

NEGOTIATED SETTLEMENT TO ARMED CONFLICT: LESSONS FROM THE COLOMBIAN PEACE PROCESS

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COLOMBIAN POLITICS, by 1982, were characterized by stagnation, increased levels of violence, and diminished regime legitimacy. In the face of an active, though limited, guerrilla insurgency as well as nascent labor unrest and popular protest, the successive governments of the National Front had come to depend on the coercive powers of the state to preserve public order and political stability.¹ Colombia's peace process, initiated during the government of Conservative President Belisario Betancur (1982-1986), was a recognition of the limits, indeed the failure, of the military solution to the maintenance of public order. Under previous governments, repressive policies had proven incapable of distinguishing between armed insurgency and legal dissent. Moreover, the policy of ceding extensive authority to the armed forces in the fight against the nation's guerrillas had undermined many of the democratic guarantees that formally existed.

Betancur, employing the language then current in Brazil, Argentina, and Uruguay, proposed a democratic opening of Colombia's political system. In the Colombian context, "democratic opening" came to mean amnesty for political prisoners and armed insurgents, negotiations with the armed opposition, dialogue among all key political actors (including representatives of the

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nation's guerrilla movements), and the establishment of ground rules for participation and democratic opposition. It was a politics which would inalterably transform the discourse as well as the cleavages within Colombian politics for the remainder of the 1980s.

The Colombian model of amnesty, negotiations with insurgent groups, and national dialogue foreshadowed peace processes which soon would be proposed in Central America, as well as in such countries torn by armed insurgencies, yet openly committed to democratic institutions, such as Peru and the Philippines.² Compared with the short-lived or incomplete attempts of these other cases, however, the Colombian peace process was the most fully implemented. Over a four-year period, from 1982 to 1986, each of the proposed phases was carried out, though not necessarily with the anticipated or desired results. In 1982, an unconditional amnesty was approved by the Colombian Congress. In 1984, separate cease-fire agreements were signed with four of the five principal guerrilla organizations. In 1985, a National Dialogue was convened, inviting a broad range of political actors — including the armed opposition — to propose specific recommendations to solve the nation's political, economic, and social problems. In 1986, a new political party, founded a year earlier by the nation's largest guerrilla movement, ran candidates in local, regional, and national elections.

All of these phases, with the exception of the amnesty, were based on the agreements initially negotiated between the Betancur government and the different guerrilla movements. This study, therefore, will focus attention on the negotiations during 1983 and 1984 which led to the signing of separate cease-fire agreements in March and August of 1984.

The first section examines the conditions that gave rise to the Colombian peace process: the nature of the regime crisis, the limits to democratic governance and pluralist participation, and the spread of armed opposition. The fact that by the early 1980s the nation's elites responded to social unrest and political violence by initiating a peace process, provides a new and different optic by which to understand Colombia's political regime, usually understood as a relatively stable, though restricted, democracy.

The second section explores the difficult issue of negotiated settlement to armed conflict through a detailed analysis of the

negotiations with the two most significant Colombian guerrilla movements during this period, the M-19 (*Movimiento del 19 de abril de 1970*) and the FARC (*Fuerzas Armadas Revolucionarias de Colombia*). Because of the accessibility of many of the key actors during the time when the cease-fire remained in effect (roughly from 1984 to 1986), the Colombian experience lifted a veil of secrecy from the nation's armed opposition movements and provided an unusual opportunity to study their origins, subsequent development, and positions throughout the different phases of the negotiating process.

The last section develops a preliminary framework for the type of negotiations that may be possible with armed insurgent movements within other regional contexts — particularly in Central America — based on the historical experience of the Colombian peace process. Specifically, the Colombian precedent provides a basis for the evaluation of policies of amnesty, cease-fire, national dialogue, and democratic opening which have been proposed and partially implemented as part of national reconciliation efforts elsewhere. Further, the many setbacks, points of rupture, and ultimate breakdown of the negotiated agreements in Colombia indicate certain conditions, regime contexts, and political alliances which may facilitate or obstruct any peace process.

Throughout the negotiating process, the lack of clarity over what was negotiable and what was not, as well as the subsequent evolution of positions on both sides, indicates the need to define more precisely the acceptable agenda and scope of negotiations. In Colombia, the eventual agreement to limit negotiations to cease-fire and a discussion of the needed political reforms raises the issue of whether different types of negotiations may be possible, given different forms of armed conflict.

Colombia's insurgency did not constitute an "undeclared civil war" but rather a more limited conflict — a minority armed insurgency, as defined by the intensity of the military actions, control of populations and territory, type of tactic employed, and degree of societal support for the guerrillas. This study will argue that, under conditions of minority armed insurgency, such as in Colombia, negotiations may be more successful if confined to political reforms concerning more equitable access to state power and resources, and linked to a broader framework of democratic opening. As a prerequisite to further discussion of political reform and

democratic opening within a state of civil war (such as in El Salvador), however, substantive negotiations may depend on determining the future distribution of state power through some formula of power-sharing.

Finally, the events in Colombia raise the question of whether national reconciliation through negotiated settlement, at any stage of the conflict, is possible without a relatively strong state, specifically in the areas of preserving public order, administering justice, and executive control over the military. One of the shoals on which the Colombian process ran aground was the state's inability to protect the lives of amnestied leaders and the steady descent into lawlessness signified by the assassination of hundreds of political and labor leaders during the cease-fire agreements and in the period that followed. Despite denunciations, successive governments in Colombia have been unable to stem the tide of political assassinations and, therefore, have been unable to provide the necessary guarantees that would facilitate a genuine process of democratic opening.

NEGOTIATIONS AND DEMOCRATIC OPENING

THE SYMPTOMS OF REGIME CRISIS were unmistakable by the time Belisario Betancur took office in August of 1982. They included: an increase in civil disobedience (*paros cívicos*) and social violence in a rapidly urbanizing society; the multiplication of guerrilla groups, a few with roots in the traditional parties or the early partisan guerrillas; the emergence of para-military death squads, some with demonstrable ties to the Colombian armed forces; the continual recourse to emergency rule under the constitution's State of Siege provisions (an average of three out of every four years since 1958); the expanded influence and autonomy of the armed forces and the disregard for human rights in the fight against "subversion" and civil disorder.³

Colombia's crisis forced politicians and social scientists to re-evaluate previous assumptions about democratic stability and governance and led to a lively debate over the nature of the political regime established through the National Front accords in 1958. Some analysts, especially in recent years, have suggested that the institutions of the National Front have more closely resembled certain forms of authoritarian, rather than democratic, rule. These

scholars have observed that the definitions of democracy, even the commonly employed one of "restricted democracy," over-emphasize the formal practices of democracy (regular elections, alternation of the presidency, etc.) while ignoring the structure of power and decisionmaking within a regime that is dominated by the economic and political interests of a small, ruling elite, particularly the parties, the military, and a few powerful producers' groups (*gremios*).⁴

An examination of the conditions that gave rise to the Peace Process in Colombia supports much of this analysis. From 1958 to 1986, Colombia could not be characterized as a two-party competitive system. The recurring, practically permanent, presidential reliance on the constitutional powers of the State of Siege and military repression to control both legitimate political opposition and guerrilla violence sufficiently demonstrates that, throughout the period of the National Front, Colombia employed both inclusionary and exclusionary methods of authoritarian rule as a basis of regime domination and regime stability. Accords between the two parties were deliberately designed to limit the scope of regime decisionmaking to a narrow band of consensus, while formally, for a period of sixteen years, and then less formally, in the succeeding period, excluding other actors. Such arrangements placed large segments of the political opposition outside of the institutional arrangements of regime contestation. These actors ranged from the armed opposition to civic movements, labor unions, and minority parties.

