topic.

In this respect Barnes (2002, pp.8-11) offers a useful typology derived from the existing practices of peace processes in different countries. She distinguishes three basic forms of civil society involvement in the peace negotiations: representative, consultative and direct participation. In the representative participation model the civil society is represented at the negotiation table through political parties with the

stipulation that the political parties are representatives of their constituency and the country has got the tradition of multi-party political system. Such were the cases of South Africa and Northern Ireland and the case of women's party that was constituted in order to represent the women constituency. The second model supposes that the civil society will participate in some form of consultative mechanism where its views will be voiced and the proposals for the negotiation table will be formulated. As an example, Barnes presents the case of Guatemala and its Civil Society Assembly and Philippines´ National Unification Commission. Finally, the direct participation represents a model where all interested individuals engage in the process of developing and implementing the agreements has no support in the real experience.

The author points out that the forms of civil society's involvement in the peace process depend on and resemble to the socio-cultural realities of a particular country. Her conclusion that there is no case of direct participation of the civil society at the negotiation table should serve us as a matter of further consideration given the fact that it is often the aspiration of the civil society's representatives. Since the different forms of civil society participation in peace processes are the main topic of this thesis, we will deal with questions such as: What form of participation contributes to the success of the peace process? Is such participation feasible? Is it desirable? Could the direct involvement work?

1.3.4 Evaluation of the Civil Society Performance in Peace Processes

For a relatively long time, the question on evaluation of civil society's participation did not get much attention. This resulted from the prevailing attitude that the peace initiatives do not produce short-term measurable results (Anderson, Olson: 2003, p.8-10). However, the increasing number of unsuccessful peace processes where the civil society was involved led the researchers to formulate criteria for evaluation of civil society's performance.

Before focusing the attention on the criteria of the impact and effectiveness assessment, we should make clear what the term impact is referring to and how it is related with the effectiveness evaluation of the peace initiatives. Leiras (2007, p.50) treats the question from the perspective of the incidence of the civil society on the public policies. In Leiras´ definition the impact is an „intervention that changes the content or the course of the public policy in some sense". However, he stresses that

it is necessary to differentiate between instances of participation and impact of the participation because the existence of the space for participation itself as well as the presence of the civil society representatives does not necessarily influence the results.

The evaluation of the impact of the civil society on the peace process should part from the definition of the expected level of civil society's incidence and the necessary condition for this to happen. According to Leiras, there is a high probability that the civil society influences the process if the conditions facilitating the collective action are met and if an opportunity structure exists. Regarding the first condition, Leiras sustains that first, the less numerous and more homogenous the group/sector of the civil society is and second, the more enterprising members as well as consecutive sponsors the group has, the more probable the incidence is. The opportunity structure favourable to the incidence of the civil society in the results of peace process then consists of the existence and openness of the institutional spaces, the availability and possibility to construct alliances and finally, of the state´s capacity to enforce effective public policies (Leiras, 2007, p.50).

The impact of the peace initiatives promoted by the civil society can be measured in terms of their effectiveness. As Anderson and Olson (2003, p.14) emphasize, the effectiveness can be measured in two levels: the program level that refers to the assessment of the inputs of the programme in relation to the achievement of defined goals, and the Peace Writ Large level understood as the measure in which the peace practice or program contributes to „the big peace".[7] The authors then present the criteria for assessing the effectiveness in terms of Peace Writ Large level. According to them the peace initiative is effective if/when:

"1. The effort causes participants and communities to develop their own initiatives for peace...

2. The effort results in the creation or reform of political institutions to handle grievances that fuel the conflict...

3. The effort prompts people increasingly to resist violence and provocations to violence....

4. The effort results in an increase in people's security... "

(Anderson, Olson: 2003, p.16-18)

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[7] Anderson and Olson (2003, pp.14-15) define „the big peace" as „changes at the broad level of society and in the overall environment". The activities related with the Peace Writ Large are those that pursue long-range goals.

The fulfilment of these criteria does not present a complete picture about the significance of the peace initiative. The authors insist that additional three criteria must be considered, concretely:

- "the urgency of the change or the capacity to provide a relatively rapid response to the necessity of change;
- the sustainability of the change and
- the proportionality of the change to the degree of the destruction or suffering of the conflict." (Anderson, Olson: 2003, p.16-18)

Anderson and Olson also develop a matrix that defines the level of impact of a peace initiative (see figure 2.3). It can take place on personal/individual level or on a wider socio-political level from the qualitative perspective. The distinction between the masses and "key people"- understood as personalities with power and significance - reflects the quantitative perspective. In line with this concept they define that the effectiveness can improve if the peace programme achieves to „connect individual/personal level with socio-political level and to connect more people and key people strategies at the socio-political level" (Anderson, Olson: 2003, pp. 55-56).

Figure 2   Interconnection among approaches and levels develped by Anderson, Olson (2003)
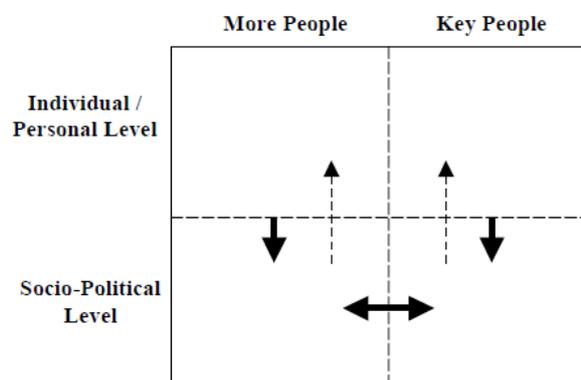
Source: Anderson, Olson: 2003, p.56

The impact assessment has also been addressed by the World Bank. In the report from 2007 the Social Development Department of the World Bank defines three recommendations regarding the efficiency improvement of the civil society peace initiatives. First, it emphasizes the need for the connection of the civil-society peace initiatives to the macro-level conditions (such as the structural conflict factors, "official peace" or state rebuilding). Secondly, it accentuates the necessity to link the peace initiatives with government and political structures. Thirdly, the report calls

for the support of the government structures, laws and institutions in order to create the favourable environment for the full development of civil society activities (Social Development Department of World Bank: 2007, p. 32-33).

Despite the enthusiasm related with the civil society involvement in peace processes, its real performance became a matter of concern due to the controversial results of the peace processes at the beginning of the 1990s. The evaluation of the impact of civil society's peace activities is therefore a necessary part of the analysis of the civil society performance in peacebuilding. Thus, this chapter presented different approaches to the impact assessment and more specifically to the efficiency measurement of the civil society's engagement in peace processes. To summarize there are two approaches to the efficiency evaluation – the first, the accomplishment of the goals of particular peace initiatives and the second one, the contribution to success of the peace negotiations. According to the main goals of the thesis we will use the second approach as it better reflects the reality and provides a more comprehensive explanation to the outcomes of the peace processes.

2. Origins and Evolution of the Conflict in Colombia

The origins of Colombian conflict are directly related with the events that took place in the country in the late 1940s. Nevertheless, the conditions that led to the outbreak of the violence and the surge of guerrilla movements can be traced back to the period when Colombia was established as an independent state. The roots of the conflict are of special importance for the peace negotiations given that their inclusion in the negotiation agenda and even more the way they are treated significantly determines the course of peace process. This chapter will therefore shortly analyze the roots and causes of the Colombian conflict and briefly present its evolution.

2.1 Causes and Roots of the Conflict

To understand the causes that led to the outbreak of the conflict in Colombia, the chapter will examine the structural factors that determined the form and evolution of state institutions and social relations. It will therefore focus on formal and informal rules, especially the constitutional order, the process of state-building and the traditional behavioural patterns of the social interaction, as these are the main factors that define the social and political settings as well as the formation, character of the civil society and its relationship towards the state (Dvořáková: 2008, pp. 37-39). Whereas the constitutional order and the state-building represent the formal rules, the traditional behavioural patterns are part of the informal rules.

2.1.1 Constitutional Order

Until early 1990s Colombia was governed by the Constitution of 1886[8] amended by the National Front agreement[9] and the political reforms in 1968. The Constitutional framework was built upon the ideas of strong presidency mandate, weak Congress and limited political and civil rights.

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[8] Biblioteca Jurídica Virtual: http://www.bibliojuridica.org/libros/5/2212/13.pdf
[9] The National front agreement will be discussed in more detail at the page 18.

The concentration of powers in the hands of the president namely consists of the authority he was provided to nominate the regional and local governors (art.120.4 of the Constitution of 1886).[10] Having no obligations for previous consultation or approval of these nominations, they became the main instrument for gaining and securing the loyalty across all levels of executive bodies (central, regional and local one). This competence significantly contributed to centralization of powers in the close circle of elites surrounding the president (Kline: 1999, p. 12-13).

Among the president's responsibilities also belong issuance of orders and resolutions necessary for the execution of the laws, maintenance of the public order, disposal of the public force, administration of the recollection of the rents and the public properties and decision about the investment of these resources, organizing the National Bank, etc. (art.120). The fact that the president is provided with such extensive competences which intervene in so many and so diverse areas, demonstrates his strong position.

Furthermore, the presidential competencies could be temporarily extended. The Constitution establishes that "when it results necessary or convenient for the public order" (art. 76) the president is given extraordinary powers. In case of external war and disturbance of public order the president disposes with the authority to issue decrees that have direct legislative power (art. 121). Even though the Constitution defines these decrees to be temporary legislative provisions, it neither delimit their force, nor provides the Congress with the authority to review or abolish them. The Congress has the right to be informed about the presidential ruling during this period.

The predominance of the executive branch resulted in limited competencies and weak position of the Congress. It had no authority to control the government and no fiscal authority. Its power was strictly limited to the legislative procedure. Moreover, because there were no accountability mechanisms, the Congressmen had no limitations in the use of their influence which turned the institution into a clientelistic instrument. The citizens were given the right to vote, but in reality the results of the elections were not important for the composition of the Congress and

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[10] This is especially striking given that the Constitution explicitly prohibits the Congress to interfere in the competencies of other powers (art 76).

government. This was a consequence of Constitutional limitations of the political and civil rights on one side and the National front agreement on the other.

The Constitution provided the government with far reaching suppressive powers against expression of social protest and mobilization affecting the political and civil rights. The freedom of speech and press was secured only at times of peace; the authorities had the power to dissolve any reunion that was to evolve in tumults, riots or blockage of public roads and to arrest any person that might be under suspicion of disturbing the public order (art.42 and art. 46).

Also the limited space for the citizen's role in the government – given the absence of the provisions on participation and accountability mechanisms and restrictions on representation of its interests – was further restricted with the National Front Agreement. With the aim to overcome the bipartisan violence – known as The Violence - that plagued the country between 1948 and 1953,[11] the National Front agreement from 1956 established that just and equal participation of the elected parties should be secured. It left no space for any third party involvement; "the opposition was proscribed" (Ayala Diago: 1999). In this context the elections lost its importance as a mechanism through which the citizens could express their political preferences.

Additionally, the National Front Agreement forbade any attempt to subsequently amend the Constitutional order through the popular initiative (this provision was incorporated in the Constitution of 1886 in art.207). The Charter could only be amended by a legislative act, giving the political elite the power to maintain the status quo. Therefore any change of the political regime was in hands of the governing elites that had no interest in limiting their power.

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[11] In 1953 the leaders of the Liberal and Conservative party together with the Army removed the president Laureano Gómez and in order to regain the control over the country agreed to the nomination of general Gustavo Rojas Pinilla at the presidency. In this way the military government was established. Even though the regime of Rojas Pinilla significantly contributed to the pacification of the country, the dictatorial practices that the president started to impose since 1954 and the efforts to regain autonomy from the political parties led to an establishment of military junta (May 10th, 1957) and announcement of elections. The National Front – agreed between the representatives of the Conservative and Liberal party on June 24th, 1956 - was approaved in referendum on December 1st 1957. The bipartisan government was established on the basis of the legislative and presidential elections held in 1958. (Bushnell: 1996, p. 302)

By including the economic emergency as a matter that entitles the president to declare the state of exception and prolongation of the dipute´s term of office to four years, the constitutional reforms in 1968 further reinforced the position of the president. On the other hand, the prolongation of the National Front order to 16 years secured the position of the traditional political parties (Orlando Melo:1991).

The existing Constitutional order therefore created a gap between the state and the citizens. The political regime was reserved to the political and economic elites and left no space for the representation of the interests outside the framework of the existing political parties that were continuously losing their representativity. Given that the Constitution did not impose any requirements on transparency neither it created system of checks-and-balances among the legislative, executive and judicial branches, it opened the political sphere to the clientelistic and corruptive practices and made it independent on the society's control and demands. These conditions led in fact to conservation and delegitimization of the political regime which motivated the surge of so called "armed opposition".[12]

The political crisis and the aggravating situation of the country at the end of 1980s – in terms of economic and social conditions as well as in terms of increasing violence – were the factors that paved the way to the reform of the constitutional order. The reform process, was partly promoted by the government of Virgilio Barco, partly related with the peace process with the guerrilla Movement of 19th of April (M-19), and finally pushed through by social mobilization at the beginning of 1990s.[13] The Constitutional Assembly was dominated by the social sectors that were previously marginalized, while the political elites were practically absent (Bejarano: 2001, pp.

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[12] For more detailed overview see Leal Buitrago, A., 1990. Estructura y coyuntura de la crisis política. In: Francisco Leal Buitrago & León Zamosc, 1990. *Al filo del caos. Crisis política en la Colombia de los años 80.* Bogotá: IEPRI-Tercer Mundo.

[13] The leading role in the convocation of the National Constitutional Assembly had the student´s organizations – We can Still Save Colombia (Todavía Podemos Salvar a Colombia) and Student´s Movement for a Constituent (Movimiento Estudiantil por la Constityente). They proposed that the citizens were given a seventh ballot paper in the legislative election on March 11th, 1990 where they would require holidng a referendum on reform of the Constitution. The initiative obtained 2 000 000 votes which was sufficient for holding of referendum. The referendum on the convocation of National Constitutional Assembly was held on the day of presidential election (May 27th, 1990) and a total of 86,6% of the citizens was for the reform of the Constitution through the National Constitutional Assembly. The members of the Assembly were elected on December 9th, 1990, the sessions were held between April and June 1991 and the new Constitution was proclaimed in July 1991. (Dugas: 2001; Bejarano: 2001)

79-80). This environment led to introduction of unrealistic social and economic guarantees into the new Constitution.

The Constitution of 1991 provided for democratization of the political regime, establishing guarantees for political representation and mechanisms for political participation of the citizens, legalizing the political opposition and adopting control mechanisms. The application of the Constitution, however, was dependent on the Congress which continued to be dominated by the traditional political parties (Bejarano: 2001, p. 90). These had the capability to adapt to new conditions in contrast to the new political parties and the civil society which were unable to exploit the space given to them by the new Constitution (Bejarano: 2001, p. 92). Therefore the potential of the new Charter was not further developed.[14]

2.1.2 State-building and its Consequences

As a consequence of the geographic conditions and the settlement patterns that were promoted by the Spanish colonizers, the central Colombian government has never had a complete control over the state territory.[15] There were rather different levels of control over the territory resulting in insufficient law enforcement in substantial part of the country. There can be distinguished three categories of control over the

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[14] The incapacity of both the civil society and the new political parties to develop the potential of the Constitution commented Hector Piñeda, former M-19 combatant: „the [constitutional] text does not have a transformative capacity" (Interview with H.Piñeda: 2009). Marco Romero, director of CODHES, consideres that the destiny of the Constitution of 1991 shows the importance that the politicians have on its application (Interview with M. Romero: 2009).

[15] Even though the concept of failed state has been applied to characterize the situation in Colombia, attention should be paid to the discussions of Colombian academicians and experts on this issue. For Paul Quist the existence of different levels of state control in the regions is the expression of structural weakness of the Colombian state. This "partial collapse of state" is not, however, the explication of the existing violence. According to the author, the violence exists only in areas where there is not only absence of the state control, but also absence of any other forms of social control. Daniel Pécault introduces the term "precariousness of the state" to characterize the absence of the state control over great parts of the territory, the fact that political parties represent subcultures and the absence of the national symbols. The violence is from his point of view a consequence of disarticulation between the social demands and the political representation. The expression "states of war" is used by María Teresa Uribe to classify the areas where the state is not sovereign, where exists a resistance to the state order and the violence is used as an instrument for solution of conflicts. The sovereignty is therefore fragile and disputed (González, Bolívar, Vázquez: 2007, pp. 198-200, 218-226).

territory with respect to the level of governance, namely central areas, semiperiferies and remote areas.[16]

The triangle between the three biggest cities – Bogotá, Calí and Medellín - represented what we will call the central regions of the country. These were under the control of the government and therefore the State legal framework was valid and enforced in these territories. There were also semiperiferies adjacent to the center areas (such as Meta, Boyacá, Córdoba, Santader, Caquetá, etc.) where the central government passed the ruling power – partly including military control - to local bosses (González, Bolívar, Vázquez: 2007, p.256). It meant that there was some kind of control exerted over these territories and central constitutional order was formally recognized, however, it was the law and will of the "governor" and not the state law that was respected in reality. Finally, there were vast areas (Putumayo, Amazonia, Guaviare, Vichada and Guajira) isolated from the economic centres situated in hardly accessible parts of the country that were not controlled in any form (González, Bolívar, Vázquez: 2007, pp. 254-255). In these areas there was no authority neither constitution or law system. The order was therefore imposed by force or through coercive methods.[17]

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[16] González, Bolívar, Vázquez (2007) categorize the different levels of state control as integrated municipalities (which correspond to the semiperiphery) and border zones (remote areas in the classification used in this thesis).