Betancur's predecessor, President Julio César Turbay Ayala (1978-1982) accelerated the repressive tendencies that had been developing in the National Front regime. At the behest of the armed forces, Turbay decreed a National Security Statute similar to legislation in the Southern Cone. The statute not only gave the military unprecedented power to maintain public order and to try and jail accused subversives, but also expanded its role in public works and economic development programs (Gallon, 1979). As the institutionalized abuse of human rights assumed alarming proportions, some analysts feared that Turbay's acquiescence in the passage of national security legislation marked the beginning of a transition to an exclusionary authoritarian regime similar to those of the Southern Cone states of the 1970s. The most exact comparison appeared to be with the steady relinquishment of

power by President Bordaberry in Uruguay in the period leading up to the 1970 military *coup*.

Faced with a crisis composed of declining legitimacy, increasing violence, and a political system unresponsive to changed socio-economic conditions, Turbay's strategy of increased repression failed. According to police and military statistics, by 1982, non-combat political violence had multiplied exponentially despite the application of measures adopted under the National Security Statute of 1978. According to one study, incidents of political violence rose from 239 to 789 between 1981 and 1982 alone. The same study cited a 318% rise (from 64 to 268) in civilian deaths as a result of political violence during the same period (Ministerio de Gobierno, 1985).⁵

Further, by the late 1970s, four major and several minor guerrilla groups were operating in the nation's largest cities and in almost every department of Colombia. According to figures released by Betancur's Minister of Defense, the combined guerrilla force totalled more than 15,000 men in 1984 (*Tiempo*, 1984).⁶ As the brief descriptions in Table 1 indicate, the origins of the principal groups place them at the junctures of some of the great frustrations in recent Colombian political history. In addition, the rise of the Colombian guerrillas was greatly influenced by the event that divided the modern history of Latin America: the Cuban Revolution.

Another phenomenon also has led analysts to compare Colombia with her sister republics in Central America: the emergence of para-military "death squads" and the "disappearances" of citizens throughout the country. According to charges later made by Colombia's Attorney General (*Procurador General*), the *Procuraduría* possessed evidence that linked 59 active-duty military officers with the best-known para-military group, Death to Kidnappers (*Muerte a los Secuestradores* or MAS). The Attorney General made it clear that this was only the tip of the iceberg (Jiménez-Gomez, 1986: 112-120; Vásquez Carrizosa, 1986: 121-125).

With the founding of the M-19 in 1974, guerrilla actions were extended to Colombia's major cities for the first time. During the same period, the FARC was beginning to assert its presence throughout the nation's agricultural frontier, principally in the *llanos*, the Amazon Basin, *Magdalena Medio* and parts of the east-

TABLE 1. COLOMBIAN GUERRILLA MOVEMENTS

FARC (*Fuerzas Armadas Revolucionario de Colombia*) Pro-Moscow, Communist, the largest of Colombia's guerrilla forces. The FARC's origins can be traced to the Communist self-defense organizations of the 1940s and 1950s and to Liberal Party guerrilla factions who refused to accept the amnesties offered in 1953 and 1958 when the leadership of the two traditional parties put an end to *La Violencia*. Since its inception in the early 1960s, the FARC has maintained ties to the pro-Soviet Communist Party of Colombia, which (under the conditions of the National Front agreement) was formally precluded from electoral participation from 1958 to 1970.

M-19 (*Movimiento de 19 de Abril de 1970*) Nationalist, with ties to Cuba and, more recently, Nicaragua. Consciously modeled after the *Montoneros* and *Tupamaros* in Argentina and Uruguay. Founded during the period following the disputed electoral defeat of former dictator Rojas Pinilla in the presidential elections of 1970 by members of the Left wing of Rojas Pinilla's party, *Alianza Nacional Popular* (ANAPO), along with dissident members of the FARC. Combines nationalist rhetoric with a heterodox Marxism. Began as an urban guerrilla organization that sought to adapt new forms of military and political struggle to the conditions of Colombia.

ELN (*Ejército de Liberación Nacional*) Founded as a pro-Cuban guerrilla "*foco*" with roots in factions of the Colombian student movement of the 1960s. In later years, ties to Cuba were loosened. Since the death (in combat) of one of its early recruits, Father Camilo Torres, developed an ideology of Christian-Marxism and now is led by revolutionary priests.

EPL (*Ejército Popular de Liberación*) Founded as a pro-Maoist guerrilla organization; later rejected the Chinese strategies of prolonged rural struggle and adopted, instead, a combined rural and urban strategy more appropriate to a country such as Colombia which is almost 70% urban. Like the ELN, has roots in the university movements of the 1960s. Openly declares itself the military wing of the Communist Party of Colombia, Marxist-Leninist (*Partido Comunista de Colombia-Marxista Leninista* or PCC-ML), which broke away from the pro-Soviet Communist Party of Colombia (*Partido Comunista de Colombia* or PCC) in the early 1960s. Has few external ties now.

ADO (*Auto Defensa Obrera*) Founded as an urban guerrilla group by a Brazilian exile living in Colombia. The smallest of the four groups that eventually signed cease-fire agreements; has an estimated force of twenty-five. Most known for its kidnapping, "popular trial" and execution of former Minister Rafael Pardo Buelvas for his alleged actions during the National Strike of 1977, which left scores of people dead.

ern *cordillera*. The mounting insurgency challenged the regime's already-diminished legitimacy, deepening its crisis of political control. The regime's ability to protect its citizens and control its national territory was called into question and, perhaps most critically, certain guerrilla groups (particularly the M-19), began to gain the sympathy of the population and project the need for a political alternative. The projection of a preferable alternative may be the decisive factor in the generation of change within non-democratic regimes.⁷ The M-19 convinced many of the need for change; they were less successful, however, in portraying themselves as the preferable alternative.

By mid-1981, the M-19 had formally outlined the details of a political direction different from the one established under President Turbay. In July, M-19 leader Jaime Bateman proposed a three-point peace program: (1) a lifting of the State of Siege, and thus the repeal of the Statute of National Security; (2) an unconditional and general amnesty; and (3) a national dialogue (Behar, 1985: 358). This proposal had broad popular appeal. In a 1982 survey based on a representative sample of the population in 75 different parts of the country, 77% of those polled supported negotiations with the M-19, whereas only 14% supported the policy of repression (*Revista Cromos*, 1982). Moreover, the questions of peace and guerrilla violence dominated the 1982 presidential campaign. Belisario Betancur, the Conservative candidate, won the election and adopted parts of the M-19 proposal. The M-19 thus added a political dimension to the nation's insurgency which augmented the effectiveness of the military actions of all the revolutionary organizations. For the first time in Colombia's decades-old guerrilla war, the armed opposition movements became central protagonists in the national debate.

In the Colombian context, then, the Betancur government's negotiations with the guerrilla movements were an attempt to preempt further escalation of the nation's guerrilla war and stem the erosion of the regime's legitimacy. Most importantly, negotiations — along with other aspects of the peace process — were an attempt, by certain sectors of the two traditional parties, to appropriate the language of change and generate an alternative to the political stagnation and repressive policies of the recent past.

AMNESTY: AN UNCERTAIN STEP

AMNESTY PROVED TO BE an incomplete step as a policy for ending national insurgency in Colombia. The amnesty benefitted individual prisoners as well as guerrilla fighters who chose to return to civilian life; however, all the revolutionary movements emphasized the fact that they had not been defeated militarily, and would not accept the amnesty without a more comprehensive settlement. The general position was that amnesty did not mean surrender.

The amnesty was approved due to the political will of an initially popular president and the acceptance of an alternative discourse by sectors of both traditional parties after almost two years of public debate; however, the amnesty did not translate into an endorsement of a more extensive program of negotiations or a consensus on the amnesty's significance in the search for peace. In fact, given the special nature of Colombia's guerrilla insurgency and the lack of a direct military threat to the existing regime, there was no clear elite consensus on either the dimensions of the conflict or the policies and strategies which should be pursued.

The positions of the military and of the guerrilla movements underscore both the precarious nature of the original coalition for amnesty and the polar divisions which existed in Colombian society during this period. The Armed Forces eventually backed the amnesty, but the senior officers exacted a high price for their support. The president and the minister of defense reached agreement on raising the penalties for the possession of arms, which the Colombian constitution says "are for the exclusive use of the Armed Forces." Further, the inter-governmental accord increased the military budget for new weapons and facilities, and expanded the Army's Civic-Military Action program — giving it a central role in the proposed National Rehabilitation Plan to increase government spending in the areas ravaged by political violence (Lan-dazábal Reyes, 1985: 104-110; Alape, 1985: 460-486).

The Armed Forces also insisted on their own interpretation of the amnesty legislation. For the military, the amnesty was to become the line of demarcation between those guerrillas who accepted its benefits, and those who remained outside the law. The amnesty would thus restore the basis for the legitimate use of

repressive force against the country's insurgents. After lending his support to the amnesty legislation then before Congress, the Minister of Defense declared in a widely publicized interview:

The amnesty lasted only through November 21, 1982. Those who today continue to wear military uniforms and carry arms... are committing a crime and are not covered by the amnesty. Why? Because the very same amnesty bill raised the penalties from two to five years for the illegal possession of arms, which are for the sole use of the Armed Forces. These people are not now protected or covered by the amnesty.

Cease-fire is something that the Military Forces and the Government will never grant. To withdraw troops would mean that the countryside and all private property would fall into the hands of the guerrillas (Vidal, 1984).

The guerrilla forces uniformly declared that the amnesty could only be a first step toward wider negotiations. The M-19 was most vocal in rejecting the amnesty, despite the fact that it was the only group that was directly consulted and had its views registered in the congressional debate.⁸ Moreover, the M-19 benefitted more than the other guerrilla movement from the amnesty. With the exception of M-19 co-founder and principal leader, Jaime Bateman, by 1982 almost all of the members of the senior command and many of the mid-level commanders were imprisoned. Of the 535 political prisoners who were released from prison under the amnesty's terms, 417 were members of the M-19 (Landazábal Reyes, 1985: 66).⁹ The passage of an unconditional amnesty, therefore, not only was a political victory for Betancur, it also was a triumph for the peace strategy of the M-19.

The M-19 had achieved a strong negotiating position; they were not willing to forfeit their influence through premature concessions to Betancur. As such, their representatives insisted that the amnesty could only be a first step toward a more comprehensive peace. The M-19's strategy reflected its strengths; these were primarily in its armed propaganda actions and in its network of urban supporters. The next steps would be those outlined by Bateman a year earlier: a cease-fire — including the de-militarization of the zones occupied by the guerrillas — and National Dialogue. They were not willing to concede the initiative to the president. Alvaro Fayad, later to ascend to the top position in the M-19, declared at the time:

They tried to convert the amnesty into a trap for us. The guerrilla movement and the democratic movement had stated that the amnesty was the first step towards peace, but that no guerrilla organization was fighting to free some prisoners. Just because certain activities were pardoned does not mean that [the guerrillas] would then become legal, especially when they are expanding and achieving military and political victory.

They wanted to make us surrender and to humiliate the guerrilla movement.... They wanted to fool the nation into believing that amnesty meant total peace, that the amnesty was the only prerequisite for the guerrilla movement to surrender its arms and to become legal ("Interview with Alvaro Fayad," pp. 481–82 in Alape, 1985).

The FARC's response was publicly more deliberative. In contrast to the M-19, this group's actions reflected the needs of a guerrilla movement whose strength was largely military and base was mostly rural. Jacobo Arenas, the FARC's principal ideologue, wrote during this period that the FARC should take advantage of the great contradictions that then existed in the government, and mobilize new sources of support as well as public opinion toward the objective of the guerrillas (Arenas, 1985: 19–63).

Unlike the leadership of the M-19, the FARC's leaders were not well-known. To the extent that they were familiar to the public, it was mostly through the haze of legend — such as that which surrounded the FARC's supreme commander, Manuel Marulanda, alias *Tirofijo* (Sureshot), whose exploits date back to the violence of the 1940s and 1950s when he was a prominent Liberal guerrilla. As Alfonso Cano, one of the top five commanders of the FARC, stated in an interview:

In political terms, what was at issue here was who was for peace in this country, and who was not. Who could cloak themselves with the flag of peace? And could we respond to a president and to a government that says, look, here is an offer of peace? Therefore, we responded and during a plenary meeting of the top leadership of the FARC we proposed the truce plan which was a plan that, in essence, suspended offensive actions on our part. You can look at the record. Sure you will find that some skirmishes took place. But these were sporadic and isolated. They did not reflect on what we were actually doing.

We understood that an opening (*apertura*) of this type would help us to radically change the image of the FARC in the urban areas. Before August 7, 1982 (the day Belisario Betancur took office), who were the leaders of the FARC? The FARC was a band of kidnapers and bandits. Their members were those who assassinated peasants, those who raped young girls, those who robbed the chickens and the cattle. They were the continuation of the traditional banditry that we have in this country. *Tirofijo* was the equivalent of such personages as *Sangrenegra* or *Desquite* ("Black blood" or "Revenge," two well-known partisan guerrillas during the Liberal-Conservative civil war who then turned into bandits during the late 1950s and early 1960s when the two parties agreed to share power) (Cano, 1987).

As for President Betancur, if amnesty did not translate into peace, as it had been sold to the nation, then he was prepared to negotiate a cease-fire between the government and the guerrillas. He was prepared to bypass the Congress and move beyond the limited political consensus for an amnesty and an ill-defined democratic opening. He sought to present a cease-fire to the nation as a *fait accompli*, and thus spur a return to the original conception of democratic opening. Yet in so doing, Betancur was granting the armed opposition groups more *de facto* authority than their minority status would ordinarily warrant. Moreover, by unilaterally opening up bilateral negotiations with the guerrilla movements, he weakened his own position *vis-à-vis* other political actors and sectors (including the armed forces) that necessarily would have to be a part of any democratizing process. Perhaps Betancur believed that an elite consensus was impossible, and feared that without his independent action the progress made in achieving amnesty would again end in immobility and stalemate. Yet in choosing to circumvent the existing political rules, Betancur — who lacked his own direct political machinery or a constituency that could be mobilized to support his policies — incurred large political costs that would ultimately weaken his presidency and the policies of national reconciliation.