[17] The different levels of control over the state territory were exploited by the emerging guerrilla groups in 1960s and 1970s. They occupied the parts of periphery which was the main reason of the very limited impact on the country. The adoption of the strategy of the expansion during the 1980s and 1990s resulted also in territorial expansion of the FARC towards the semiperiphery. The expansion of the paramilitary groups followe an inverse direction. The paramilitary groups that were in services of the local elites and therefore initially located in the semiperiphery started to move towards the periphery (González, Bolívar, Vázquez: 2007, pp. 67-68). These displacement of the armed actors follows according to González, Bolívar, Vázquez (2007, pp. 68, 70) the dynamics of the drug cultivation and at the same time reflects the structural problems of the agrarian issue in Colombia (while the paramilitary groups promote the interests of the local autorities of the "traditional style", the guerrilla is related with the colonizers and little peasants). The concession of a demilitarized zone – as a part of the peace process with the FARC between Novemer 1998 and February 2002 – contributed to consolidation of the power of the guerrilla and at the same time to the intensification of the confrontation between the guerrilla and the AUC both at the expense of the government's control of the territory. The recuperation of the states authority over the national territory was therefore the leitmotif of the newly elected president Álvaro Uribe (2002 – up to the present) and his Policy of Democratic Security. The government indeed achieved to establish its control in great part of the territory and especially along the important higways. The Corporation Nuevo Arco Iris affirms that an area where 70% of inhabitant live is under the control of the government.

Figure 3   **Map of Colombia visualizing the classification of the territory according to the level of control**

The map illustrates the division of the territory according to the classification – centre, semiperiphery and periphery. The centre is within the triangle, the semiperiphery inside the irregular line and the periphery is situated outside the line.

Source:http://descubrecolombia.iespana.es/Imagenes/geografia_mapa_colombia.jpg

2.1.3 Social Order and Traditional Behavioural Patterns

The social structure is the final piece that completes the picture of the root causes of the conflict. Since the times of Spanish colonialism, there were deep differences within the Colombian society that in some form persist up to present time (Kline: 1999, pp. 9-10).

The social pyramid can be characterized as follows: there was a relatively limited and very closed group of economic elite at the top; significantly smaller and very weak middle class, and the vast parts of the population were masses with no rights and no power. Even though this social order was perceived by the majority of the population as unjust, the independence from the Spanish crown did not bring any changes. It only contributed to transformation of the economic elites that controlled the commerce or were the owners of the land into political elites leaving the structure of the pyramid untouched.[18]

The strong inequalities and disparities among different social groups and the rigidity of this social order led to a very limited social mobility as well as political and economic exclusion of great parts of the population. While the masses remained locked in the poverty and controlled through paternalistic practices, the elites made use of their position resorting to clientelism and corruption. Therefore the social structure became a factor that increased the perception of illegitimacy of the State and its institutions and motivated the population to adopt violent forms of change enforcement (Kline: 1999, p. 10).

The political and social organization of the Colombian state was the main factor that contributed to the polarization of the society, resulting partially in the colonization of the periphery.[19] The increasing concentration of the population rejecting the State order turned out to be the substrate for the illegal armed groups that came to control these areas.

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[18] It was the consequence of the fact hat the fight for the independence was motivated by commercial rivalries between the Spanish colonizers and the so-called "criollos" (white descendents of the Spanish born in Granada. The indenpendence was seen as a way how the "criollos" that represented an economic elite could shake off the restrictions imposed by the Spanish officers (Bushnell: 1996, p. 52). There were no aspirations to change the established order in other aspects.

[19] As it was mentioned above, the Colombian state did not control the whole territory which gave possibility to the population to escape from the state control by colonizing the remote areas situated at the periphery.

2.2 Origins of the Colombian Conflict

It is not possible to identify the exact date of the beginning of the Colombian conflict because as we have described in the previous chapter, its roots date back to the colonialism. Because of the main goals of this thesis, we will assume the emergence of the guerrilla groups as the beginning of the armed conflict and focus only on a series of events that closely preceded it.

2.2.1 The Violence in 1950s

In the first place, it was a wave of violence that outbroke with the assassination of liberal candidate for presidency, Jorge Elieser Gaetán in April 9th, 1948. The death of Gaetán unleashed a civil war between the followers of the Liberal party on one side and the Conservative party on the other. This bipartidist violence was aggravated with the fact, that each of the parties stimulated creation of civic militias which contributed to intensification of the violence and to militarization of the Colombian society. Even though the control was re-established in the cities after a few months, The Violence[20], as this period of Colombian history is called, was finally overcome with the installation of general Gustavo Rojas Pinilla in the presidential office (Bushnell:1996, p. 294).

In order to regain the control over the country and eliminate the groups of armed civilians, the Military was granted autonomy in the questions of public order.[21] Even though, the majority of the civic militias were dismanteled at the beginning of 1950s, remnants of armed peasant groups with communist orientation persisted and formed autonomous communities. Álvaro Gómez Hurtado, Conservative Senator, gave them the denomination "independent republics" and accused these groups of impeding the excercise of the state control in these areas.[22] The military action against these „independent republics" undertaken in 1964 contributed to transformation of the group's torso into the continents oldest guerrilla movement –

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[20] González, Bolívar, Vázquez (2007, pp. 17-46) present a comprehensive overview of the existing literature and the academic discussions on The Violence.

[21] The separation of the security from other political issues, its assignament to the Army and the non-intervention of the politicians into the questions of the security is known as docrtina Lleras. Named after the president Alberto Lleras, it characterized the civic-military relations during the econd half of the 20th century. (Ortiz: 2006, p.334)

[22] The independent republics were Marquetalia, Guayabero, El Pato y Riochiquito (Alarcón Núñez: 2006).

Armed Revolutionary Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) (Núñez, 2006).

The National Front Agreement was supposed to be the way to prevent the outbreak of similar bipartidist violence in the future. It was already mentioned that this agreement significantly determined the institutional framework as it closed the political system and outlawed the opposition - measures that were used to suppress the left-wing parties. The National Front became the denomination for the governments established in the period after the 1957´s agreement as well as for the practices that persisted after the termination of the pact, took place in a very specific international context.

2.2.2 The International Context

The Cold war rivalry meant - not only for Colombia, but for all Latin American countries – shift towards the United States, adoption of anticommunist ideology and application of the National Security Doctrine[23]. The left-wing parties were prohibited and persecuted as well as any expression of social protest. This led to strong resentment in the population given that it was facing a strong suppression by the regime. In this context, the victory of Cuban revolution became the symbol for the fight against the "illegitimate" regime. Seen as a model to follow, the social discontent transformed in the emergence of many guerrilla groups during the 1960s not only in Colombia, but also in most latinamerican countries.[24]

2.2.3 Delegitimization of the Regime

The third moment that had a special importance for the conflict were the presidential elections in April 1970. In these elections the Gustavo Rojas Pinilla ran as a candidate of the National Popular Alliance(Alianza Nacional Popular, ANAPO)

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[23] National security doctrine refers to a political use of the concept „national security". According to the doctrine, the control of the state was given to the Army in order to securte the state from „internal enemies" – concretely guerrillas and opposition/communist groups. National Security doctrine was developed by the United States and applied in South America during the period 1959-1980s (Leal Buitrago: 2003, pp.74-75).

[24] For a more comprehensive overview of the guerrilla movement´s in different countries of the region see Pečínka, Pavel, 1998. Od Guevarry k Zapatistům. Přehled, složení a činnost gerilových hnutí Latinské Ameriky. Brno: Doplněk and Gott, Richard, 1970. Guerrilla movements in Latin America. Londres: Nelson.

against the candidate of National Front, Misael Pastrana. Misael Pastrana was proclaimed the winning candidate, however, there were many doubts about the fairness of the electoral process. The supporters of Rojas Pinellas did not recognize the official results considering them as manipulated by the regime. The discontent and the motivation to fight for democracy stimulated the emergence of the guerrilla M-19 (Villamizar: 1995, pp.25-47).

2.3 Evolution of the Conflict in Colombia

Even though the first guerrilla movements[25] appeared already in the 1960s, they had rather marginal influence over the political and economic life of the country. On one hand, it was a consequence of their strength which was limited both in number of the combatants and in their military capacity. On the other hand, the guerrillas were located in periphery and isolated areas and therefore their existence did not have much effect on the rest of the country. The military actions undertaken at the end of 1960s and beginning of 1970s further debilitated the emerging insurgent movements, reducing them into groups of no more than a dozen of militants struggling for survival (Pizarro: 1990, pp. 426 - 429).

The 1980s brought a significant change in the panorama of the conflict. In the first place, it was a period when the guerrilla movements redefined their strategy. To realize their political programme, they resolved to adopt military approach consisting in the reinforcement of their armed forces. This could only be achieved with an increase of income, which led the guerrillas to search for resources alternative to the contributions of the colonizers that up to the moment represented their social basis and were their main source of financing. Each of the guerrilla's movements adopted different strategies: while the FARC imposed taxes on the newly introduced coca cultivation, the ELN focused its action on attacks on energy infrastructure and kidnapping and the M-19 resorted to extortion. Moreover, the

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[25] The Armed Revolutionary Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) emerged from the remnains of peasant group in 1964; the National Liberation Army (Ejército de Liberación Nacional, ELN) was founded in 1964 by students inspired by the Cuban revolulution and by the theology of liberation and the Popular Liberation Army (Ejército Popular de Liberación, EPL) influenced by maoism appeared in 1965. As a consequence of internal fissures, a number of splinter groups appeared. For example, the Current of Socialist Renovation (Corriente de Renovación Socialista, CRS) is the scisson of the ELN, the Colombian Revolutionary Workers Party (Partido Revolucionario de Trabajadores, PRT) disentegrated from the EPL.

administrative reform that resulted in decentralization and delegation of the power over the public spending to local and regional level represented an opportunity for the guerrillas to divert the public money to favour their interests. The increased level of income led to the increase of the number of militants and gave the guerrilla the capacity to afford modern weapons and other army equipment (Ortiz: 2006, pp.326-327).

Apart from the military reinforcement, the guerrilla also strengthened its political position in this period. The peace processes opened by the president Belisario Betancur (1984 -1986) with the FARC, the M-19 and the EPL (Popular Liberation Army) gave the guerrilla the opportunity to step out of the shade and present itself and its programme to the public. The guerrillas gained political recognition in the peace negotiations and public support, because it represented an alternative to the existing political regime of the National Front (García: 1992, p. 52).

There were important changes in the evolution of the conflict in this decade. In the 1980s the drug industry started to spread in Colombia. First, it was only the cultivation of the marihuana and coca bushes in marginal parts of the national territory, but later on laboratories and the whole production process of the cocaine were situated in the country. The FARC was the first guerrilla to benefit from the drug production by establishing taxes on the cultivations of coca plants on its territories. However, the extortive practices of the guerrilla led the drug cartels to look for securing their own protection as well as the protection of "the business". This led to the formation of private armies, paramilitary groups and private killers called "sicarios" (Camacho: 2006, pp. 394-395).

The public mood in the second half of the 1980s was strongly determined by the problematic development of the peace processes, in great measure caused by the permanent violations of the cease-fire by both guerrillas and the military. The siege of the Palace of Justice by M-19 that resulted in the death of judges and disappearance of many others put an end to the peace processes as well as to the guerrilla romanticism and enthusiasm for the peace (Bejarano: 1990, p.66). It was not only the attacks realized by the guerrilla groups, but also the political violence unleashed by the paramilitary groups against the left-wing politicians and against the social movements that started to paralyze the country on national level (Pardo: 1996, p.248).

The decade of 1990s started with the demobilization of the M-19 which together with the upcoming process of Constitutional Assembly motivated smaller guerrilla groups to enter the peace process with the government. In 1991 the Movement of Quintín Lame, Popular Liberation Army (Ejército popular de liberación, EPL) and Colombian Revolutionary Workers Party (Partido Revolucionario de Trabajadores, PRT) demobilized, in 1994 the Current of Socialist Renovation (Corriente de Renovación Socialista, CRS) and the urban militias in Medellín were incorporated in the civil life. Together with the breakdown of the Soviet bloc the context was perceived as favourable to conclude the peace talks with the two remaining guerrilla groups, the FARC and the ELN. However, these expectations were not fulfilled. The peace processes failed in 1994 and both guerrillas continued in building up their military power and establishing their control over new areas.[26]

In this period the country was passing through so called "drug war" declared by the president Virgilio Barco in August 1988 and continued under the administration of president Gaviria César (1990-1994). Even though the Medellín Cartel was finally dismantled (it ceased to exist with the death of its leader Pablo Escobar in 1993) (Pardo: 1996, p. 425-468), the paramilitary groups overtook the control over the drug trafficking.

The strength and especially the amount of money the drug industry was generating started to affect not only the national economy, but also the national politics. Not long after the election of the president Ernesto Samper in 1994 accusations that his campaign was financed with the drug money appear. The so-called "Process 8000" – as the investigation of the infiltration of the drug money in Samper´s campaign is known – seriously affected the domestic political scene further delegitimizing the State and the government as well as the international reputation of the country. While important steps in combating the Cali Cartel were made, the scandal seriously affected the realization of the presidential programme, namely the peace policy. Despite the government made important concessions in order to establish talks with the guerrillas, these perceived the Samper´s administration as illegitimate and weak and showed no interest in the peace dialogue (Presidencia de la República, 1996, p. 17). It was only at the end of Samper´s term that the ELN accepted to initiate peace talks that were to define the conditions for the beginning of peace process.

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[26] For more details about the peace processes during the period 1991- 1994 see García Durán (1992).

In the second half of the 1990s the country was stuck in a military deadlock. The increasing military power of the FARC resulted in a series of important victories over the Colombian Army. Even though it represented an important change in the nature of the confrontation, it was clear that neither side disposed with the potential to defeat its counterpart (Ortiz: 2006, p.338). The situation was further deteriorated with the continuing expansion of the paramilitary groups. In 1997 they transformed into a national organization known as United Self-defence Forces of Colombia (Autodefensas Unidas de Colombia, AUC). The AUC defined themselves as an organization combating the insurgent groups. Their activities therefore extended on the fight with the guerrillas and their sympathizers, resulting in social cleansing and mass violations of human rights (Romero: 2006, pp. 368-369, 372).

This context stimulated a massive social mobilization in favour of peace. The approximately 10 millions votes (from the total population of 40 million) given to the Mandate for the Peace, Life and Liberty, made the peace the topic of the electoral campaign and determined the political programme of the newly elected president, Andrés Pastrana (1998-2002) (Pastrana: 2006, p.45). His administration inherited the process of peace talks initiated by the Samper´s government with the ELN and opened the peace process with the FARC. Nevertheless, three years of the negotiations ended neither with the guerrilla nor with the armed conflict. The worsening of the security situation and the continuation of the violence were the direct consequences of the military activities of the FARC and of the increasing protagonism of the AUC.

3 Incentives and Goals of the Main Actors

The way the main actors behave during the peace process stems from their expectations and the goals they pursued in the negotiations. Therefore in this chapter we will analyze the internal and external factors that will help us reveal the real goals of the government and the guerrilla in the peace processes with the M-19, with the FARC and in the peace dialogue with the ELN.

3.1   Peace Process with the M-19

The peace process between the administration of Virgilio Barco and the guerrilla M-19 took place between January 1989 and March 1990. Despite the fact that this period was one of the most turbulent in Colombia's recent history, the negotiations were not even once suspended. Quite on the contrary, the peace agreement was reached.

3.1.1 The Incentives and Goals of the M-19

The M-19 found itself in a difficult situation at the beginning of the Barco's administration. The seizure of the Palace of Justice on November 7, 1985 had very serious consequences on the guerrilla as most of its militants died in the counterattack realized by the Colombian Army. The military weakness of the guerrilla was further aggravated by the public refusal of this action (Bejarano: 1990, p. 66). The guerrilla's legitimacy was seriously questioned and the possibility to regain the social acceptance significantly limited.

The M-19 also experienced serious challenges to its internal functioning as a consequence of rapid succession of its leaders. In 1983 the guerrilla lost Jaime Bateman who was the ideological leader and founding member of the M-19. He was substituted by Iván Manuel Ospina, who was suspended from this position after a few months due to his political and military incompetence. From 1985 the guerrilla was led by Álvaro Fayad who was killed together with several other middle range commandants by the Army in March 1986. Carlos Pizarro was then appointed supreme leader of the guerrilla (García, Grabe, Patiño: 2008, p.17).

The complicated internal situation – both military and political weakness – limited the possibility of the M-19 to realize its programme. The newly elected president Virigilio Barco denied to continue with National Front practices and declared the realization of political reforms as its main goal (Pardo: 1996, p.15). This resulted to be complementary to the political goals of the guerrilla consisting in democratization of the regime in Colombia and was one of the main reasons that contributed to the decision of the M-19 to enter the peace talks.