NEGOTIATING A CEASE-FIRE AND THE TERMS OF AN AGREEMENT

FOUR GUERRILLA ORGANIZATIONS, the FARC, M-19, EPL, and ADO eventually signed cease-fire agreements. The ELN, then headed by revolutionary priests, never signed an agreement though they did have contact with the Peace Commission. This study will focus on the negotiations with the M-19 and the FARC. These groups represented not only the principal actors among the guerrilla organizations, but also different negotiating strategies and objectives. Moreover, the conflicts between the M-19 and the FARC underscore the divisions that existed among the several guerrilla organizations as well as their failure, in this period, to achieve a united front such as had been done by the FSLN (*Frente Sandinista de Liberación Nacional*) in Nicaragua or the FMLN (*Frente Farabundo Martí de Liberación Nacional*) in El Salvador. This weakened the position of all the guerrilla movements and, to some extent, strengthened the position of the government during the periods of negotiation and cease-fire.

Negotiations with the M-19

More than any other actor, the M-19 had influenced the direction of the political debate in the final years of the Turbay Administration and during the first months of the presidency of Belisario Betancur. Its call for a cease-fire and national dialogue became the basic reference point for the other political sectors. During the congressional debate, they were directly consulted.

Despite the imprisonment of much of its leadership in the period leading up to the peace process, the M-19 was then at the height of its political power and did not need the amnesty to augment its political presence. What it needed — or so the majority of its commanders thought — was to strengthen its military capacity to ensure its bargaining position. After a meeting in Panamá in January 1983, three months after the amnesty was approved, the M-19 formally declared that the amnesty did not mean peace and that the guerrilla war would continue.

In an interview, one leader made it clear that, following the amnesty, the M-19 did not trust Betancur, the leadership of the

traditional parties, the army, or the landowners. "The oligarchy did not believe in peace. We were very conscious of the history of betrayed amnesties in Colombia, beginning with the assassination of Liberal guerrillas following the amnesty of 1953" (M-19 interview, 1986). M-19 leaders also revealed that international conditions — especially the success of the Salvadoran guerrillas in the early 1980s, the recent triumph of the Sandinista revolution, and the hardline position of Cuba in the period that antedated the US invasion of Grenada and the peace efforts of the Contadora Group — also contributed to their decision to pursue a military strategy in this period (M-19 Interview, 1986).¹⁰

Although the M-19 chose the path of war, its leaders also continued to pursue direct contacts with the government — first with Betancur's Minister of Communications, Bernardo Ramírez, a close ally of the president and an early supporter and architect of the Peace Process with the M-19. Later they met directly with President Betancur in Madrid (October 1983, before the signing of cease-fire agreements) and in Mexico City (December 1984, months after the accords went into effect). In Madrid, the agenda was the same: cease-fire and national dialogue. There, the M-19 leaders urged Betancur to make their agenda his own, and to mobilize the masses in his favor; Ivan Marino and Alvaro Fayad reportedly told Betancur:

Assume the mantle of Allende, and we and the people will support you (Restrepo, 1986: 51).

If you fulfill 30% of what you promised in your electoral — only 30% — we will go with you to the public plazas and defend your government. But you must convene the nation, as López Pumarejo did before you ("Interview with Alvaro Fayad," p. 339 in Behar, 1985).

Two months after the Madrid meeting, Fayad and Marino met with the *Estado Mayor* of the FARC, and reached general agreements on the necessity of signing cease-fire agreements. Nonetheless, it was clear that their positions were still far apart. Alfonso Cano, of the FARC's *Estado Mayor*, later explained:

Generally, all of the guerrilla organizations had proposed that we should work together. In December 1983, we had a meeting here with Ivan [Marino] and Alvaro [Fayad]. They reported on their meeting with Belisario [Betancur]. After long conversations with them that lasted three days, we ar-

rived at a very general agreement. They were not concrete or specific because we understood that some of us were pursuing one strategy, and others a different one. Of course these were both leading to the same thing, but employing different criteria and methods.

For example, very concrete things: they had already established a direct dialogue with the government at the level of the President of the Republic. We had been speaking with intermediaries that did not even have an official status, because they were not government entities. It was simply a commission that acted on good faith. Of course, the M-19 did not want to lower their level, and that's fine. They had already achieved direct talks with the president. We did not have such ambitious objectives in these agreements. They had certain ideas on how to allow the people (*el pueblo*) to participate. We had others. That is to say that there were two different sets of criteria [regarding negotiations], and this led to a joint declaration that was only very general, where the most concrete thing that was stated was that we had common objectives (Cano, 1987).

The government had chosen to open different channels of communication with each group. Was this part of a larger strategy of the government to divide the guerrillas? In part, yes; but it also reflected the different positions of each organization.

The M-19 correctly assumed that, for the Betancur government, it was the principal armed opposition group during the early stages of the negotiating process. The M-19 leaders understood that the direct dialogue with President Betancur had given them a singular legitimacy and a strengthened bargaining position, similar to that of the international legal conception of "belligerents" within a state of civil war.¹¹ Fayad stated:

Something occurred which had never before been achieved in Colombia: the constitutionally-mandated head of state of Colombia publicly entered into talks with the leadership of an armed guerrilla movement. That means that we are a belligerent force in this country ("Interview with Alvaro Fayad," p. 511 in Alape, 1985).

Yet the M-19 leaders overplayed their hand during this period. Following Betancur's return from Madrid in October 1983, he and his advisors evidently concluded that the demands of the M-19 were excessive and that their policies were erratic. Given the suc-

cessful development of the independent negotiations between the FARC and the Peace Commission, the government now had the alternative of isolating the M-19.

In March 1984, President Betancur announced an agreement with the FARC. The M-19, now on the defensive and with its credibility on the line, publicly denounced the accord and declared that the FARC had prejudiced the position of all the revolutionary organizations by (1) negotiating independently, (2) negotiating with an authority other than the president, and (3) accepting something less than a National Dialogue.

The FARC fell for their game. They stupidly accepted that method. It was stupidity, because we had already secured a direct channel (with the president) and we wanted a collective agreement that would have demonstrated to the entire nation, our combined strength, in all its dimensions. They had very little collective vision and they broke the agreement that would have demonstrated to the entire nation, our combined strength, in all its dimensions. They had very little collective vision and they broke the agreement that we had with them ("Interview with Alvaro Fayad," p. 341 in Alape, 1985).

For us, this fact weakened the possibilities and the conditions of the dialogue with Belisario's government. It is not the same to negotiate with the guerrilla forces in bloc than with just one of them.... It weakened the guerrilla movement's position that the talks had to be directly with Betancur. After all, the FARC had negotiated with a commission of intermediaries, which was the Peace Commission (Fayad in Alape, 1985: 512).

The M-19 responded by stepping up its military actions. It quickly executed the takeover of Garzón, a small city in the Department of Huila, and then boldly planned and carried out the takeover of Florencia, Caquetá — the first time a departmental capital was temporarily seized. It also dispatched guerrilla columns toward the Department of Cauca, just south of the prosperous city of Cali, and led the takeovers of the towns of Corinto and Miranda.

This display of military force produced results, but could not restore the M-19's earlier credibility — especially for Betancur and his policy advisors. Following the takeover of Florencia, Communications Minister Bernardo Ramírez resumed negotiations and listened to the M-19's objections to the document signed by the

government and the FARC. Unlike the FARC, the M-19 refused to accept the Colombian Armed Forces as the only legitimately constituted military force in Colombia, as was explicitly stated in the agreement with the FARC. Such language, they argued, openly discredited and delegitimized the guerrilla movements (Alape, 1985: 495-598, part 8, sub-section E of the *Acuerdo*). Further, the M-19 deplored the absence of a new institutional mechanism to promote political, economic, and social reforms. In other words, it decried the failure to convene its long-sought-after National Dialogue. Finally, the M-19 refused to condemn, as had the FARC in their agreement, the practices of kidnapping, extortion, and other methods used by the Colombian guerrillas to finance their movements (Alape, 1985: 495-498, article 2 of the *Acuerdo*). The M-19 held the position that these are unfortunate aspects of a guerrilla war. Given the conditions in Colombia, it would not condemn a necessary revolutionary practice; however, it agreed that, within the context of a cease-fire and democratic opening, such activities would become unnecessary.

The result was that the M-19 nominally achieved its objectives. Its leaders signed cease-fire agreements with the government on 24 May 1984, five months after the FARC had signed the first accords.¹² In the new agreements, the government consented to the M-19 demand for a National Dialogue. The M-19 still refused to recognize the military as the only legitimate armed organization (Alape, 1985: 519-522). In so doing, it proved that force can be a potent negotiating weapon.

The words of the agreement, however, remained empty. The government and the guerrillas could not unilaterally ensure the participation of other sectors in the National Dialogue. The M-19 had thus forfeited its credibility and its strong negotiating position to ensure the establishment of a powerless forum, the National Dialogue, which was boycotted from the beginning by most of the leadership of the traditional parties, the producers' groups (*gremios*), and the Congress. What the M-19 achieved, as had the FARC, was *de facto* recognition as "belligerents" by the government. This, too, was an interpretation not accepted by the military or most of the party leadership and, by itself, was not enough to lay the groundwork for their reincorporation into the legal political arena.

Negotiations with the FARC.

For the FARC, the road from the amnesty to the signing of the cease-fire agreements was not marked by violent ruptures and angry denunciations; yet the record reveals wide misperceptions and false expectations which nearly sabotaged the agreements. Even after the accords had been signed, distrust and uncertainty abounded — principally because the scope, agenda, and limits of what was negotiable were never fully clarified or resolved.

John Agudelo, the President of the Peace Commission, considered the FARC to be a serious negotiating partner and committed to the process of democratic opening, yet the positions of the government and the FARC were far apart. Following the first meeting between representatives of the Peace Commission and the FARC in the Department of Huila in January 1983, the FARC made its first concrete proposal in a letter to Alberto Rojas Puyo, a member of the Peace Commission long associated with the Communist Party. In fact, most of the negotiations took place through written correspondence between Rojas Puyo, representing the Peace Commission, and Jacobo Arenas, negotiating in the name of the FARC's *Estado Mayor*, thus leaving an extraordinary record of the positions on both sides.

The Peace Commission, in opening direct negotiations over the serious opposition of the armed forces and other political sectors intentionally sought to accord the status of "belligerents" to the FARC. At the same time, the Commission sought to exploit this concession in its favor:

It would be wise to keep in mind a key fact: the most significant concession that the President of the Republic is making is to negotiate with an organization such as yours that has taken up arms against the state. This [until now] has been the principal obstacle, and which in any other country or under any other president would make an official agreement, or even the hint of a negotiation impossible. To negotiate — especially given the current situation — is already a colossal concession that you have obtained (Arenas, 1985: 34).

Once bilateral negotiations were offered, however, the FARC's leaders were not going to back away from the advantage gained. They would negotiate as equals, and pointedly rejected the

government's argument that the very fact of negotiations was a special concession. Arenas responded forcefully:

We reject [the claim] that the President's most important concession was to enter into negotiations with an organization, such as ours, that has taken up arms. No! To propose and accept negotiations in Colombia at this time is neither a concession of the government nor of the armed opposition. It is to recognize the immense public clamor for peace (Arenas, 1985: 41).

From the government's perspective, another key concession was the decision to remove the question of arms from the negotiating process. This indeed was a major concession, as the armed forces and important sectors of both parties had publicly demanded that disarmament be a condition for further negotiations. Rojas Puyo wrote:

The formula does not demand the surrendering of arms or of men. This is an exceptional position anywhere in the world, and was what served as a basis for the amnesty. It is worthy of consideration.

It is worth remembering that the idea of negotiating has powerful enemies whom I do not need to mention. {These enemies} continue to say that negotiating is tantamount to defeat. So you should understand that these negotiations, when they are concluded, will be a political victory for those organizations such as yours which have endorsed negotiations leading to a cease-fire (Arenas, 1985: 37).

In July 1983, the FARC sent to the Peace Commission a draft version of a proposed treaty which clearly demonstrated the direction of the negotiations. The proposal was divided into three time periods: (1) a six-month **cease-fire** — allowing time for a **Verification Commission** to establish compliance; (2) a one-year **truce**, if both sides have rigorously complied with the cease-fire; (3) a **peace treaty** to be signed by representatives of the government and the guerrillas.

During the truce, according to the draft document, the armed forces would return to their barracks and the guerrillas would convert to agrarian and self-defense movements. Moreover, during the initial 18-month period of the cease-fire and the truce, the government would be required to effect a democratic opening, based on the following points: (1) the vice-presidencies in all legis-

lative assemblies and commissions would be reserved for the leading majority party other than the two traditional parties; (2) governors and mayors would be chosen through direct elections; (3) an agrarian reform would be implemented providing free land to landless peasants, while the state would be required to increase spending in rural areas and provide credit to farmers at a maximum annual interest rate of 10%; (4) an urban reform would be implemented that included a massive housing construction program with mortgage payments limited to less than fifteen percent of the worker's salary; (5) the state would nationalize the banking system as well as foreign companies (Arenas, 1985: 37-40).

The FARC's proposals nearly derailed the negotiations. Its proposed treaty as well as the government's response finally underscored the basic asymmetry in the power of the two sides. Rojas Puyo, in the name of the Peace Commission, cautioned the FARC to be more realistic:

I tried to present the formula that you sent in the best possible light, but if the truth be told, it caused great disappointment. It must be said that we had thought that the negotiations were at the point of producing concrete results and that we were close to sending direct representatives of the President [to meet with you]. The formula that you sent us would mean beginning a whole new round of negotiations and raised issues that are simply not viable. For John [Agudelo] it was like a cold shower. His first reaction was to think that you wanted to provoke us into breaking off negotiations, or in the best of cases, to distance yourselves from the whole affair....

I believe that the situation is reaching its breaking point and that it must be handled carefully. Within the leadership of the traditional parties, the military, the economic powers-that-be and in the Parliament there is a growing lack of faith in your desire for peace....