The change in the position of the M-19 became evident in January 1988 when the guerrilla published its new strategy. Its fundamental idea was expressed by the slogan it held – "Life for the nation, peace for the armed forces and war against oligarchy". It was a sign that the guerrilla was disposed to lay down the arms and execute its political programme using the standard political process (García, Grabe, Patiño: 2008, pp. 17-18).

The M-19´s decision to move from warfare to peace was further strengthened by the "dirty war" unleashed by the paramilitary groups. The guerrilla's sympathizers and its members, but also the social movements and political leaders were the main victims of the unprecedented wave of violence (García, Grabe, Patiño: 2008, p.18-19). This period shows the highest rate in the politically motivated deaths, with the year 1987 holding the primacy as the most violent in the recent history of Colombia (Kline: 1999, p. 42). In this context, the public support to the guerrilla for the continuation of the armed conflict significantly decreased.

Last but not least it was the international context that seems to have influenced the M-19´s incentives. In contrast to the general assumption, the gradual collapse of the communist bloc did not have as much effect on the M-19´s decision to negotiate and to demobilize. The guerrilla never shared communist ideology nor had it links with the communist countries (García Durán, Brabe, Patiño, 2008, p.11). The external factor that might have had impact on the M-19 were the peace processes in Central American countries that were held from 1983 to 1994. The Colombian conflict had many common traits with these countries and the sucessful peace negotiations where the Colombian government took part as a facilitator – within the Contadora group – provided an important incentive for the search of the negotiated termination of the confrontation.

The M-19´s internal and external conditions represented a strong motivation to look for the negotiated way out of the conflict. The political and military weakness of the M-19 and the strength of other armed actors involved in the conflict seriously limited the guerrilla's potential. The peace negotiation therefore represented a unique possibility to realize the political programme of the M-19 and the only way to regain the political credit so badly damaged with the seizure of the Palace of Justice. The acceptance of the demobilization, defined as an ultimate condition for the opening of the peace process further confirms this hypothesis.

3.1.2 The Incentives and Goals of Barco Administration

The president Barco (1986-1990) assumed his office in the context of continuing and intensifying internal conflict and had to deal with both the public frustration stemming from the failed peace processes promoted by the previous administration and with the generalized perception that political system was in deep crisis.

The Barco administration adopted reformist policy consisting of democratization of the political regime and of promoting the socio-economic development of the areas with high levels of violence and poverty. In this way the government wanted to regain its legitimacy. However, the losening of the repressive measures and the reformist project of the Barco administration were factors that led to a significant increase in social mobilization. In combination with a deteriorating economic situation – economic crisis and the consequences of debt crisis – the government was confronted with a strong pressure from the streets (Pardo: 1996, pp. 44-45).

The increased military power of the guerrilla, the proliferation of drug trade and of the paramilitary groups led to an escalation of the violence during the second half of the 1980s. There was no sector of the Colombian society that would not suffer the consequences of the guerrilla and drug trafficking related violence. The insecurity was a shared concern of the elite as well as of the rest of the society.

The kidnapping of Álvaro Gómez, the former deputy of Conservative party and the owner of the national newspaper El Siglo, on May 25th, 1988 was of a special impact on the government. It was the first time when a member of country's political elites was affected by the guerrilla violence. Moreover, it was the first expression of the new strategy of M-19 – it wanted to press the government to the peace dialogue, while not giving up its political programme. Even though the president rejected to

initiate the peace talks on the basis of the violent action of the guerrilla, the kidnap made the government to formulate the Initiative for the Peace, the peace policy defining the conditions for peace negotiations (Pardo: 1996, p.91).

Even though the Barco administration did not define the peace negotiation as the main goal of their policy, once the issue was raised Barco decided not to oppose the negotiations proposal. Moreover, the government could gain credit from the potential peace process as re-confirmation and strengthening of its own legitimacy. On the other hand, the president was not willing to accept any costly compromises.

3.2 Peace Dialogues with the ELN

The peace dialogue between the representatives of the Samper's administration and the ELN was set up in January 1998, six months before the end of the president's term. It was the first time when the guerrilla got directly involved in pre-negotiation talks with the Colombian government. However, the discussions did not advanced to the opening of a peace process and were finally suspended by the president Pastrana in March 2002.

3.2.1 The Incentives and Goals of the ELN

The ELN went through a significant evolution during the 1990s. The demobilitization other "small" guerrilla movements in 1991, turned the ELN into a second biggest guerrilla of the country. Moreover, the strategy of military expansion based on attacks on energy infrastructure, extortion and kidnappings gave the ELN a special visibility and importance in the national context. The 1996 National Congress of the ELN brought an important change in the guerrilla's political strategy. It defined the humanitarian agreement[27] and the realization of the National Convention[28] as the conditions for opening peace process (Vargas: 2006, p.273).

However, the pro-peace position of the guerrilla and its involvement in the peace dialogues with the Samper's government was seriously affected by the death of its

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[27] Humanitarian agreement is a term used for the accord that would secure the liberation of kidnap victims and that would impose limitations on the violent practices of the guerrilla in accordance with the international humanitarian law (Protocol II of the Geneva Conventions).

[28] The National Convention proposal will be explained in more detail in the chapter 4.1.

political leader Priest Pérez. The leader known for his capacity to reconcile the different streams existing in the interior of the guerrilla was succeeded by Nicolás Rodríguez Bautista, alias Gabino, follower of the militarist wing of the ELN (Interview with D. García Peña; 2009). Considering the internal diversity of the ELN, this represented a potential threat for its internal stability.

The situation of the ELN was further complicated with the dynamics of the conflict. With the increasing importance of the drug trade territorial expansion and control over the population became the main goal of both, the FARC and the paramilitary groups. The ELN resulted to be the weakest link in this confrontation. It was expulsed from some of its historical territories and suffered numerous defeats and losses (González, Bolívar, Vázquez: 2002, pp.85, 87-88).

The confidence of the Pastrana administration regarding the possibility to defeat the ELN militarily, reinforced the perception of military and political weakness of the ELN. The progress of the talks was further complicated by the fact that the Pastrana administration openly gave preference to the talks with the FARC, which forced the ELN to look for ways how to capture the government's attention, even by the means of violent actions (González, Bolívar, Vázquez: 2002, pp. 84-85; Vargas: 2004).

The ELN adopted the peace talks as a part of its waiting-and-see strategy. Being in military disadvantage - in relation to the other armed actors - and loosing the importance in the eyes of public opinion, it forced the ELN to look for the peace dialogue to gain time, to gain space and to gain attention. The fact that the ELN never advanced from the peace dialogue to the peace process only confirms this conclusion.

3.2.2 The Incentives and Goals of Samper Administration

The Samper's administration was since the very beginning confronted with a serious internal crisis. The denouncement that the president's campaign received financing from the Calí cartel led to a questioning of the legitimacy of the new administration. Even though the investigation known as Process 8000 confirmed the infiltration of drug money in the campaign, no charges were formulated and the investigation was closed (Kline: 2007, pp.28-29). As a consequence of this scandal, the options of the new government were very limited. Despite the Samper's government programme was to resume the negotiations with the country's remaining guerrillas, these –

especially the ELN - considered that the involvement of the Calí Cartel in the presidential campaign proved not only the corruption of the government, but was also the evidence of the government's relation and responsibility for the formation and support of paramilitary groups in service of the drug cartels (Kline: 2007, 34-35).

These allegations of the guerrillas seemed to be confirmed when the government acceded to regulate the establishment of Convivir, civilian self-defence militias. [29] The legal framework defined that the peasants and the landowners can hold arms in order to protect themselves from the guerrillas and to collaborate the Army with the counterinsurgency fight (Kline: 2007, pp. 40-41). This represented a return to the practices known from the period of The Violence – the militarization of the society that threatened to become uncontrollable.

Even though the government succeeded in its fight against the Calí Cartel that was dismantled in 1995, there was no improvement of the internal situation of the country. Moreover, the Samper's commitment to the combat against the drug cartels was perceived by the guerrilla as a consequence and evidence of the government's submission to the USA.[30]

The political crisis complicated the relations between the president and the Armed Forces. From the time of the National Front, the Armed Forces of Colombia took over the responsibility to defend the public order and the State itself. Thus, the

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[29] The Special Vigilance and Private Security Services - known also as Convivir – were established by Decree 356 of 1994. It provided legal support for arming the civilians that were in charte to guarantee public security in combat area. The members of the Convivir were supposed to be licenced and under the supervision of a special agency within the Ministry of Defense. However, as president Samper admitted in August 1997, the groups got out of control. In 1997 the Supreme Court ordered devolution of the armes possesed by the civilians participating in Convivir. (For more detailed overview of the controversies related with the Convivir consult Human Right Watch, 1998. *War without Quarter: Colombia and International Humanitarian Law.* United States, pp. 85-96).

[30] Since the Second World War the relations between Colombia and the United States have been built around the issue of combat of drugs and drug trafficking. The U.S. promoted its anti-drug policy by financial assistence, later also by training of the Colombian National police and Army. It conditioned the granting of american aid through the certification process (the president is given the right to decide whether the country cooperates in the drug controls) and through the Leathy Amendment (the american military assistance to the foreign military units is forbiden if these have not been punished for violations of human rights). Given that the U.S. military and financial assistance has become vital for the functioning of the Colombian Public Forces and therefore influence their combat capacity, the Colombian governments generally aspire to mantain good relations with the U.S. (Falco: 1998, p. 146; Centre for International policy: 2003; Závodníková: 2006, pp. 21-23)

questioning of the president's legitimacy led it to adopt more active and deliberating position. It even pronounced for the resignation of the president and there were rumours about a possibility of coup. However, its political protagonism was reversed by the military defeats the Army has suffered from the FARC (Téllez, Sánchez: 2003, pp. 370)

The term of the president Samper came to be known as a period of expansion of power of the illegal armed actors. While the ELN was causing serious losses to the national economy and to the lifes of the civilians that resulted to be indirectly affected by the attacks on the oil infrastructure, the FARC were celebrating its greatest successes through a series of defeats of the Colombian Army. In the period of April 1996 and November 1998 the FARC assaulted various military bases, and occupied for a couple of hours Mitú, the capital city of the department Vaupés (Ortiz: 2006, p.338). Also the paramilitary groups joint the tendency. After the big drug cartels were dissolved, the paramilitary groups took over the control of the trade and under the leadership of Carlos Castaño – the leader of the paramilitary groups from Córdoba and the posterior AUC (Romero: 2006, pp.370-373).

With the expansion of the illegal armed actors, the capacity of the state to control and govern was seriously undermined. Besides, the attacks of the guerrillas and of the paramilitary resulted in increased levels of violence and elevated number of victims on behalf of the Colombian society. For the first time, the country experienced massive mobilizations that were asking for protection of life and human rights and demanding the peace. The social movement for peace emerged.[31] The organization of the Mandate of the Children and Mandate of the Citizens for the Peace, the Life and the Liberty turned to be the way the society pressed on the government to search for the peaceful solution of the conflict.

The impact of the Process 8000 on the relations of the Samper's administration with the United States was already insinuated. The government of Bill Clinton decided to suspend the visa for the president Samper. Colombia was despite the efforts and successes in the fight against the drug cartels decertified in 1996 and again in 1997 loosing in this way the aid proportioned by the USA for the combat of the illegal drug production (Falco, 1998, p.146). Given that the capacity of the Colombian

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[31] A detailed analysis of the formation and evolution of social movement for peace in Colombia can be found in García Durán, Mauricio, 2006. Movimiento por la paz en Colombia (1978-2003). Bogotá: Cinep.

Army was vitally dependent on the U.S. financing, the consequences were – given the existing climax in the country- fatal.

The president Samper finally succeeded in his attempts to establish a peace talks with the ELN. Nevertheless, considering the situation in which the government was immersed the real goal of the peace initiative of the president was to distract the attention from the problems related to the person of the president. By pursuing this goal the president Samper had to make great concessions especially in the relation to the civil society involvement in the talks.

3.3 Peace Process with the FARC

The peace process with the country's oldest and largest guerrilla was officially initiated in January 1999. It was preceded by a series of conversations and reunions with the FARC that were held even before the president Andrés Pastrana was elected president on June 21st, 1998. However, the process suffered many reverses and was finally suspended in February 2002.

3.3.1 The Incentives and Goals of the FARC

In 1998 the FARC was at the height of its power. The strategy of military expansion and reinforcement adopted at the VIIth conference held in 1982 finally yielded the results. The FARC was by far the strongest armed group in the country as it united approximately 11 300 militants in its ranks (Ortiz: 2006, p.333). The victories over the Colombian army demonstrated its military capacity.

This success was the consequence of the direct involvement of the FARC in the production of cocaine that provided the guerrilla with increased level of incomes that were destined not only on the armaments, but also turned the affiliation to the FARC to be an attractive option of life. However, the involvement in the drug production made the FARC independent on the social basis and led to an increasing alienation between the guerrilla and its supporters.

There were not many external factors that would constrain the decision-making and behaviour of the FARC. The guerrilla had military superiority over the Colombian Army and definitely over the ELN. Increasingly the conflict was fought between the

FARC and the AUC. Especially as the peace process provided FARC with numerous advantages deriving from the unlimited control of the demilitarized zone of El Caguán and from the patience of the government, the AUC represented the only relevant competitor and challenger for the FARC.

It seems that there were not many incentives for the FARC to get involved in the peace process, at least not in the peace process leading to the demobilization of the guerrilla. All the presented factors make us conclude that the real goals the guerrilla was pursuing in the peace process were to find out what their bargaining position was and what the state was willing to offer them. The FARC was not disposed to compromise, on the contrary it was a priory determined to reject all proposals. Therefore, we can assume that the peace process represented for the guerrilla a part of its military tactic which searched to paralyze the state and strengthen its military power.

3.3.2 The Incentives and Goals of the President Pastrana

For Andrés Pastrana the peace process was not only a strategy that helped him win the presidential campaign, it also turned out to be the matter of personal prestige. Through his advisor and peace-commissioner to-be Victor G. Ricardo Pastrana in the role of presidential candidate managed to establish direct contact with the leader of the FARC, Manuel Marulanda in the period before the second round of the election. Together with the acceptation of the Mandate for Peace, Life and Liberty this resulted to be decisive for his victory in the 1998 presidential elections.

However, it was in interest of the government of Colombia to re-establish the relations with the United States as the U.S. aid was vital for the modernization and strengthening of the Colombian Army. The Pastrana administration defined what was initially called the Marshall plan for Colombia – a plan how the international community was to help Colombia to combat the cultivation and production of illegal drugs. In line with the approach of the United States to the drug issue, the official version of Plan Colombia published in 1999 was based on repressive military treatment of the drug problem. The U.S. administration was to participate in the military aspects of the plan, while the phase of reconstruction and introduction of alternative production was left to the international community (Cato Institute Policz Forum: 2001, p. 4).

Even though the Pastrana administration initiated a reform of the Colombian Army, the relations between the government and the military were very conflictive. The Army and the Ministry of Defence often disagreed with the steps and the concessions the government made in the peace process with the FARC. As an expression of this disapproval 12 generals and about 20 colonels presented a collective resignation as well as the minister of the Defence did (Téllez, Sánchez: 2003, pp.297- 300).

Pastrana initiated his term with a strong peace mandate. However, the creeping economic crises that stroked the country in 1999, the flaws in the peace processes with the FARC and the ELN and the continuing violence gradually took away the public support of the president's peace policy. The fact that the government insisted on the necessity to maintain the dialogue and to offer more concessions is the clear evidence that the primarily and real goal for the president Pastrana was the peace process itself.

4 Civil Society Involvement in the Peace Processes

The evaluation of the civil society engagement in peace negotiations must analyze both the conditions that were given to its representatives and their actual performance. Given the main actors are those who generally define the structure of the negotiations, this chapter will start with the examination of the expectations they had towards the civil society involvement. In order to make the reading of the civil society performance more legible, a brief overview of the outcomes of each of the selected negotiations will be introduced. The examination of the civil society performance in the peace processes will be the core of the chapter.

4.1. Expectations of the Main Actors towards the Involvement of the Civil Society

The contenders are, as Coser (1961, p. 348) points out, those who define the provisions for the termination of the conflict. Therefore, if we want to analyze the role the civil society had in the peace processes in Colombia, special attention should be dedicated to the attitudes and expectations the main actors in the conflict had towards the civil society.

4.1.1 Peace Process with the M-19

The peace process was for the M-19 inseparably related with the democratization of the political regime. However, the M-19 sought - in words of Vera Grabe, the former commandant of the M-19 - to "make the changes together with the country and not for the country" (Interview with V.Grabe: 2009) and thus, the participation of the society in the solution of the armed conflict was one of the main conditions of the guerrilla. The guerrilla wanted to involve the civil society in the political dialogue through the National Dialogue that was supposed to be an assembly where "the national majorities" could participate in the construction of the democracyg.

The proposal of National Dialogue had three major weaknesses. In the first place, there were many ambiguities regarding the scope and the nature of the National Dialogue. Was the National Dialogue supposed to be just a forum to give a voice to

the Colombian society? Was it an instance that would define a new political pact or did it just search to contribute to a formulation of national consensus? What would be the procedural rules of the National Dialogue? These were some of the questions that had not been specified by the guerrilla during the ten years since the call on the National Dialogue had been made.