As to the political reforms, the social objectives and the transformations of the economic structures of the country — this last one seems to me utopian — I believe that they can be the object of succinct declarations of intent in the joint communiqué that will be signed.

It would be wise if you asked yourselves how realistic are your objectives and the demands that you are asking of a

Conservative government. Some would be impossible for any government — even one of the Democratic Front — for the simple reason of the current fiscal deficit. ...If we lose this opportunity for the country, we will enter into a period of historical regression that will not only be blamed on the government, but also on your organization (Arenas, m.d.).

A cease-fire agreement with the FARC was signed on 28 March 1984. The accord addressed the whole range of political issues first introduced by the FARC, but with the language modified and timetables dropped. The treaty now used such hortatory and non-compromising language as:

“The Peace Commission gives its assurance that the government has the firm intention to: (a) promote the modernization of the nation’s political institutions...; (b) to support vigorously the implementation of an agrarian reform policy...; (c) to strengthen and facilitate peasant and indigenous community organizations...” (Alape, 1985: 495-498).

The Commission’s assurance of the government’s good faith was a long way from the institutional restructuring that the FARC had originally proposed.

CEASE-FIRE AND THE LIMITS TO DIALOGUE

THE AGREEMENTS WERE NEGOTIATED without the support or the participation of the party leadership or of the armed forces. From the outset, the armed forces insisted on their own interpretation of the agreements and expressly rejected the role of an independent verification commission to mediate a truce, as provided for in the agreement with the FARC. The military refused to accept the Peace Commission’s definition of the problem as one of belligerents within an arranged cease-fire, with the guerrillas and the Armed Forces treated as equals (Alape, 1985: 503-508).

Many of the obstacles that surfaced during the negotiations continued to obstruct the process. The movement from amnesty to cease-fire and national dialogue required broad-based political support. Non-binding agreements between representatives of a relatively isolated, though still popular, president and a few armed insurgent movements could not deliver this.

Again the experiences of the M-19 and the FARC contrasted greatly, this time exposing their different vulnerabilities as well as their competing objectives. Skirmishes between the Army and the M-19's weaker military force continued to a far greater extent than that with the FARC or the other guerrilla movements. This seemed to reflect the military's calculations aimed at keeping the guerrillas divided and applying selective pressure. The M-19 was the most exposed; the truce with the FARC allowed the military to concentrate its strength and direct this strength against the M-19. Four months after the cease-fire went into effect, the armed forces surrounded the M-19's principal camp in the mountains of Cauca. Only intervention by the Peace Commission prevented the immediate breakdown of the process. Within two months of the first confrontation, however, the M-19 was dislodged from the camp, without further recourse to the Peace Commission.

In addition, the guerrillas' attempts at organizing in the poorest *barrios* of the major cities were violently obstructed by the police and the military; they accused the guerrillas of training urban militias. Moreover, the lives of the M-19's leaders could not be protected. The short-lived peace process was bracketed by an assassination and an assassination attempt. Immediately prior to signing the cease-fire in August 1984, one of the M-19's most prominent amnestied commanders, Carlos Toledo Plata, was slain. Ten months later, the man in charge of M-19's negotiations with the government, Antonio Navarro Wolf, was the victim of a grenade attack while sitting in a restaurant in downtown Cali. Within a few weeks of the attempt on Navarro's life, 21 June 1985, the remaining M-19 leaders withdrew to the mountains and declared that the government had broken the cease-fire agreements.

The peace process with the M-19, the movement which had played such a central role in defining a new politics of national reconciliation in Colombia, came to a tragic climax on 6 November 1985, when M-19 guerrillas seized the Palace of Justice in the center of Bogotá, holding hostage Supreme Court justices and hundreds of people who worked in the building. The M-19 intended to create a national and international forum to express its position, blaming the government for the breakdown of the peace process.¹³

It is likely that the M-19 leaders expected to duplicate the success of the Dominican Embassy takeover of 1980 but miscalculated. After three years of negotiations, cease-fire, and escalating violence, President Betancur did not have the political will or power to put the country through drawn-out negotiations with the M-19.

The military quickly responded to the takeover, without civilian orders. The president decided to allow the military operation to continue.¹⁴ The palace was to be retaken by force, regardless of the cost in lives. At the end of 28 hours of continual fighting, 12 Supreme Court justices (including the Court's president) lay dead. Dozens of other functionaries of the Court, along with the estimated 40 guerrillas who had participated in the takeover, also perished.

The Palace of Justice tragedy symbolized the end to the strategy of negotiated settlement to armed conflict, and the reassertion of military power in Colombia. It served as a warning to the guerrilla movements within as well as without the peace agreements that the armed forces would not tolerate a process of negotiations and democratic opening without the surrender of arms; moreover, the political projection of the insurgent movements would be resisted by force. Such was the effect on the only group that still adhered to the cease-fire agreements, the FARC.

Despite the increased military activity from both pro-government and guerrilla forces during the last year of the Betancur government, and the growing public opposition to government policies of national reconciliation and dialogue, the FARC continued to pursue a strategy of expanding its legal presence through the mechanisms of the peace process. The FARC's leadership founded a new political movement, the *Unión Patriótica* (UP), taking advantage of the existing political machinery of the Communist Party of Colombia.

The participation of the UP in the congressional elections of March 1986 resulted in the election of 14 of their candidates alone or in alliance with members of the Liberal Party. In the May 1986 presidential elections, the UP received almost 400,000 votes, or approximately 4% of the national vote, and emerged as the principal political force in the national territories of Arauca and Guaviare. Though modest in comparison with the vote for the traditional parties, this success was more than the Left had

achieved previously at the polls. The founding of the UP and its participation in the 1986 elections was the one concrete success of Colombia's democratic opening.

Throughout the electoral campaign, however, the FARC denounced repeated confrontations between its fronts and the Colombian military, despite the cease-fire agreements. The FARC's leadership asserted that 165 militants of the UP were assassinated during the last six months of the electoral campaign (*Semana*, 1986b). During the succeeding six months, 33 additional assassinations of UP militants were widely publicized in the national press, including the slayings of one senator, one representative, five councilmen (*concejales*), and 25 activists. The UP directly accused the army, police, and Right-wing para-military groups of the murder of their elected representatives (*Semana*, 1986a). Evidence emerged directly linking mid-level military officers to specific crimes (AI, 1988: 6). Further, reports surfaced linking drug-traffickers and drug-financing to the death squads (Bagley, 1986). With each new assassination, the erosion of the state's capacity to uphold public order and render justice was confirmed, and democratic participation was made less possible. The new government of Virgilio Barco, which took office in August 1986, deplored the killings but otherwise remained disturbingly passive. Throughout 1987 and 1988 the killing of UP leaders and sympathizers continued unabated. By early 1988, the toll had surpassed 450, including the UP's former presidential candidate and two more of their elected congressional representatives (AI, 1988: 7).

NEGOTIATED SETTLEMENT TO ARMED CONFLICT: CONCLUSIONS AND A FRAMEWORK FOR ANALYSIS

FOUR YEARS OF "DEMOCRATIC OPENING" underscored the crisis of Colombia's political regime. In Colombia, democratic opening required that the new rules of the game minimally address the following: the rights of the opposition, the establishment of clear lines of civilian authority over the military, the fundamental respect for human rights even when confronted with questions of public order, and the elimination of the abuse of the emergen-

cy powers contained in the State of Siege provisions of the national constitution.