In the second place, there was the question on the definition of "national majorities". It was unclear who these majorities were and how their participation would be secured. From the point of view of the power that the National Dialogue assembly would be given, also the issue on the representativity of the participants had a key importance. However, this latter one was not of the concern of the period. As Vera Grabe affirms this issue was neither discussed nor contemplated by the guerrilla (Interview with V.Grabe: 2009).

Apart from these conceptual weaknesses, there was much distrust to the proposal of the National Dialogue. It was as a consequence of the previous experience with the peace negotiations with the M-19. The National Dialogue was used at that time as a tactic to secure and to strengthen the position of the guerrilla against the government, as the former members of the guerrilla affirm (Interview with V.Grabe: 2009). Therefore, there was much precaution on behalf of the government in accepting the involvement of the civil society.

Contrary to the position of the guerrilla, the Barco's government did not contemplate the eventuality of the peace negotiations and even less the participation of the society in the peace process. Its policy pretended to prevent the guerrilla from using the society as an instrument against the government which was reflected in the peace policy it eventually defined. It definitely reserved the political and military issues for the bilateral negotiation between the representatives of the government and the guerrilla. The society would be involved in the solution of the violence at the regional and local level dialogues which supposed to be a mechanism to reach reconciliation (Pardo: 1996, p. 100, Bejarano: 1990, p.106).

Despite the diverse positions of the government and the M-19 on the issue, agreement on the involvement of the society in the peace talks was reached soon after the peace process started. There is no doubt that it represented a significant concession on behalf of the government. At the same time, however, it was clear

that the space the civil society was given was limited as the ultimate decision-making power remained in the hands of the guerrilla and the government.

4.1.2 Peace Dialogue with the ELN

The position of the ELN regarding both the peace negotiations and the role of the civil society was determined at the III Conference that took place in February 1996. Central to the peace proposal of the guerrilla was the National Convention that was defined as a space where the Colombian society would analyze the country's problems and where consensus on the solutions of these problems would be formed (Vargas: 2006, p. 276). However, it did not mean that the ELN would give over its power to this assembly. Rather it wanted to keep the control over the process as it declared itself to be an armed supervisor of the dialogue and a guarantee of the accomplishment of the consensus (Vargas: 2006, p.283).

The proposal of the ELN was not much different from the one presented by M-19 a decade ago. Similarly to the tactic that the M-19 adopted at the beginning of the 1980s, the involvement of the civil society was supposed to strengthen the position of the guerrilla and turned out to be a demonstration of the political power of the ELN (Interview with H.Piñeda: 2009). The guerrilla never accepted demobilization as part of the process, which points out that it pursued different objectives than the termination of the conflict.

The government's attitude towards the civil society participation in peace process was determined by the Process 8000. The accusations seriously undermined the government's legitimacy and led the guerrillas to dismiss any proposal for the peace talks made by the Samper's administration (Presidencia de la República: 1996, p.20). Therefore, the government searched to reinforce its legitimacy in the potential peace talks with the incorporation of the civil society.

The civil society obtained an important position in the government's peace policy called Useful Dialogue. It was given a great range of competencies – from the facilitation services to the participation on the set-up of negotiations and in the debate on political reforms. The civil society was to be an inherent part of the process in all its phases. However, it was made clear that in the end it will be the agreement at the bilateral level that would determine the outcome of the negotiations (Presidencia de la República: 1996, p.27).

The National Peace Commission created by the government in February 1998 was an advisory and consultative organ of the government. The Samper's administration devised it as a platform to involve the civil society was involved in the execution in the government's peace policy. It was the Commission that was in charge of establishing the first contacts with the ELN and conducting the peace talks with this guerrilla movement.[32]

The involvement of the civil society in the government's peace policy was a direct reaction on the development of the ELN – the Policy of Useful Dialogue was made public nine months after the guerrilla defined its requisite on the participation of the society in the potential peace talks. However, both the government and the guerrilla made it clear that despite the civil society had a key role in the process, the final decision was reserved to the bilateral negotiations. Therefore, the civil society was caught between two fires as it was expected to provide legitimacy to the main actors and the process in general and at the same time increase its negotiating power.

4.1.3 Peace Process with the FARC

There is no explicit formulation of the FARC´s attitude towards the civil society participation in the peace process. However, it can be deduced from the political programme of the guerrilla updated during the VIII conference in 1993 and from the steps of the guerrilla in the course of negotiations.

Historically, the FARC considered itself to be the representative of the country's majorities that were excluded from and suppressed by the political regime and by the practices of the political elites (Lozano: 2001, p. 66). While the FARC criticised the government's underestimation of the civil society participation (Lozano: 2001, p.12), the guerrilla itself adopted a position of superior authority in relation to the Colombian society, regarding itself to be not only the speaker, but also the government of the country's majorities (Lozano: 2001, p. 95).

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[32] Daniel García Peña, the Peace Commisioner of the president Samper, explains the marginalization of the government from the reunion in Maguncia with personal animosities that existed between the president Samper and the presidential candidate Pastrana. Given that there was high probability that Pastrana would win the second round of the presidential elections that were held on July 21st 1998 – only a couple of days after the reunion in Mainz held on July 12th, 1998 - the Samper's administration opted for low profile in order not to aggravate the course of the peace dialogue with the ELN (Interview with D.García Peña: 2009).

It formulated the requirement on the involvement of the civil society only at the end of the first year of negotiations. The proposal consisted of giving the civil society the possibility to express its demands and points of view on the political agenda defined by the FARC (Comunicado No. 8, 28 de Enero 2000). Therefore, it turned to be demonstration of the FARC's political power in the face of the government and the elites of the country.

The government was in a completely different position. The discredit of the administration of the president Samper and the escalation of the violence, led to massive mobilization in favour of peace. The president Pastrana committed himself to the Mandate for the Peace, the Life and the Liberty and assumed to conduct the peace process with the FARC (Pastrana: 2006, pp. 39, 45). However, his peace policy did not contemplate the participation of the civil society in the negotiations. It only contemplated the involvement of the entrepreneurs in the identification of the productive projects and the engagement of the civil society the elaboration of a draft of National Plan of Social Emergency that would help eliminate the striking socio-economic differences (Pastrana: 2006, pp. 50-51).

While it seemed that the Pastrana's administration overtook the peace initiative from the hands of the civil society concluding this way its active role in the peace process, it put a great emphasis on the direct involvement of the private sector in the process. The entrepreneurs occupied not only many important posts in the Pastrana's government, but also in the negotiation team. It was the impact of the conflict over the interests of the economic elite and the proximity of the new president to these circles that led to their connection to the government and the peace process (Correa Robledo: 2004, p.34-35, Valencia: 2002, pp.147-148).

The fact that the peace process between the administration of Pastrana and the FARC became the most participatory may result be surprising. Ten months after the peace process officially initiated the government and the FARC agreed to set up the Public Audiences which were supposed to be an instance where the civil society could present its proposals on the topics of agenda of the negotiations (Comunicado No.9: 2000). The inclusion of the civil society in the peace process and especially the mechanism through which it was supposed to participate in these hearings satisfied the interests of the guerrilla and represented another concession of the government.

4.2 Outcomes of the Peace Processes

The previous chapters dealt with the incentives of the main actors to engaging in the respective peace negotiations and their expectations regarding the participation of the civil society in the peace process. In order to facilitate the understanding of the development of the peace processes, we will shortly resume the outcomes of each of the processes examined.In depth analysis will be developed in the following chapter.

4.2.1 Peace Process with the M-19

The peace process with the guerrilla M-19 was the only one – among the selected cases – that was concluded with a peace agreement, demobilization of the guerrilla and re-insertion of its members into the civil life. Moreover, the negotiations that took 14 months were never suspended despite the numerous complications that emerged. In the critical moments it was the M-19 who saved the negotiations, whereas the government adopted a wait-and-see attitude.

Even though the M-19 candidates took part in parliamentary and presidential elections in March and April 1990, it was only a partial success. The opening and democratization of the political system agreed in the Political pact did not come into existence and therefore the electoral contest took place under the existing constitutional and electoral rules. Because the main objective of the M-19 and in some sense also of the government was not reached the peace process was perceived as reduced to the capitulation of the M-19. As a consequence, the peace process has been labelled and known in public opinion as demobilization for house, car and scholarship or demobilization for a taxi which seriously undermined the significance of the process.

4.2.2 Peace Dialogue with the ELN

The case of the ELN is in many ways particular. The peace talks were established in the final months of the Samper's administration under the assumption that the new administration would continue in the process. However, the president Pastrana gave preference to the process with the FARC that overshadowed the talks with the ELN. This provoked the ELN to armed actions and led to a number of suspensions in the peace dialogue.

The outcomes of the process might appear disappointing. Despite the different reunions between the ELN, the civil society and the government, and the effort of the international community's mediation only partial agreements were reached, for instance rules for the functioning and the international supervision of the zone of encounter. However, neither the schedule, nor the details on the selection and definition of the participants of the National Convention were defined. The talks that extended over more than 4 years never passed from the phase of peace dialogues to peace negotiations and in reality did not leave any tangible results.

4.2.3 Peace Process with the FARC

The peace process with the FARC was surrounded with great expectations. However, the absence of the Manuel Marulanda at the opening ceremony of the peace process was the fist of many disillusions with the progress of the negotiations. The interest of the government to bring the negotiations to An end and the strategy of the FARC to make use of it caused many obstacles and often led to suspension of the talks. As the time was passing the public support of the process started to decline.

During the three years of the negotiation process there seemed to be little progress reached. The guerrilla had no interest in negotiating cease-fire and humanitarian agreements. At the same time, the discussion about the political issues included in the Joint Agenda did not seem to progress, while the importance of the Public Audiences to the peace negotiations started to be questioned. After a prolonged deadlock and clear inflexibility on behalf of the guerrilla to accept the government's terms, the peace process was finally suspended by the president Pastrana in February 2002. Despite the fact that the Public Audiences are still considered to be one of the greatest exhibitions of the social mobilization, the proposals presented at the hearings ended in the archives without being ever processed. The whole peace process turned to be a great failure and disillusion.

4.3 Civil Society Involvement in the Peace Processes

Having defined the position of the main actors in the peace process itself and their expectations regarding the civil society's involvement in the peace process, this

chapter will focus on the way the civil society participated in each of the selected processes.

4.3.1 Peace Process with the M-19[33]

The M-19 used the kidnapping of Álvaro Gómez, one of the representatives of „Colombian oligarchy", to press the government to formulate conditions for opening of peace negotiations (Bejarano: 1990, p.90). However, the government rejected to be forced to direct dialogues through the „terrorist" act. The civil society initiated the negotiations of the liberation of Gómez without any support from the government. Moreover, the Barco's government made clear that it would not be bound by the commitments that would arise from these dialogues (Interview with R.Pardo: 2008).

The result of the first reunion between the representatives of the guerrilla and the civil society (the reunion took place in Panamá in July 14th, 1988) brought an agreement on liberation of Gómez and on realization of summit with the participation of the government in Colombia. Nevertheless, the government denied to take part in this summit as it might have been considered as a sign of its weakness and vulnerability to the extortion and violence. As a consequence the Military did not suspend its orders of prosecution of the M-19 restricting the participation of the guerrilla (Pardo: 1996, pp. 90-91). Thus, the Summit of Usaquén was reduced to a meeting of representatives of popular sectors (without the attendance of the M-19 members).

The Summit ended with the creation of the Commission for Democratic Coexistence that was supposed to work on the issues related with the holding of the National Convention (Pardo: 1996, p.91) . However, once the government presented its own peace policy (in September 1988) and the M-19 accepted and fulfilled the declared terms, these previous initiatives of the civil society were ignored and the dialogue turned to be strictly bilateral. Only after three months, the agreement on Tables of Analysis and Agreement – giving space for the representatives of the civil society in the negotiations - emerged.

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[33] The analysis presented in this chapter is based on the documents and reports from the peace process coming form the private library of René Ramos.

Structure and organization of the peace process

The negotiations with the M-19 took place in two levels. The leaders of the guerrilla together with the representatives of the national government and the political parties (Liberal party, Conservative party and Patriotic Union) participated in the high level negotiations within the Working Table for Peace and National Reconciliation. This represented a body with decision-making powers (Reglamentadas las Mesas de Trabajo: 1989).

Still, the civil society was to be involved in the peace process through the Tables of Analysis and Agreement. These represented a space for discussion and were supposed to present consensual proposals to the Working Table. In order to secure the commitment of the society to the agreements made, it required the participants to be „representative forces of the society"and therefore an accreditation by their respective organization, association or by the sector was required (Presidencia de la República:1989, p. 270).

In accordance with the negotiation agenda three Tables were established: the table number one dealt with Constitutional and electoral rules reforms, the second one was dedicated to the questions of justice and public order and the third table discussed the socio-economic issues. The Tables of Analysis and Agreement were supposed to session during a period of 6 weeks required (Presidencia de la República:1989, pp.259-260).

However, the performance of the civil society was limited by many aspects implicit to the structure and organization of the negotiations. The configuration of the decision-making powers of the Tables of Analysis and Agreement was based on a consensus of all representatives participating in a respective Table.[34] Even though this rule stimulated an effective and organized performance of the civil society, the political parties were the weak point of the negotiation. Despite they were supposed to pre-agree on the Political pact, their absence during the sessions of the Tables of Analysis and Agreement seriously weakend their commitment to the pact. Furthermore, the fact that the Congressmen changed the draft of the reform during the legislative procedure in Congress (an article prohibiting extradition was included) which led the president to abort the reform (Pardo: 1996, p.161).

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[34] Apart from the representatives of the civil society, also the members of the Working Table for Peace and National Reconciliation – it is to say the representatives of the government, the political parties and the M-19 formed part of the Tables of Analysis and Agreement.

The other restrictive factor for the civil society participation was of an administrative character. The installation of the Tables of Analysis and Agreement was planned on May 10th and the sessions were supposed to start on May 25th(Presidencia de la República: 1989, p.45). Considering that the notification to the civil society's organizations to take part was published on May 7th, there was not enough time for agreement and organization of the social sectors not only in as for the selection of the participants, but also in relation to the formulation of proposals on the agenda. In this way the organization of the peace process did not provide right incentives and conditions for the civil society to develop and work on the effective strategy of participation.

In addition, the performance of the civil society was determined by the schedule of the negotiations. The agenda was with no doubt ambitious[35], while the time limits for discussion and formulation of the conclusions were relatively limited. With the exception of the Table dealing with constitutional matters, the partial topics were to be discussed and concluded in period from 4 to 18 days (Presidencia de la República: 1989, p. 45). This restriction provided the participants with insufficient space for drafting a consensual agreement, especially if we consider that a very limited number of participants had their positions previously prepared.

Evaluation of the civil society engagement

Despite the fact that the invitation of the representatives of the civil society to the negotiation was an innovative and very progressive element - considering the context of the 1980s – the response on behalf of the society was very weak. The study of the reports from the sessions of the Tables of Agreement and Analyses reveals that the number of representatives that took part in the sessions was relatively limited. As for the composition, the political and civil movements with no participation in the Congress together with the professional organizations, especially those representing jurists and universities prevailed. Even though some labour unions took part in the discussions, none of the „Centrals"[36] or the strong sectors of

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[35] The civil society was supposed to discuss the three blocks of reforms that included various partial issues, such as processing of political crimes, drug trafficking, international humanitarian law, procedures of the elaboration of the constitutional and electoral reform, programmes of emergency, planification and production of the food, etc.

[36] The term "Centrals" refers to the national labour unions. There were two traditional Central labour unions in Colombia – Confederación de Trabajadores de Colombia (CTC) founded in 1946 with close ties to the Liberal party and Unión de Trabajadores de Colombia (UTC) founded from the

the labour unions took part. Among the participants there was also a representative of the peasant organization ANUC (Asociación Nacional de Usuarios Campesinos) and a representative of the military veterans. The representativity of the participants of the Tables was therefore doubtful.

Moreover, the performance of the civil society representatives was strongly influenced by the topic of the respective Table and by the composition of the participants. Given the strong presence and expertise of the representatives of some professional organizations (such as jurists and academitians), their proposals signified constructive contributions to the debate. On the contrary, the Table dedicated to the socio-economic issues turned out to be the forum where multiple demands were presented. The claims shared one trait – all called for more public services, assistance and investments.[37] These aspects complicated not only the formulation of a consensual proposal; they also implied the difficulty to recognize suc claims by the government.

The concern about the commitment of the political elites – be it government or the political parties – was an issue that often appeared in the discussion[38]. These were gaining on the importance given that the absence of the political parties at the sessions of the Tables potentially threatened the approval of the reforms in the final instance. In this way not only the importance of the Tables as a space for discussion and concertation was undermined, but also the future of the reforms seemed to be in danger.

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initiative of the Catholic church in 1946. However, these "Centrals" did not unite all the sectorial labour unions. Together with the declining power of the existing labour unions, thee factors gave groung to formation of new national organizations – in 1986 the Central Unitaria de Trabajadora (CUT) emerged and in 1988 the Conferderación de Trabajadores Democráticos de Colombia (CTDC) was founded (detailed analysis of the situation of labour unions in 1980s can be found in Londoño(1990)). The Confederación General de Trabajadores and the Confederación de Trabajadores democráticos de Colombia merged in 1992 into the Confederación General de Trabajadores Democráticos. Despite this dynamic evolution, the labour unions have been affected by the violence and by the economic opening of the country. The estimations are that in 1970s approximately 15% of the active population were affiliates of the Centrals, during the 1990s this number dropped to 7,8% (Cárdenas: 2006, p. 243).

[37] Based on the documents and reports from the peace process coming form the private library of René Ramos Ibid.

[38] Ibid.

What happened with the civil society participation?

The conclusions of the Tables of Analysis and Agreement presented by the civil society had to face three sorts of blockages. The first one was related with the discussion over the proposals of the Tables of Analysis and Agreement at the Working Table. The representatives of the political parties rejected to participate in the discussion accusing the government and the M-19 of having agreed previously and discretionally on the final form of the agreement (Presidencia de la República: 1989, p. 187). The behaviour of the Conservative party - to abandon the process in its final phase was part of its electoral strategy.

The negotiations were further complicated with the position of the government that refused to accept the obligations arising from the proposals dealing with socio-economic issues. The agreement on the Political Pact was finally reached on November 2nd , 1989. It was a document that adopted great part of the proposals on the issue of constitutional order, however, the socio-economic issues and those of public order, the terms and obligations were reduced to a series of general provisions consisting in the commitment of the government to investigate the situation and subsequently adopt corresponding steps (García Durán: 1992, anex 3) .

Finally, the approval of the Political pact in Congress was accompanied by several difficulties. There was strong opposition of the traditional parties to the provision of the Constitutional reform that was establishing additional seats in the Congress for the members of the demobilized guerrillas. However, it was drug traffickers who managed that an article prohibiting extradition of the Colombians was included in the final draft of the Constitutional reform which led the Barco administration to abort the legislative process (Pardo: 1996, p.161).

Three months before the agreed demobilization, the main part of the peace negotiation – not only for the guerrilla, but also for the society in general – the proposal of reforms were reduced to ashes. Only the provisions establishing the conditions for the reinsertion, safeguards for the commandants of the M-19 and the law of pardon remained, limiting the agreement to a de facto surrender of the guerrilla (Presidencia de la República: 1989, p. 306).

The success of the peace process with the M-19 - the transformation of the guerrilla into a political movement – was secured by an extra institutional agreement with the Liberal party (Interview with R.Pardo: 2008). The influence of the civil society

over the outcome of the process as well as over the reform proposal was only marginal. However, the M-19 decided to pick up the proposals presented at the Tables of Analysis and Agreement and to adopt them as a part of its programme at the National Constitutional Assembly called by the following administration of President César Gaviria (Navarro: 2006; Interview with H.Piñeda: 2009).

4.3.2   Peace Dialogues with the ELN

The civil society's engagement in the talks with the ELN was result of facilitation services of the initiatives of the Church-led Commission for National Conciliation[39] and of the National Peace Commission[40]. Despite the differences that existed between the approaches of the Samper's and Pastrana's administration towards the civil society participation in the peace dialogues, it did not have any significant impact on the structure and the course of the negotiations.

Structure of the talks

The peace dialogues with the ELN never came to be structured. They were reduced to a series of unplanned and discontinuous meetings where neither the place and time of meetings nor the participants – including the question on the participation of the government – were defined. The final structure and the very decision about the organizing of each of the reunions emerged from the actual context and from the position the government adopted. There was no clear definition of the participative mechanisms which introduced a strong element of uncertainty in the civil society performance.

The participants were selected a priory, between the guerrilla representatives and the Committee of the National Peace Commission (Interview with A. Villaraga: 2008). This left no space for an autonomous and independent initiative of the civil

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[39] The Commission for the National Conciliation (Comisión de Conciliación Nacional,CCN) was founded from the initiative of the President of the Episcopal Conference of Colombia Cardinal Pedro Rubiano Sáenz in August 4th, 1995. Despite its church origins it reunites representatives of different social sectors with the aim to contribute to the solution of the Colombian conflict and accompany the peace processes (http://www.ccncol.org/).

[40] The National Peace Commission was established on the basis of the Law 434 of 1998. As a presidential advisory body it reunites the representatives of the executive and legislative branch, of the state control organs and of the civil society. In order to mantain the Commission operational a Committee of National Peace Commission formed by 3 representatives of the civil society and 4 representatives of the state was created (Ley 434 de 1998).

society organizations. Moreover, given that the National Peace Commission itself was meant to represent different sectors of the civil society, the participants often came from its lines. The representativity of this body was, however, questionable. The National Peace Commission was never called for a plenary session in the way that the functioning of the Commission was reduced to meetings of its seven members' Committee.

The objective of the reunions between the government, the ELN and the civil society was to discuss ideas that would in some way lead the talks towards opening of the peace process. These meetings were in fact consultative forums without established decision-making rules and therefore with no power. Even though the representatives of the ELN and civil society reached an agreement regarding the organizing of National Convention, topics that would form the agenda of the Convention and proposals on the reduction of the level of violence exerted by the ELN against the civilians (called the humanitarian agreement), these conclusions were in general ignored at the level of bilateral talks held between the government and the guerrilla.

Since the peace dialogues with the ELN were established, their central topic was the National Convention. The meetings were therefore supposed to define the details regarding the organizing of the event, together with the definition of the agenda and the participants. Despite the original proposal of the ELN to hold the meeting abroad, in the context of the peace process with the FARC, the ELN presented - in February 1999 - its request to organize the National Convention in Colombia, which required – for the security reasons – the establishment of the zone of encounter (Kline: 2007, p.131). This changed completely the course of the dialogues. The government's negative to the demilitarized zone, the protests of the inhabitants of the area where the zone was supposed to be established and the inaction of the government not only in relation to the pacification of the protests but also towards the growing violent campaign led by the AUC against the troops of the ELN in Southern Bolívar were repeatedly presented by the guerrilla as a reason for suspension of the talks (Kline: 2007, pp.133-141). Two years of negotiations on the issue of place to hold the National Convention did not lead to any significant result or conclusion.

Finally, as the Pastrana´s term was coming to its end, the government and the ELN agreed to formulate transitional agenda and advance in the talks on particular

issues.[41] Nevertheless, the question on financing of the ELN during the cease-fire, the refusal of the guerrilla to concentrate its troops during the negotiations and the demand for paying ransom for liberation of the hostages completely truncated the talks and deprived the guerrilla from the rests of the public support (Kline: 2007, p.158-160). In the climate of frustrated peace process with the FARC, the president Pastrana suspended the peace dialogue on May 30th, 2001.

Evaluation of the civil society engagement[42]

The selection process of the participants representing the civil society and the fact that most of the reunions took place abroad could be considered as the main reasons of the limited scope of participation in the dialogues. The approximately 40 to 80 participants invited on behalf of the civil society were in general visible personalities, however, their involvement corresponded more to their personal dedication to the search of a peaceful solution of the conflict than to the representativity of a specific sector of Colombian civil society (Interview with A.Vargas: 2008).

As for the performance of the civil society in the peace dialogues, the evaluation is very ambiguous. The civil society was divided in two camps – those who supported the talks and those who opposed them. The first group – corresponding to those who participated in the meetings with the ELN and formed part of the Commissions and Committees established to define the conditions for the National Convention – soon started to require its place at the negotiating table, on side of the government and the guerrilla. Their aspirations were reflected mainly in the proposals dealing with the organizing of the National Convention where they pressed to broaden the number of participants up to 240 and required the civil society representatives not only to be consulted but to be provided with the right to participate in the decision-making process (Comunicado de la Reunión del Río Verde, October 12, 1998). The

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[41] The transitional agenda was defined in the Agreement for Colombia signed at the reunion in Cuba on November 21st, 2001. From then on the talk would focus on cease-fire, reduction of violence, solution of the problems of the energy sector and analysis of the proposals that were formulated at the forum held with the civil society. The establishment of the timetable and the official reinitiation of the talks were agreed n December 2001 at the reunion in Cuba (Kline: 2007, pp.155-156).

[42] To evaluate the civil society participation in the dialogues with the ELN results to be a difficult task given that apart from the final declarations presented at the end of the meetings there are no archives nor other resources speaking about the course of these events. The evaluation of the scale, composition and the performance of the civil society in the peace dialogues will be based on the official documents and the interview realized with some of the participants of these meetings.

other group consisted of the inhabitants of the South of Bolívar, where the zone of encounter would be established.

The repeated deadlocks and suspensions of the dialogues as well as the fact that the proposals elaborated on the meetings between the guerrilla and the representatives of the civil society were never contemplated in the posterior bilateral talks with the government, only confirm the conclusion that the participation of the civil society was part of the strategy of the adversaries to maintain the public support (the government of president Pastrana) or to strengthen their position in the talks (the ELN).

What happened with the civil society participation?

As it was already mentioned, the peace talks with the ELN were composed of a series of meetings. The first reunion between the guerrilla and the representatives of the civil society was held in Mainz, Germany (July15th, 1998). The participants reached an agreement on humanization of the war (specifically, application of the International Humanitarian Law and commitment of the guerrilla to stop retensions for financial reasons), on holding the National Convention and inclusion of the issue of national resources in its agenda. Moreover, the Heaven's Gate Agreement secured the place for the civil society involvement in the peace dialogues with the ELN. It was supposed to be a permanent member in the process, to work on the proposals of changes and reforms in the country, facilitator of the contactos between the government and the guerrilla and to call for the government to respect and to secure the human rights and civil liberties (Acuerdo de Puerta de Cielo, Julio 15, 1998). With the reunion in Mainz the peace efforts of the president's Samper administration culminated.

The first contact with the new administration of the president Pastrana was reunion between the ELN and the Peace Commissioner, Victor G. Ricardo in February 1999. Once more the talks were dominated by the debates on the venue of the National Convention. However, the ELN changed its position regarding the place where the National Convention would be held and required the government to delimitate the so-called zone of encounter. This led not only to the refusal of the government but

also to massive social mobilization of the residents of the Southern Bolívar[43], area where the zone was to be established (Kline: 2007, pp.134-136).

The protests and blockages of the roads that lasted nearly three years were justified with the concerns of misuse of the zone. The government did not take any steps in relation to the mobilization for a relatively long time and established dialogue with the protesters only in 2001. Even though they finally agreed not to demilitarize the zone and to consult and cooperate with the residents of the area to delimitate the zone of encounter (Comunicado de Aguasclaras, February 17, 2000), the resistance persisted as the protesters considered the establishment of the zone of encounter as not negotiable (Kline: 2007, pp. 136, 141-142). The suspicions that the protests were instigated and supported by the AUC were confirmed by Carlos Castaña – the national leader of the AUC – at the beginning of 2001 (Kline: 2007, pp. 145, 151)

The fact that the government established without any preconditions a demilitarized zone of the extension of 42 000 km^2 six months before the peace process with the FARC started and at the same time was reluctant to provide the talks with the ELN under the same conditions, led the ELN to launch a series of attacks on the oil pipelines and resort to politically oriented kidnappings. With these actions the guerrilla looked to raise its importance in the eyes of the Pastrana's government (González, Bolívar, Vázquez: 2009, pp. 83-84).

The talks were reinitiated nearly a year afterwards with the meeting between the government, the guerrilla and 80 representatives in Geneva (May 30th, 2000). However, no progress was reached and the talks were suspended as a consequence of the offensive led by the AUC against the supporters and troops of the ELN in Southern Bolívar (Kline: 2007, pp.141-142).

Given the fact that the Pastrana´s term was coming to its end, the representatives of the government and the ELN agreed to elaborate a transitional agenda and use the remaining time to advance in talks and definitions of particular issues. With this objective the Peace Summit for Colombia was called in January 2002. The

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[43] Southern Bolívar was a strategic area for its proximity to the country´s most important port in Barrancabermeja and for the higway that unites the Atlantic coast with Bogotá and Medellín, the economic centres of the country. This region was historically under the control of the ELN. However, the paramilitary groups started to proliferate in the zone since 1996-1997 for that Southern Bolívar is part of an corridor used for drugtrafficking (González, Bolívar, Vázquez: 2009, pp. 116-117),

participants on behalf of the civil society were supposed to evaluate the peace talks and to define the steps that would be undertaken in the „transitional period". However, the terms with which the ELN conditioned the initiation of negotiations were inacceptable and led to the definite suspension of the talks (Kline: 2007, p. 160).

4.3.3 Peace Process with the FARC

Despite the social mobilization culminating with the Mandate for Peace, Liberty and Life that preceded the presidential elections in 1998, the participation of the civil society in the upcoming peace process was not contemplated. The peace talks officially started in January 1999; three months after the government ordered the demilitarization of five municipalities in the eastern part of Colombia, which became known as the "zona de despeje", El Caguán[44]. It was not until the second half of the year when the decision on the involvement of the civil society in the process was taken.

Structure of the peace process

There were three formally delimitated instances in the design of the peace process with the FARC – National Table for Dialogue and Negotiation, the National thematic Committee and the Public Audiences. The civil society was to participate in the negotiation process through the Public Audiences. These were defined as reunions between the National Thematic Committee and the sectors of the civil society with the objective to enrich the discussion of the negotiation agenda and to involve the Colombians in the search of the reconciliation (Comunicado No.3, Noviembre 5, 1999, p. 21). There were two sorts of the hearings – anyone, be it individuals or organizations could take part in the common hearings, while representatives of particular sectors were called to participate in special audiences. The participants disposed of three to five minutes to present their proposals to the National Thematic Committee (Historia del Comité Temático, p.16). These Public

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[44] "Zona de despeje" represented a demilitarized area of approximatelly 42 000 km^2 situated in the south-eastern part of the country destined for the concentration of the troops of the FARC during the peace negotiations. It is also known as "El Caguán". The zone was established in November 7th, 1998. Even though the mandate of the zone was renewable, the absence of the regulations on functioning of the zone and the interest of the administration in the peace negotiations with the FARC, the guerrilla mantained control over the area till the February 23rd, 2002 – day when the peace process was finally suspended.

Audiences were to take place in Villa Nueva/Los Pozos – place close to the demilitarized zone of El Caguán.

The National Thematic Committee represented an intermediate bridge between the Public Audiences and the National Table for Dialogue and Negotiation, the highest instance in the structure of the peace negotiations. The composition as well as the programme and functioning of the Committee were defined by the National Table. The National Thematic Committee was therefore an auxiliary organ in charge of organization of the Public Audiences and of the processing of the proposals presented by the representatives in these hearings. The members of the National Thematic Committee had no right to make commitments. Its role was to listen and collect the ideas presented by the participants and to draft a joint report from the Audiences that would be presented to the National Table for Dialogue and Negotiation (Historia del Comité Temático, p. 11).

The highest instance was the National Table for Dialogue and Negotiation. However, with the course of the time it became clear that the real power did not rest in this body composed of the negotiation teams of both sides. The bilateral meetings on a personal level between the High Commissioner for Peace, Camilo Gómez and the High Comandant of the FARC, Manuel Marulanda Vélez proved to be the centre where the negotiations on important issues, such as cease-fire conditions, humanitarian agreement, etc., took place (Kline: 2007, p. 87).

The government and the FARC agreed on so-called Joint Agenda for the Change towards New Colombia which was supposed to be discussed in the Audiences. The document was addressing 12 thematic areas that were further divided in 46 specific issues ranging from the transformation of social and political order to the treatment of national resources, organization of the external relations of the country to the solution of illicit cultivation and drug trafficking. It was the decision of the National Table for Dialogues and Negotiation that defined the topics of the Public Audiences (Historia del Comité Temático, p.8).

There were many aspects in the structure and the organization of the peace negotiations that proved to be determining for its outcomes. The fact that the civil society and the individuals were given the space in the Public Audiences represented in the first moment a very strong stimulus that led to an explosion in the number of participants. However, there were no incentives that would motivate

and lead to an effective involvement on behalf of the civil society (in terms of presentation of agreed proposals that would count with wider support). Therefore they reinforced the tendency to disintegration and atomization of the organizations of the civil society and the individuals in search of protagonism.

The peace negotiations progressed in two tracks: the discussion on the topics of the Joint Agenda that took part in the National Thematic Committee and at the National Table for Dialogue and Negotiations, and the direct negotiations between the top representatives of the negotiating parts. The separation was therefore twofold – in the topics and in the spaces where these were discussed. The fact that the centre of decision-making did not lie in the Public Audiences, nor in the Committee and not even in the National Table seriously undermined the importance of the whole mechanism.

Evaluation of the civil society engagement

The civil society participation in the Public Audiences surpassed by far the expectations. According to the National Thematic Committeet some 23.631 people attended the Public Audiences directly in Villa Nueva, 1042 proposals were presented and in total 2 553 documents with the proposals were delivered during the first round of the Audiences in 2000 (Primer informe del Comité Temático Nacional a la Mesa Nacional de Diálogos y Negociación, p.1). There is no doubt that the number of participants in the Public Audiences was unprecedented.