The government, however, divorced these questions from the process of negotiation with the armed opposition. This was a mistake. The government never defined the proper scope of the discussions with the guerrillas. Was it state power, political reform, cease-fire, or surrender? Under Betancur, commissions proliferated, yet never were the parameters of reform defined by the actors in conflict.

In addition, one central actor — the military — did not participate, even nominally. Also, despite the wealth of specificity in all the accords (which undermined and overwhelmed a coherent process of democratic opening by failing to discriminate among essential political reforms), one proposal was not found on the agenda: military reform — in spite of the fact that civilian control over the armed forces in Colombia was perhaps the single most important requirement for democratic opening in Colombia. Faced with a regime in crisis and a prolonged insurgency that was then in its third decade, the Colombian military not only had developed institutional autonomy in relation to other regime actors, but it also had begun to extend its authority over areas that were traditionally under civilian control, such as the administration of justice and economic development in the rural zones. The military also began to speak out on national politics, advancing certain policies and opposing other; in so doing, it began to act as the conduit of other voices of political opposition.

Four years of democratic opening had dramatically changed the discourse and political cleavages of Colombian politics. Even with all the ambiguities and shortcomings, the Colombian peace process represented a unique historical experience: negotiations with an armed insurgency as part of a more extensive program of democratic opening. Further, several policies were implemented which have been proposed elsewhere, particularly in Central America: amnesty, negotiations, cease-fire, national dialogue, and democratic reform.¹⁵ These policies need to be clarified in light of the Colombian case.

As is evident from the negotiating experience with the Colombian guerrillas, amnesty may resolve the legal entanglements of individuals on either side of the conflict; however, in cases where insurgent movements have not been defeated, it is unlikely that

an amnesty by itself will be sufficient for a group unilaterally to surrender its arms. Much of the frustration over the partial implementation of the Central American peace accords hinges on a misunderstanding of this point, similar to the false expectations in Bogotá in 1982.

The Colombian experience provides a sharper focus on national insurgencies. Conflict in Colombia, though spreading and beginning to have a political impact, did not constitute an “undeclared civil war” — as many asserted during this period. Rather, Colombia’s was a minority armed insurgency, defined by the intensity and scope of the violence, the degree of control exercised over populations and territory by the insurgent movements, the methods of war and tactics employed by both sides, and the degree of support and sympathy for the guerrillas found in a developed social base as well as in wider areas of the society.

This study argues that the nature and the scope of possible negotiations — and the meaning and effectiveness of such programs as amnesty, cease-fire, negotiations, and national dialogue — under conditions of a minority armed insurgency will be significantly different from those under conditions of civil war. In the context of a *civil war*, such as in El Salvador, negotiations would most effectively center on the control of regime and state power (who will govern and how) as a prerequisite to subsequent elections and further reform. In the context of an undefeated *minority armed insurgency*, however, such as in Colombia or Guatemala, it is unlikely that a standing government would agree to enter into negotiations over the direct redistribution of state power. Even under circumstances of mounting violence and strong challenges to the state’s capacity to protect its citizens and control national territory, there remains a threshold below which social protest, armed opposition, and government repression do not threaten the regime’s stability.

Colombian policymakers during the administration of Belisario Betancur often cited the case of Venezuela in the 1960s as an example of the successful incorporation of an armed insurgent movement into the nation’s political life. It should be noted, however, that the Venezuelan insurgents were militarily defeated first, obviating the need for negotiating cease-fire agreements and leaving the former insurgents with little negotiating power. It also should be stressed that the regime unilaterally provided guaran-

tees and effected political reforms which facilitated the incorporation of a new political movement, the *Movimiento al Socialismo* (MAS), without entering into negotiations. Moreover, civilian control and state capacity were sufficiently consolidated to guarantee the physical integrity of the new political actors. Ex-guerrillas were not gunned down on the streets of Caracas in the 1970s as they were in Bogotá in the 1980s (Ellner, 1988: Chapters 3-5).

Even under favorable circumstances, the possibility of a negotiated end to armed conflict, whether at the level of a civil war or a minority armed insurgency, remains slight. In most instances, negotiations have not taken place, and where they have, they have met with limited or no success. However, when two conditions are present — (1) a protracted minority armed insurgency, and (2) a democratizing regime — a small window of opportunity may open for the success of negotiations. Such was the case in Colombia. At that stage of the conflict, the possible scope of the negotiations, to which both sides would have to agree, would exclude questions of powersharing, even though this may be an early demand from the insurgents. However, an agenda which would be in the interest of both sides would include both issues of political reform and those addressing more equitable access to state benefits (Table 3).

In the Colombian case, this included guarantees for opposition movements, institutionalized procedures to implement future reforms, and input into the distribution of state resources. Simply stated, negotiations would center on political processes (which regulate the access to state power), not the direct apportionment of power.

A central characteristic which distinguishes minority armed insurgency from civil war is that, in the case of the former, the insurgents may be (and probably should be) only one of several groups within a broader dialogue on political reform among the government, political parties, key economic groups, and others. For such negotiations to progress, they must be pursued within the larger context of a democratic opening whereby all the political forces in conflict are incorporated into the negotiating process.¹⁶ In the early stages of the peace process, Betancur and his advisors spoke of this type of participatory, democratic opening. The Peace Commission was to be a representative body of all relevant national political forces: the traditional parties, the

**TABLE 2. Domestic Insurgencies
Within Democratizing Regimes**

	Minority Armed Insurgency	Civil War
Defeated	Venezuela (1962-1970)	
Undefeated (1980s)	Colombia Guatemala Peru Philippines	El Salvador

**TABLE 3. Elements of a Peace Process within the
Context of a Democratic Opening,
Given Different Types of Armed Conflict**

Undefeated Minority Armed Insurgency	Civil War
Amnesty	
Cease-fire/truce Negotiations/National Dialogue concerning political reforms effecting access to regime and state power.	Cease-fire/truce Negotiations over the distribution of state power — formulas for power- sharing
Elections	Elections

church, producers' groups (*gremios*), Left-wing parties, labor unions, social movements and, after the signing of the peace agreements, guerrilla leaders. Yet, in practice, only a few members of the Commission were active, and they soon became the special envoys of an isolated president. Throughout most of the negotiations, and certainly during the short-lived National Dialogue which the M-19 insisted upon, the party and industrial leaders simply abandoned the government's policies and, in many cases, vocally opposed them. What was supposed to be a genuine national dialogue degenerated into agreements between individual guerrilla movements and an unrepresentative, advisory peace commission that negotiated in the name of a weakened president.

A NOTE ON THE BARCO GOVERNMENT

GIVEN THE CONDITIONS of insurgency and a democratizing regime, other options may exist. A government could press its reformist agenda while seeking to limit the armed movements' influence and military and political effectiveness — a process which seeks simultaneously to re-legitimate the regime and undermine guerrilla support. In Peru, where a nihilistic *Sendero Luminoso* has rejected all dialogue with the government, this is the strategy of President Alan García.