The setup of the peace process did not stimulate an organized participation. Anybody was given the chance to present its opinions and proposals, therefore the participants of the Public Audiences were mostly individuals that did not represent any broader, social interests. The presentations in many cases did not address the prescribed topic and often they were inadequate both in the content and in the form (Interview with C. Gómez: 2009). The report of the National Thematic Committee affirms that out of the 2 553 proposals that were presented in the first round of the Public Audiences, only half of them was related with the topic of this series of hearings (Primer informe del Comité Temático Nacional a la Mesa Nacional de Diálogos y Negociación).

The fact that most of the contributions did not have the character of proposals, but were rather demands and denouncements further complicated their processing. While the representatives of the government in the Committee's strictly included

only the proposals, the guerrilla's representatives insisted in involvement of all contributions including the claims and demands. This different approach became the main obstacle in formulation of the final report that the Committee was supposed to present to the National Table for Dialogue and Negotiations (Interview with C. Gómez: 2009).

The inequality of conditions for the representatives of the civil society in the peace negotiations is another aspect worth attention. The Public Audiences were held in an area of difficult access, remote from the populated parts of the country and with no existing transport infrastructure – which increased the costs of the participation. In order to secure the participation of the sectors that were supposingly favourable to the guerrilla,[45] the FARC provided them preferentially with subsidised transport (Kline: 2007, p.79). Even though there were sectors, such as the women organizations, that achieved to raise money and pay for extra buses (Interview with M. Velázquez: 2009), these elevated costs related with the participation and the preferential treatment seriously affected the equality of conditions.

The corporate private sector was another group from the civil society that disposed with preferential conditions in the peace negotiation. Given the role they had in supporting the candidacy of Andrés Pastrana and their proximity to the president, they occupied not only important positions in the government, but also formed part of the negotiation team. In this way they also gained a direct access to the representatives of the guerrilla, having the possibility to exchange their opinions beyond the mechanism of the Public Audiences.

What happened with the civil society's contributions

There were two cycles of the Public Audiences: first of them took place between April and November of 2000 and the second between May and September of 2001. Nevertheless, the successful termination of the second cycle of the Audiences was interrupted by the FARC that suspended the talks as a reaction to the introduction of aerial controls over the demilitarized zone. The efforts to reinitiate the negotiations at the beginning of 2002 were frustrated with the offensive and subsequent terrorist actions of the guerrilla. On February 23rd, 2002 the president

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[45] Ramírez Ocampo,ex-minister of Foreign Affairs (1982-1986) and former consultor of United Nations for peace processes in Latin America and Africa, denominated the selection of the participants of the Public Audiences by the FRAC as biased (Interview with A.Ramírez Ocampo: 2008).

ended the peace negotiations and ordered the return of the Colombian Military to the demilitarized zone (Kline: 2007, pp. 120 – 121).

The Public Audiences addressed only issues related with the economic and social structure, the exploitation and conservation of national resources and some issues related with the integral agrarian policy were discussed[46]. While the first cycle was concluded and the corresponding reports were presented to the National Table for Dialogue and Negotiations, the material of the second set of Public Audiences was not processed by the representatives of the FARC and therefore no final report was made (Interview with C. Gómez, 2009). The National Committee resulted to be unable to formulate in one document proposal on the issue that was discussed. The different methodology of the representatives of the FARC as well as the character and the volume of proposals were the main reasons.

Increasingly, the negotiation of cease-fire conditions and humanitarian agreement became central topic of the meetings between the government and the top leaders of the FARC (Interview with C. Gómez: 2009). The lack of the attention of the top representatives of both parts in the analysis and negotiations of the agenda, the continuing military activity of the FARC and violations of the demilitarized zone that was possible thanks to "no-conditions" approach of the president Pastrana were the main reasons of the failure of the peace process. The massive mobilization and the support the negotiations had during the first years gradually disappeared leaving the Public Audiences as a nice memory with no tangible results.

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[46] According to Camilo Gómez, High Peace Commissioner of the president Pastrana, the selection of the „economic" topics of the Public Audiences corresponded to the preferences of the FARC and was perceived as a tactic to delay and prolong the negotiations (Interview with C. Gómez: 2009).

5. Role of Formal and Informal Institutions on Civil Society's Performance in the Peace Negotiations

So far the attention was focused on the analysis of each of the selected peace processes with the objective to reveal the factors that influenced their course and the civil society performance in the negotiation. Viewing the particular peace processes as parts of the attempt to find a solution of the Colombian conflict, we can see important continuities in the factors that determined the course of the peace processes.

This chapter will provide a comprehensive explanation of the outcomes of the selected peace negotiations. It assumes that there is a set of institutions – formal and informal ones – that characterize the Colombian (civil) society and define its approach to the solution of the conflict. Thus, the setup and the interaction of these institutions can explain the form and the performance of the civil society in the peace processes. The institutional framework explanation will also enable us to determine whether the civil society could have acted differently.

5.1 *Formal Institutions*

The term "formal institutions" will be understood as a set of rules – of constitutional or legal character – that determine the basic principles and delimit the framework for the functioning of the state. They define both the rights and obligations of the state, but also of the citizens.

We could see that the setup of the formal institutions changed significantly in the period when the analyzed peace processes took place. The approval of the new Constitution in 1991 represented the departure from the National Front order and was perceived as the principal step towards the democratization of the political regime. However, the Constitution reflected faithfully the process and conditions of its creation. Being the result of social mobilization, approved with the marginal participation of the political elites of the country, the gap between the Constitutional provisions and the reality was obvious and became more apparent as the time was passing.

In spite of the provisions of the Constitution many of the "old" practices survived. The traditional parties demonstrated great capacity of accommodation and soon re-established their domination in the Congress which seriously limited the space for the newly-established political parties. Also corruption and clientelism continued to be common practices. The participative mechanisms that gave the citizens the capacity to control and take part in the government as well as most of the rights guaranteed by the Constitution remained only on the paper (Bejarano:2001, p.92).

Even though a number of laws regulating the participative mechanisms and specifying the conditions for the involvement of the civil society both in the government and in the implementation of peace policies were approved in 1990s, they were largely ignored by the administrations. The Law No. 434 of 1998 establishing the National Peace Commission can serve as a demonstrative example. Defined as one of the advisory bodies to the president being in charge of the promotion of peace, the Commission was not summoned since it had been created. Its existence was practically ignored during the term of the president Pastrana.

The application of many of the Constitutional provisions depended on the legislative acts and required approval of the Congress. Given that the legislative body remained under the control of the traditional political parties interested in promotion and protection of their interests and privileges, the legislation process resulted in determining conditions and setting the thresholds that in fact obstructed the activation of the participative mechanisms (Bejarano: 2001, p.91). Therefore the reform of the Constitution did not achieve to overcome the causes that gave rise to the conflict. In fact, the change in the formal institutions did not significantly influence the functioning neither of the Colombian state nor of the civil society.

5.2 Informal Institutions

The informal institutions represent behaviour patterns that are part of the everyday social interactions and determine both private and public life of the society. These continuously evolve in a spontaneous process as a reaction on the external factors. The informal institutions are a complementary element to the formal institutions and in fact, there is a mutual constitutive effect between them. While the framework defined by the formal institutions gives shape to the informal institutions, the informal institutions can influence the real functioning of the

formal institutions. Therefore concrete form of informal institutional framework is highly historical path-dependent.

The concrete setting of the institutions is a result of middle to long term process of accommodation. The change in one of the institutions does not bring automatically or immediately change in the other one. Also the character of the change is in many cases hard to predict, because of the spontaneous creation of the informal institutions.

For the purposes of this thesis two categories of informal institutions will be distinguished: the external institutions which are intrinsic to the Colombian society in general, and the the internal ones, related to the peace processes and specifically to the participation of civil society in the peace processes.

5.2.1 External Informal Institutions

Traditional way of power execution can be considered as one of the characteristic traits of the Colombian state. Historically, there was a gap between politics dominated and determined by political elites and the rest of the population. The exclusion of the society from the political process was possible due to the practices that date back to the foundation of the state when the clientelism was the main channel that provided access to the public resources. These practices gave the elite the power over its constituency and turned the provision of public services into a main instrument that safeguarded the support in the elections (Camacho: 2001, p.131). The clientelism therefore not only prevented the population from participation in governance, it also contributed in a long run to the delegitimization of the political regime.

Whereas the clientelistic practices determined the relations between the political elites and the population, the corruption became the instrument that shaped the relations among the elites and inside the state institutions. Especially during the National Front governments, the corruption was one of the instruments how to overcome the opposition existing in the interior of the political parties and secure their loyalty to the regime (Borrero: 1991, p.184). The emergence of the drug traffickers gave a new dimension and extension to the phenomenon. The corruption therefore turned into a factor that seriously impacted the functioning and legitimacy

of the state institutions with the corresponding consequences on the course of the peace process.

The low party discipline and the tendency of the Congressmen as well as the opposition representatives to look for their private benefits seriously weakened the government's position in the peace negotiations. It had to permanently negotiate with the political parties – both the opposition and the governing one - in order to secure the support for the bills in the Congress. However, the political parties rarely abided by such agreements which led to an institutional block and therefore questioning of the capacity of the government to fulfil the obligations assumed in the peace process with the guerrillas.

The existence of the armed conflict resulted to be another factor that impacted the Colombian society. The armed actors – be it guerrilla or the paramilitary groups – were not only an armed opposition disputing the legitimacy and the power of the Colombian state, but since the 1990s they started to represent an alternative government imposing their social order in the territories under their control.

Moreover, the continuing contest between these illegal armed groups had an significant impact over the peace processes. As the control over the territory, its resources and population became the primary objective of the armed groups, the engagement of one of them in peace process turned it into an easy target for the other armed actors. The guerrilla negotiating peace had to face an offensive from all the other armed groups not involved in the peace talks. The attacks also extended over the residents of the area and the presumed supporters of the guerrilla. The partial character of the peace negotiations therefore meant that the conflict continued with even an increased intensity.

5.2.2 Internal Informal Institutions

Institutions inherent to the peace process with a determining influence over the performance of the civil society will be distinguished as a special category of the informal institutions. Two of them gained a special importance – on one hand, the characteristics and the functioning of the civil society and on the other, the conditions and rules delimiting the participation of the civil society in the peace process.

The civil society has a specific characteristics stemming from the customs and the political culture of the respective country. In Colombia, there were important changes taking place inside the civil society in the last thirty years. These could be best observed in its mobilization and in the interest of the civil society in the issues related with the peace processes (García Durán: 2005, p.40). The increasing number of participants on behalf of the civil society that took part in the peace negotiations definitely demonstrates that the Colombian civil society is pluralistic – which certainly would be considered as a positive aspect – if this plurality had not led to the atomization of the sectorial organizations and to the rise of internal disputes within and inside of the civil society. The participation increasingly became a matter of personal interest of each citizen and not of the organized sectors of the civil society (Interview with R.Pardo: 2008). The involvement of the Colombian society and not civil society in a strict meaning of the term turned out to be the weakness that not only negatively impacted the position of the participants on behalf of the civil society, but also the course of the negotiations.

The unorganized character of the civil society seriously impacted the representativity of the participants. Considering that they could be speakers of a sector, of one of the organizations of the sector or simply presenting their personal opinion it definitely restrained the importance of the involvement of the civil society in the peace negotiations (Interview with R.Pardo: 2008). The civil society could not bring legitimacy to the process because of its limited representativity and of the existing differences on many issues related with the peace process. It neither contributed to the conclusion of the talks given that it did not provide any of the parts with sufficient advantage that would enable the actors to press the conclusion of agreement.

These characteristics of the civil society were further aggravated by the way the main actors decided to involve the civil society in the peace process. The incentives to promote an effective engagement of the civil society were practically absent. There was little concern on behalf of the actors to assure the representative and organized participation. As we could see, the call for participation of the civil society did not define any restrictive conditions on individual participants. The decision on whether to participate or not lied on the organizations themselves, leaving the question of representativity or inclusiveness apart.

The participation was also influenced by the structure of the negotiations and the space it provided for the civil society involvement. The study showed that the civil society representatives were given very limited power in the decision-making process. They were summoned to consultations that were not binding for the decisions of the main actors. With the exception of the peace process with the M-19 there were no incentives or obligations for representatives of the civil society to arrive to consensual conclusions and proposals that would be presented to the negotiating table. It therefore reinforced the tendency of the particular participants to promote their "individual" benefits.

The structure of incentives for the participants of the civil society clearly demonstrates that the civil society fulfilled an instrumental role in the peace process. Each of the adversaries searched to involve the social sectors that would reinforce its position. Moreover, the preferential treatment of some of the sectors biased the representativity of the participants. This manipulation not only increased the existing polarity among different sectors of the civil society, it also stimulated the unorganized participation of individuals. The consequences were to be expected: loss of credibility of the negotiations and discreditation of the civil society.

5.3 Analytical Concept

The influence of the institutions that was resumed in the previous chapter can be put into an analytical concept that will enable us to visualize how the involvement of the civil society influenced the course of the peace negotiations. The presentation of the concept and its application on the analyzed peace processes will be the core of the chapter. It will conclude with drawing a set of conditions necessary for the effective involvement of the civil society in the peace negotiations.

5.3.1 Definition of the Concept

The concept builds on the assumption that the main objective of any peace process is to reach an agreement. Based on the analysis of the selected processes, we can define three variables that influence the probability of accomplishment of the consensus - level of organization, similarity of goals and negotiating power. These are defined as follows:

- similarity of goals is the level of congruency in the goals pursued by the participants in the peace process. This variable reflects the goals both of the main actors of the negotiations and of the civil society.
- level of organization represents the number of participants involved in the peace negotiations and the rules that define the functioning of the negotiations.
- negotiating power will be defined in relative terms as the power of the guerrilla in relation to the negotiating power of the government

The similarity of goals has got a direct relation to the outcome of the process –with increasing congruence of goals the probability of reaching agreement increases. The level of organization will increase when the number of participants is relatively lower and when there are rules that further stimulate the unification of positions of the representatives involved. In such case the peace negotiation has got high probability of success. Finally, the effect of the negotiating power may be twofold, because the dominance of a particular actor will always increase the probability to reach an agreement. On the contrary, if the negotiating power of both actors is in balance, the successful termination of the negotiation is significantly reduced. The relations among the variables are visualized in the figure 5.1.

Figure 4
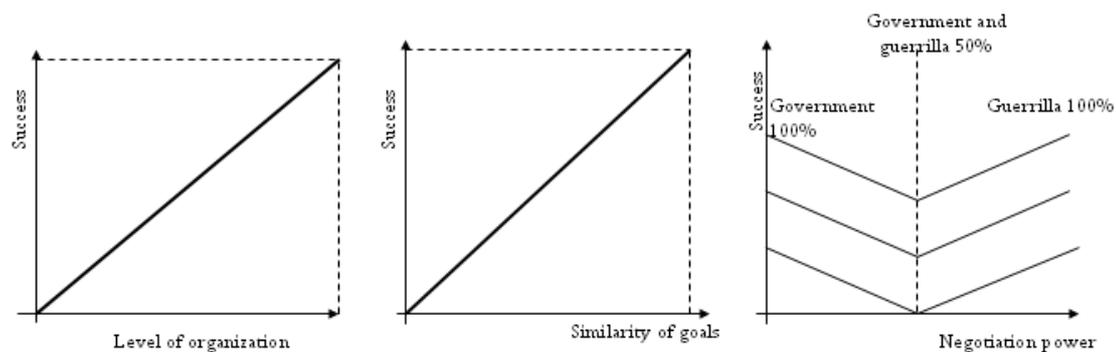
Therefore there are two points in the chart where the probability of reaching the agreement is maximized – we will refer to them as "the ideal points" (see figure ...). The ideal point can be reached if there is a high level of organization of the participants of the peace process and at the same time a high similarity of goals they pursue. The determination of the ideal point corresponds to the balance of negotiation power between the main actors: one of them reflects the preponderance of the government in the negotiation, the other the stronger position of the

guerrilla. The balance of power also determines the actual form and content of the agreement.

Figure 5
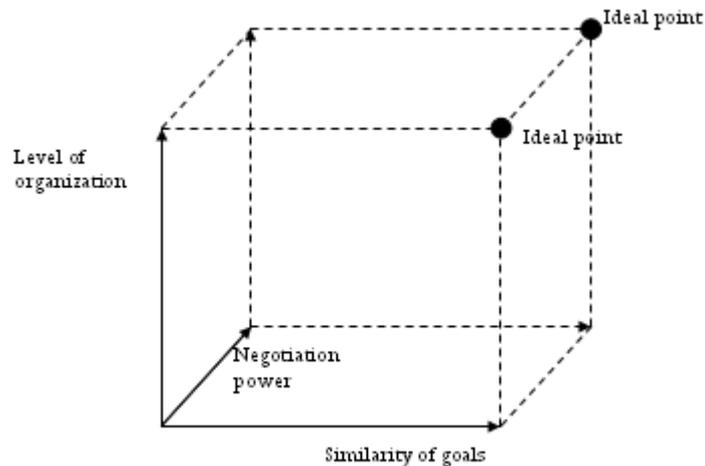
5.3.2 Application of the Concept on the Selected Peace Processes

The influence of the civil society on the peace process can be evaluated if we compare the negotiations before and after the civil society was involved. We will use the presented concept to analyze each of the peace processes from these two perspectives.
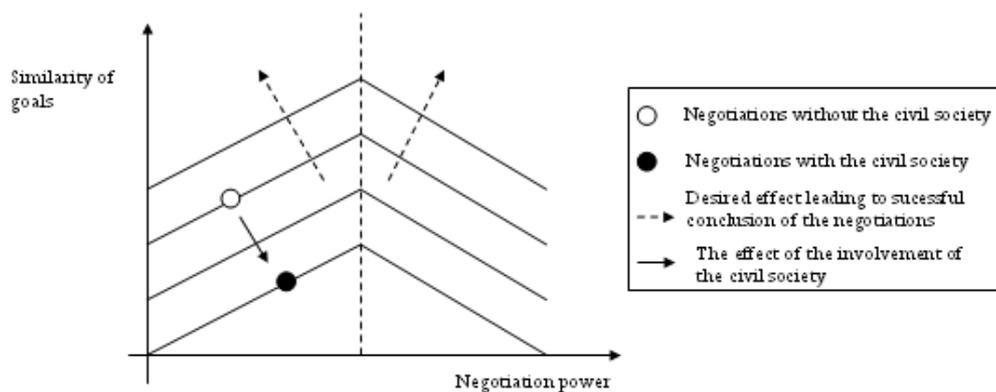
Peace process with the M-19

The peace process with the M-19 reflected from the very beginning the stronger position of the government. The military weakness and the lack of public acceptance of the M-19 gave the government the authority to define the course of the negotiations and more flexibility to enforce its goals. The introduction of civil society in the negotiation process shifted slightly the balance of power towards the guerrilla. This was mainly because of the criticism and the requirements raised by the civil society towards the government. However, the predominance of the government persisted.

Figure 6
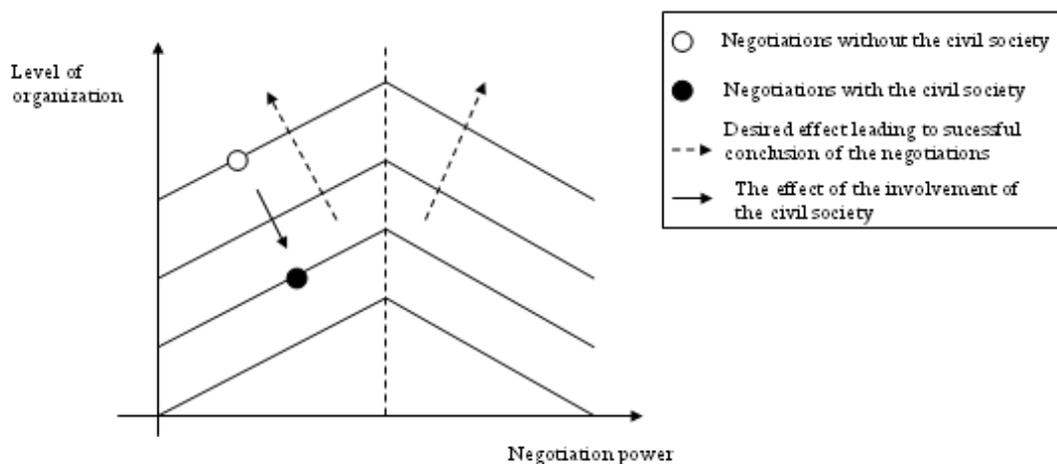
There were significant incongruences in the goals that each of the main actors pursued. The government wanted to achieve the demobilization and reinsertion of the guerrilla in the civil life. Despite it recognized the political character of the guerrilla's movement, it insisted that the realization of its political programme would take place in the framework of the standard political competition. On the other hand, the M-19 required that the democratization of the political regime would stem from the negotiations, while it accepted that the peace process would be concluded with its demobilization. The guerrilla expected that the civil society involvement would increase the public pressure on the government to negotiate the political reform. However, the civil society pursued its own goals consisting of claims and denouncements against the government. The engagement of the civil society did not reinforce the position of the guerrilla; it further deepened the differences in goals between the main actors by introducing new issues into the debate.

Figure 7

The level of organization in the peace process was relatively high. The participants on behalf of each party were clearly defined and equipped with the authority to accept obligations rising from the negotiations. Moreover, the decision-making rules further stimulated the search for agreement among the parts reinforcing the level of organization of the process. The involvement of the civil society did not have major impact over the level of organization of the peace process given that the rules determined the form and imposed prerequisites on the participation of the civil society representatives. These measures can be understood as one of the main reasons for limited number of the civil society's participants.

Figure 8
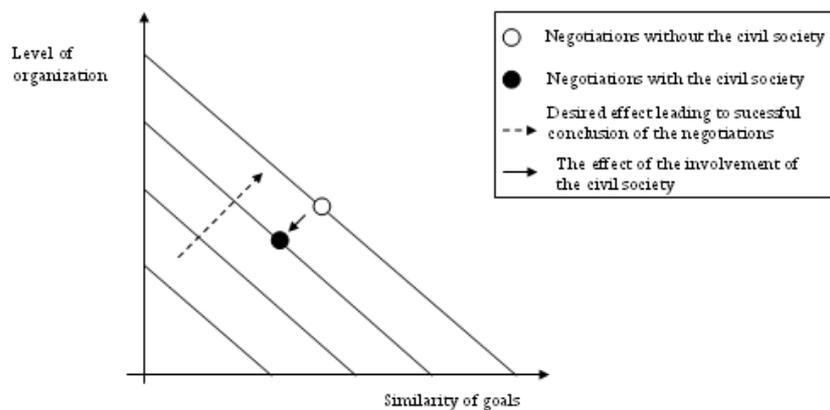
The peace process with the M-19 can be considered as successful regarding the fact that an agreement between the parties was reached and the guerrilla demobilized. However, the influence of the civil society on this result was relatively marginal. Its involvement led to a decrease in the similarity of goals and therefore rather complicated the search for agreement. The civil society despite the expectations did not significantly reinforce the position of the guerrilla. It rather shifted the balance of power off the government, but not far enough to really turn the balance in favour of the guerrilla.

Peace dialogue with the ELN

The peace dialogues with the ELN were characterized by weakness of both actors, the government and the guerrilla. On behalf of the government, the president Samper's administration was discredited in consequence of the infiltration of the drug money in his campaign, while the weakness of the Pastrana administration was the consequence of the presidential peace policy focused on the FARC. Neither of the two administrations had clear position on the course of the dialogues with the

ELN. The guerrilla was, on the other hand, militarily weakened and faced decreasing legitimacy and public support as a consequence of its saboteur practices.

The civil society was supposed to reinforce the legitimacy of the government and the ELN. However, the civil society positioned itself as a third actor with full rights and its participation in the dialogues did not reinforce position of any of the actors. At the same time, the influence of the representatives of the civil society turned out to be insufficient to reverse the balance of the negotiation power of the parts.

Figure 9
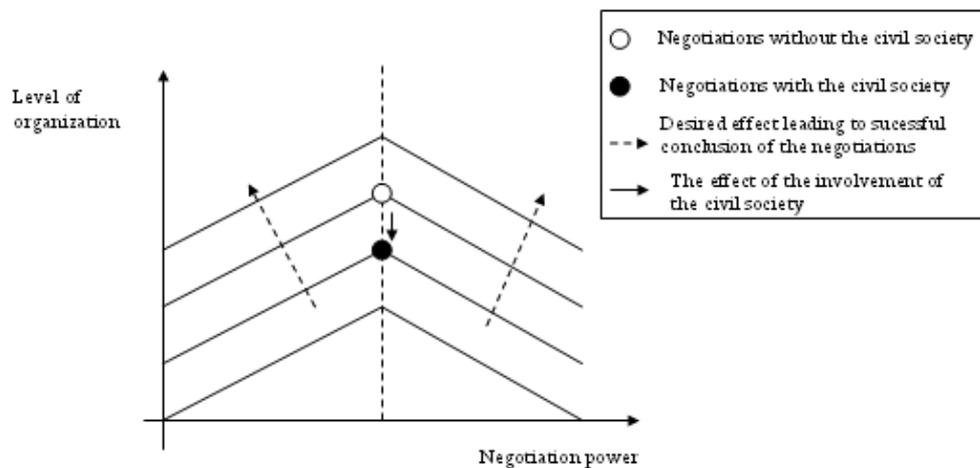
Also the goals of the main actors resulted to be highly inconsistent. Both administrations searched to humanize the conflict and subsequently to achieve the demobilisation of the ELN. Nevertheless, the ELN did not accept to enter into negotiations that would lead to its demobilization and required holding of the National Convention with the participation of all sectors of Colombian society as the main condition for any negotiations. The involvement of the civil society in the peace talks with the ELN proved to be twofold. While there was one part of the representatives that partially supported the goals of both sides, there aroused another group that opposed any agreement on the holding of the National Convention in their territory which lead to a complete deadlock of the talks. The civil society therefore deepened the existing dissimilarities between the guerrilla and the government.

Figure 10
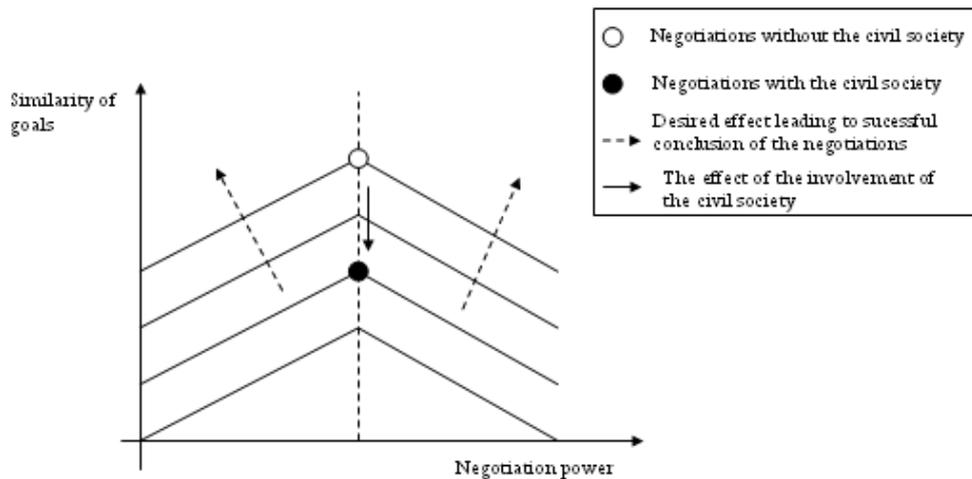
The level of organization of the peace talks with the ELN was low. The dialogues did not follow any rules – neither the timetable, nor decision-making procedure were defined. The unstructured character of the talks was further reinforced by the fact that the "negotiators" did not dispose with mandate to assume obligations. Despite the main actors specified the participants on behalf of the civil society, it did not make the dialogues more organized. The pre-selection was perceived as biased and many organization of the civil society denied to participate. On the other hand, it took the civil society the opportunity to autonomously decide about its involvement in the process. However, the absence of the procedural and decision-making rules restricted the potential of the civil society engagement.

Figure 11
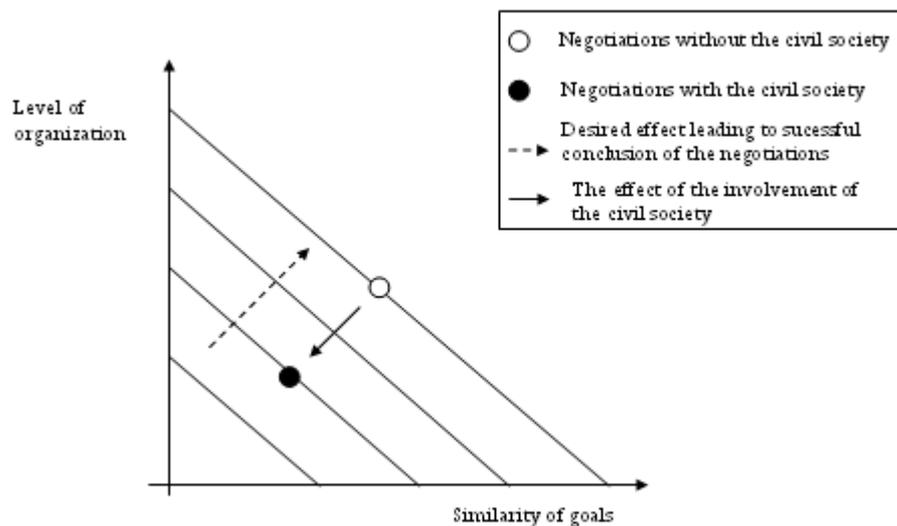
The failure of the peace talks with the ELN was therefore the consequence of the initial settings unfavourable for the progress of the talks. The involvement of the civil society failed to reverse the situation and the twofold and relatively unorganized behaviour of its representatives further deepened the already complicated context of the talks.

Peace process with the FARC

In the peace process with the FARC, the balance of power was clearly inclined to the benefit of the guerrilla. The guerrilla was on the top of its military and economic power and had an important presence in the national territory. The government of the president Pastrana was, on the other hand, in much weaker position. Having suffered a number of serious military defeats and being focused primarily on the success of the peace process, it was open to make vast concessions in order to maintain the peace process going. The guerrilla conscious of its superior power made use of its advantage and searched to debilitate the government and reinforce its own position. However, the invitation of the civil society did not fulfil the expectations of the FARC. Even though the civil society positioned itself in an opposition to the government, it at the same time demonstrated great reservations to the guerrilla and its practices. It did not reinforce the guerrilla, while it further questioned the already weak position of the government.

Figure 12
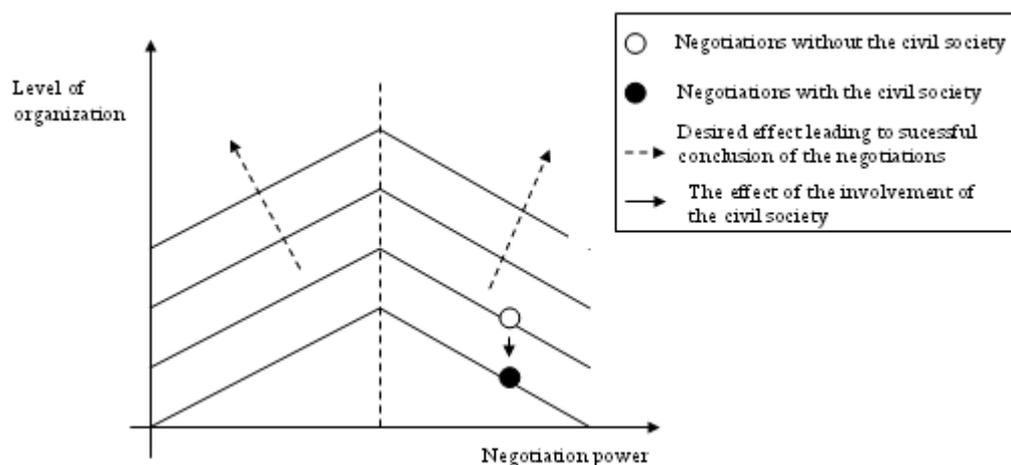
Despite it seemed that the government recognized and accepted in general terms that the peace process would lead to political, social and economic transformations – conditions promoted by the FARC - the perception of each of the actors varied greatly. While the government supposed that an agreement with the FARC on the

reforms would contribute to the progress of the peace process and lead to a cease fire, for the FARC the peace process represented a part of its strategy aimed to the seizure of power. The civil society participants understood the peace negotiations as a unique possibility to present its demands and to require extensive reforms. With its performance it fulfilled the expectations of the FARC – prolonging the process and legitimizing the necessity of vast reforms; however, from the perspective of the peace process it significantly reduced the similarity of the goals.

Figure 13
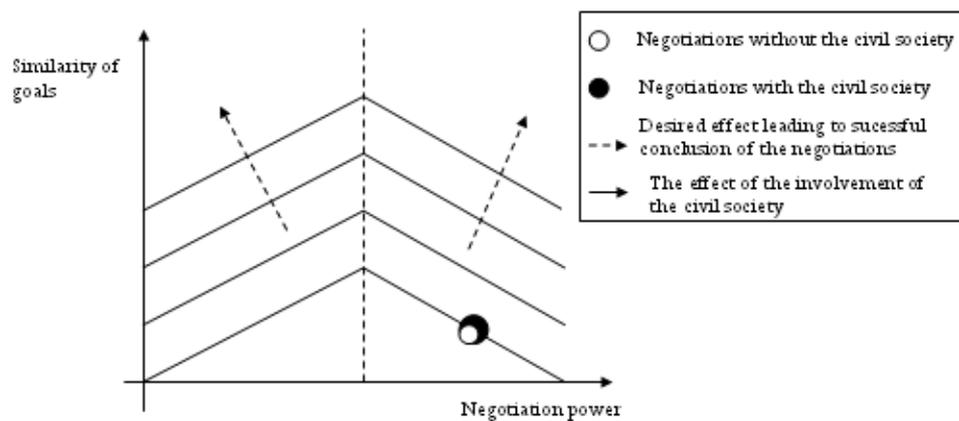
The existence of parallel, official and unofficial instances in the peace process and the frequent changes in the government's negotiating team are the main causes of the low level of organization of the process. The balance was not improved with the involvement of the civil society. The participation of the organized sectors of the civil society as well as the individuals interested in presenting their point of view and the variety of the participants made the "participative instances" completely unmanageable. The unorganized character of the civil society engagement was the main cause of the low capacity to process the proposals that were presented in the Public Audiences. From the perspective of the level of organization, the civil society occupied the space it was given with no pretext to change or press for the improvement of the organization of the process. Its contribution was in this sense negative.

Figure 14
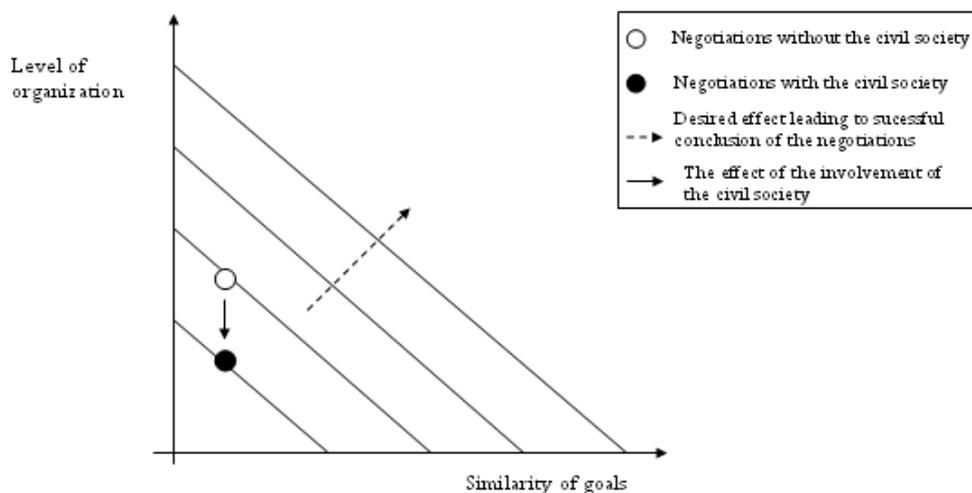
The peace process terminated with no tangible results behind. Even though the strong position of the guerrilla would suggest that there was a higher probability of positive outcome of the process, the fact that each of the actors pursued a completely opposed goals was the main reason for the failure. The structure of the process and the decision-making rules gave ground for an explosion of participation on behalf of the civil society, making its influence over the negotiations negative rather than positive.

5.4 Recommendations

The analysis of the involvement of the civil society in the peace processes with the M-19, with the FARC and in the dialogues with the ELN enabled us to conclude that it is the setting of formal and informal institutions that determines the way and the quality of the civil society's involvement. Also having defined the analytical concept, we can specify conditions necessary for the civil society to contribute to the progress and positive conclusion of the peace process.

The findings lead us to conclude that influence of the civil society on the peace negotiations can be achieved if the following conditions are fulfilled:

▪ **More transparency in the decision-making processes.** The transparency means more information about the behaviour and acting within the state institutions contributing to a personalization of the responsibility. Eliminating the clientelism and reducing the corruption, it is a basis for the establishment of a modern relationship between the citizen and the state.

The effect can be seen in two aspects: first, it provides the citizens and the civil society with the power to participate in the governance through the control of the decisions made by their elected representatives. The increased participation in governance will then be reflected in the capacity to take responsible and active involvement on behalf of the civil society in the future peace processes. Second, the transparency will increase the accountability of the political elites and therefore it will contribute to the reinforcement of the formal institutions and in the long term to their positive development.

- **Reinforcement of the civil society.** The more organized and more representative civil society is, the more it may be considered as a valid and legitimate third actor in the peace process. Therefore measures that would motivate and promote the internal organization of the sectors of civil society should be adopted. The representatives of the civil society should not only be able to represent the position of the specific sector of the civil society, they should also be able to cooperate with the other representatives and formulate consensual proposals. In this way not only the legitimacy, but also the effectiveness of the civil society involvement in the peace process can be achieved.

- **Regulation of the third parties that are opposed to the peace negotiations.** The peace process faces a strong opposition of the armed actors that are not involved as well as of those whose privileges and position are endangered with change of the status quo. Therefore, the capacity to regulate the behaviour of these actors is of vital importance as it not only to guarantees security to the civil society's participants in the peace process, but also leads to the successful conclusion of the peace process.

The proposed changes should lead to a bigger compatibility between the formal and informal institutions and contribute to a better functioning of the Colombian society, and thus create a potential for the effective and positive involvement of the civil society. For their scope and character, the changes will only be possible in a long term perspective; however, they require gradual and constant efforts in order to be achieved.

Conclusions

The analysis of the peace processes with the M-19, with the FARC and of the peace dialogues with the ELN showed that the civil society had only limited influence on the course of the negotiations. Its engagement rather complicated the possibility that an peace agreement would be reached. The involvement of the civil society brought additional goals into the negotiation agenda and decreased the level of organization of the negotiation. Moreover, the representatives of the civil society did not have enough power to extert an effective pressure on the main actors and their presence did not reinforce the position of the government or guerilla.

The negative effect that the civil society had on the peace processes and the peace dialogue can be explaned by a number of factors. While the formal institutions that include the Constitution and the legal norms had relatively marginal influence, the informal institutions proved to be determining for the performance of the civil society. Two sorts of the informal institutions were distinguished in order to facilitate the understanding and define with more precision their impact.

The first set of informal institutions represents the so-called structural factors which are external to the peace process itself. The political culture as well as the existence of the armed conflict form part of this category. While the political culture seriously limited the possibility of effective participation of the civil society by reserving the execution of power for the political and economic elite, the continuation of the armed conflict – due to the non-existence of cease fire and the partial character of the negotiations – turned the civil society into its target and therefore the victim of the confrontation.

The second set of informal institution were called "internal". They are related with the peace process and therefore directly determine the performance of the civil society. In the first place, the unorganized, fragmented character of the civil society and the low levels of interior democratic practices stimulated internal disputes and often challenged the legitimacy of the civil society representatives. These characteristics were reflected in the quality of their participation. Also the structure of incentives that the main actors established – especially the design of the peace process - had a significant influence on the civil society engagement. Given that the design of the participation instances did not clearly define the relations of these

spaces with the negotiation table and attempted to mantain the civil society at the margin of the negotiations, it practically reduced the importance of the participation of the civil society to zero. Its representatives were invited to express their opinion or present a proposal, however, these contributions were not contemplated nor reflected in the negotiations of the main actors.

These conclusions demonstrate the necessity of transformations both in the political and civil society. The effective engagement of the civil society can be reached if more transparency is introduced in the decisionmaking processes both in the state institutions and in the mechanisms of the peace process; if the civil society achieves to become more organized and representative which will enable it to be an valid and legitimate actor in the peace negotiations and last but not least, if the government manages to regulate the third actors that are opposed to the peace negotiations.

24911 words
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Resumé

El involucramiento de la sociedad civil en búsqueda de una solución negociada de conflictos internos es un tema recurrente que ha dominado tanto la praxis como el debate académico durante los años noventa. Las afirmaciones de que la sociedad civil es actor válido y legítimo en la construcción de paz no han perdido de su validez hasta la actualidad.

Los aportes teóricos de la disciplina de resolución de conflictos y las lecciones prácticas derivadas de los procesos de paz realizados en diferentes países han sido utilizados por los investigadores y académicos colombianos para definir el papel y las funciones que podría cumplir la sociedad civil en la solución del conflicto interno en Colombia. Sin embargo, poca atención ha sido prestada a las experiencias propias del involucramiento de la sociedad civil en los procesos de paz, en concreto el proceso de paz con el M-19 (1989-1990), con las FARC (1999-2002) y en el diálogo de paz con el ELN (1998-2002). Estos casos son unas experiencias valiosas y su análisis representa única oportunidad para sacar lecciones que sirvan para las futuras negociaciones de paz.

El análisis desarrollado en esta tesis reveló que la sociedad civil colombiana no fue capaz de revertir el balance de las negociaciones hacia la consecución del acuerdo de paz por lo cual podemos resumir que su influencia fue limitada. El involucramiento de la sociedad civil implicó un incremento de los objetivos que deberían ser tratados; redució el nivel de la organización de las negociaciones y además de que no fortaleció la posición negociadora de las partes tampoco disponía con suficiente poder como para ejercer una presión efectiva sobre los actores principales.

Las causas que podrían explicar el desempeño de la sociedad civil fueron calificadas en tres categorías. Las instituciones formales – la Constitución y las leyes – tuvieron influencia relativamente marginal. Fueron las instituciones informales las que determinaron la actuación de la sociedad civil en estos procesos. Las prácticas tradicionales de ejecución del poder, las prácticas clientelistas y el funcionamiento de los partidos políticos por un lado y la continuación de la confrontación durante las negociaciones fueron los factores externos más influyentes. Además, los factores informales internos, en concreto las características de la sociedad civil y la estructura

de incentivos definida por parte del gobierno y de la guerrilla reducieron las oportunidades de la sociedad civil para una intervención efectiva.

Estas conclusiones demuestran la necesidad de transformaciones tanto en la sociedad política como en la civil. Una participación efectiva por parte de la sociedad civil puede ser alcanzada si hay más transparencia en los procesos de toma de decisión – tanto en las instituciones estatales como en los mecanismos de paz; si la sociedad civil logra un nivel mayor de organización y representatividad que la convertirían en un actor válido y legítimo de las negociaciones; y por último si el gobierno logra controlar terceros actores que se oponen a las negociaciones de paz.

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Appendix 1: Timeline of the peace processes with the M-19, with the ELN and with the FARC

March 1990:
Demobilization and elections

1990

Nov 1989: Political Pact

April – June 1989:
Sessions of table of Analysis and

January 1989: Peace process begins

1989

Sept 1988: Initiative for Peace

March 1988: A Gómez kidnapped

1988

1987

1986

Peace process with the M-19

May 2002: Suspension of the process

Jan 2002: Reunion in Cuba, Peace

2002

Dec 2002: Reunion in Cuba

Nov 2001: Reunion in La Habana –
Agreement for Colombia

July 2001: Reunion in Geneva

2001

2000-2001: mobilization NO AL DESPEJE

March 2000: ELN terrorist attacks

2000

Apr 1999: Kidnappingss

Feb 1999: Reunion in Caracas

1999

Nov 1998: Terrorist attack Machuca

Oct 1998: Rio Verde reunion

Jul 1998: Reunion in Mainz

1998

Peace Dialogues with the ELN

Feb 2002: Suspension of demilitarized zone, end of the process

Feb 2002: FARC offensive

2002

Oct 2001:
Government adopts controls over demilitarized zone, FARC suspends

April-Sept 2000:
Public Hearings

2001

April-Nov 2000:
Public Hearings

2000

Dec 1999: Agreement on Public Hearings

May 1999: Agreement of Joint

Jan 1999: Peace process begins

1999

Nov 1998: Demilitarized zone

1998

Peace process with the FARC

Appendix 2: Proposal of the Dissertation

INTRODUCTION

Colombia has lived the conflict between the government and guerrilla organizations for more than forty years during which the conflict had a different grade of intensity and scope. Until the eighties the initiatives oriented to the resolution of the conflict were scarce. It was the administration of Belisario Betancur (1982-1986) that initiated the efforts looking for the termination of the violent confrontation that have extended up to the present time. In the last twenty years the approaches to the termination of the conflict varied between negotiated, and therefore political solution, and the military one, depending on each administration evoking the movement of a pendulum. Nevertheless, the adoption of Constitution in 1991 introducing the model of participatory democracy in the Colombian political system meant a significant change for the future peace negotiations. In this way, it laid the foundations of the participation of the civil society in the peace process following the precedent that appeared during the negotiations with the guerrilla Movimiento 19 de Abril (M-19). In spite of the experience with the M-19 the following peace process with the FARC and dialogues with the ELN that took place under the administration of Andres Pastrana in the period of 1998/9 – 2002 did not develop the potential of the participation and involvement of the civil society in the talks.

The concept of civil society has gained an increasing presence in the academic and political discourse, especially in the context of the transitions from undemocratic regimes that took place in the countries of Eastern Europe and Latin America. Nevertheless, there is no complex theory that would give a strong holding to the concept as well as there is a little consensus among the academics about the definition of civil society appropiate to the present conditions. In relation to the topic studied, civil society in the present thesis will be understood in terms of COHEN and ARAT as „*a collective action oriented and related with legal, associative and public institutions*". This definition was chosen because of its complexity as it encompasses the sectors that are part of the civil society.

The participation of civil society in the peace negotiations in general, and more specifically in the context of Colombian conflict, is the topic that the proposed thesis will deal with. The objective is to analyze the participation of the civil society

in the peace negotiations using the micro-perspective, the analysis will be carried out from the perspective of the particular sectors of the civil society. The presumption is that the approach based on the performance of the civil society from the perspective of micro-level will provide a new introspection in the performance and the future potential of the civil society in the context of the peace negotiations.

The thesis will be developed in two plans: the first theoretical part will deal with the concept of the civil society and its role in the peace processes, while the second part will be focused on the examination of the civil society in the context of the peace processes that took place in Colombia during the period of 1989 and 1990 and between 1999 and 2001. The aim is firstly, to observe the position of the government and each of the guerrillas (Ejército de Liberación Nacional, ELN) and Fuerzas Armadas Revolucionarias de Colombia, FARC) in relation to the civil society and secondly to analyze the performance of the civil society in these negotiations. This will be obtained on one hand through the examination of the participants in the negotiations and the proposals that they presented and on the other hand observing the mechanism and design of the negotiations. The aspiration of the thesis is to determine what were the successes and obstacles of the participation of the civil society in the above specified negotiations in order to fulfill the gap in the investigation of the topic and therefore to provide an analysis that might be useful for the future peace negotiations.

This proposal considers the fact that the topic is very specific and overreaches the significance for the Czech academic field. The aspiration of the proposed thesis is to present the problem of the participation of the civil society in the conflict resolution applied to the case of Colombia to the possibly widest audience. English language seems to be the most appropiate way to reach this goal.

HYPOTHESES

The participation of civil society in the peace initiatives has been a constant element in the search for peace in Colombia. The precedent laid by the peace dialogues lead by president Betancourt were succesfully developed in the negotiation with the M-19 and this experience was reflected in the Constitution of 1991. Although the negotiations that ocurred in the peace process of the president A. Pastrana counted with the Constitution that put a great accent on the participative role of civil society, neither the previous experience nor this

constitutional backing were reflected in the effective involvement of the civil society in the peace negotiations with the FARC and the dialogues developed with the ELN. In reality, the involvement of civil society has demonstrated various weaknesses that limited its performance in the process. The objective of the thesis will be to provide answers to the following questions:

> What performance had the civil society in the peace negotiations? This question will be addressed from two points of view: firstly, what sectors of the civil society took part and what proposals did they present? and secondly, what sectors of the civil society were absent and why?

> What are the limitations of the succesful participation of the civil society in the peace negotiations? How can the obstacles to the performance of the civil society be addressed in order to provide an appropiate conditions for the full development of the civil society activities in the conflict resolution?

> Is there a shared vision as for the way the civil society wants the conflict to be terminated? What vision of the post-conflict order does the civil society have?

On the basis of these questions the thesis will seek to verify the following hypothesis:

✓ The civil society in Colombia is fragmentalized and demonstrates serious weaknesses in its organization, especially in some social sectors. This has got a great importance as for the interests that are represented, the power of voice of civil society and propensity to manipulation.

✓ The participation of the civil society in the peace negotiation with the ELN and the FARC in the period of 1998/9-2002 was reduced to formalism, rather than to be an effective intervention.

✓ The interests represented by the civil society look for preservation of the present situation and their aim is to leave a very limited space for implementation of the demands of the guerrillas and the incorporation of the demobilized guerrilla´s combatants.

METHODOLOGY

The approach to the topic of the thesis will be based on a case study combined with the use of qualitative methods in order to obtain a complex vision in regard to the participation of the civil society in the peace processes. The case of

Colombian peace negotiation carried out under the administration of Virgilio Barco in 1989-1990, under the presidents Ernesto Samper and Andrés Pastrana during the period of 1998/9-2002 will be used to draw a conclusion with regard to the performance of the civil society in the conflict solution in Colombia, determining the weaknesses and successes that were achieved. The qualitative method will consist of a serie of interviews with the representatives of the civil society that will provide the responses to the performance and proposals of the particular sector of civil society at the negotiation table.

THESIS CHAPTER OUTLINE

1. The concept of civil society in the modern world
   a) definition of the civil society
   b) derivation of the" sectors of civil society" from the civil society theory
2. The participation of the civil society in the peace process
   a) how is the involvement of civil society in the peace process explained
   b) what role should civil society fulfill in the peace process
3. The involvement of the Colombian civil society in the peace processes 1989-1990 and 1999 – 2001
   a) the positions of the main actors (government, the M-19, the ELN and the FARC) towards the participation of the civil society
   b) the design/the mechanism of the negotiations
   c) the performance of the sectors of the civil society present at the negotiation table
   d) the analysis of the proposals from the civil society
   e) the impact of the proposals or interventions made by the civil society in the negotiations
4. Conclusions

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