A version of this strategy was adopted in Colombia by Betancur's successor, Virgilio Barco (1986-), though such a course was made more problematic and less effective by the earlier recognition of the insurgents and their expressed willingness to negotiate. From his first days in office, Barco removed the question of reforms from the negotiations' agenda. This new strategy allows only discussions on disarmament and re-integration into civilian life. Gone is the ambiguity. Gone is the confusion over the issues and scope of negotiations. In so doing, however, Barco failed to make the distinction between what is negotiable (reforms on process and procedure) and what is not (the disposition of state power) in the context of a minority armed insurgency. By removing political reform from the agenda, Barco eliminated the incentive for the guerrillas to participate. Their choice was reduced to negotiated surrender or escalated military confrontation. In fact, the early Barco strategy recalled the failed peace strategy of the

Turbay administration which conditioned amnesty for political prisoners on the prior surrender of arms by each guerrilla force.

Moreover, the new strategy has led to an expanded role for the armed forces in the repression of subversive political activity as well as in combating the guerrillas.¹⁷ Now military action has been undertaken with clear lines of civilian support, if not necessarily civilian control. In attempting to marginalize the guerrillas once again, however, the government is repeating the mistakes of an earlier period when state security forces were unable to distinguish between legitimate opposition and subversive activity.

Barco also instituted, for the first time since the founding of the National Front in 1958, the government-opposition dichotomy in his dealings with the Conservative Party and the *Unión Patriótica*, and has submitted legislation for the reform of the State of Siege provisions in the Constitution. Despite the application of selective lessons learned from the Betancur years, however, Colombian society under Barco is less democratic and less secure. Abrupt reduction in the scope of negotiations with the FARC, combined with the increased military activity against their fronts, has led not only to an increase in combat between the military and the guerrilla movements, but also to a deepening of the political conflict between the Left and the Right, and a massive upsurge in violence against those individuals who choose to exercise their constitutional rights outside the two-party system. Violent political deaths during the second quarter of 1988 alone, reached 1,650 persons.¹⁸ Despite very modest denunciations, the Barco government has failed to stem this new tide of violence which already has undermined other aspects of his reformist program.

Indeed, the original strategy of Betancur should have been re-assessed and modified to delineate clearly possible areas for negotiation as well as to define the scope of acceptable behavior by the military forces on both sides. Re-evaluation of strategy might also have called for extending the framework for discussion to include other social sectors and political actors. The basic policy of the Betancur government should not have been discarded since the approach of the Barco administration appears to be stimulating a whole new cycle of armed opposition and government repression.

NOTES

1. Since the middle of the last century, Colombian politics have been dominated by two parties, the Liberal and Conservative. After the overthrow of the Rojas dictatorship in 1953-1957, the two parties made a pact aimed at limiting the severe partisan violence which had plagued the country since the late 1940s, known as *la violencia*. The pact, the National Front, was a constitutional agreement between the leadership of the Liberal and Conservative parties to share power for a period of sixteen years, 1958-1974. The agreement, ratified in a National Plebiscite in 1957, mandated alternation in the presidency and parity in all administrative and legislative areas of government. Thereafter, the underpinnings of the National Front have been maintained principally through Article 120 of the National Constitution which obliges the President to invite the runner-up party to join the government. From 1974 through 1986, during the first "post-National Front" governments, both parties chose to continue to share power; however, following the presidential elections of 1986, the Conservative Party declined to join the government, paving the way for a restoration of party competition.

2. In the case of Central America, the similarities between the region's peace processes and programs first initiated in Colombia is not an historical coincidence. Betancur was the major force behind the founding of the Contadora Group in January 1983, which initially brought together Mexico, Venezuela, Panama and Colombia in a regional search for peace in Central America. The Colombian president explicitly linked the prospects for achieving peace in Colombia with the diminishing of tensions in Central America. (see Chernick, 1988).

3. Another phenomenon also was undermining Colombia's political stability during this period: the rise of drug trafficking and drug-related violence during the late 1970s and the 1980s. This violence should be distinguished from Colombia's long-standing, class-based guerrilla insurgency which by 1982 posed a distinct challenge to the political regime. This study addresses the latter process and leaves aside the questions of drug violence; however, a few comments on drug trafficking are in order. Drug traffickers have developed a complex web of relationships with groups which often stand in opposition to one another, including the military, guerrillas, landowners, and political leaders from the traditional parties. Drug traffickers employ large quantities of financial and violent resources in the pursuit, and in the defense, of their economic interests. Thus drug dealers in Colombia have targeted judges for assassination as a way to influence judicial decisions; they have allied themselves with the military and landowners in the fight against Leftist guerrillas and are reputed to have financed many of the para-military death squads; and they have cooperated with guerrilla authorities in remote jungle areas where there has been conflict with the military (under orders to eradicate coca crops).

This overlay of drug-related violence in a society already divided by class and partisan conflict has accelerated the erosion of state authority and state capacity and has frustrated crucial aspects of the government's attempt to negotiate a settlement of guerrilla insurgency. Most notably, the drug-related violence has incapacitated the system of justice and thus has undermined the declared efforts to guarantee and protect legal forms of political dissent. This became more evident and more critical as the peace process advanced and hundreds of amnestied guerrillas and Leftist political leaders were assassinated by death squads, while the government was reduced to helpless denunciations of the crimes.

4. For a summary of the debate on Colombia as a restricted democratic regime, as well as the most developed thesis on authoritarian rule in Colombia, see Bagley (1984). In this article, Bagley compares Colombia's regime to Mexico's, placing them both in the category of inclusionary authoritarian regimes, though with very different forms of organization and incorporation of middle and popular sectors. He contrasts Mexico's authoritarian regime, based on corporatism, with the Colombian regime during the National Front, based on practices of clientelism.

5. Calculations of percentage change made by Santamaria and Silva (1985).

6. The figures include self-defense organizations plus direct urban and rural support organizations.

7. Recent studies on the breakdown of authoritarian regimes have led to a reevaluation of the relationship of legitimacy to regime stability. Legitimacy may be a key variable in the maintenance of democracy; however, its presence or absence is not the crucial variable in the movement towards liberalization in non-democratic regimes. Rather, several authors studying political processes as varied as those in El Salvador and Argentina have suggested that the decisive factor "is not the legitimacy of the particular system of domination, but the presence or absence of preferable alternatives." (see Przeworski, 1986).

8. Ponencia del Senador Germán Bula Hoyos "por la cual se decreta una amnistía y se dictan normas tendientes al restablecimiento y preservación de la paz," (Anales del Congreso, 1982: 801).

9. Over the next two years, a total of 1,384 persons took advantage of the amnesty's provisions, which included access to land, credit, national and international scholarships, and forms of employment. (see Bouzas, 1986: 57).

10. It should be noted, however, that the positions of both Cuba and Nicaragua changed as a result of the success of the Contadora Group in presenting a viable alternative to the US policy of promoting a military solution to the Central American conflict. For a more detailed discussion of the international linkages of the Colombian guerrillas and the international dimension of the Peace Process, see Chernick (1988).

11. Two additional protocols to the Geneva Convention approved in 1977 outlined the norms of conduct for war and the holding of prisoners

during periods of *domestic* insurrection or civil war, thus extending the conditions of the Geneva Convention for international war to national circumstance when a recognized belligerent force challenges the authority of the existing government. Colombia signed the protocols of 1977, but they were never ratified.

12. Two smaller groups, the Popular Liberation Army (EPL) and Worker's Self-Defense (ADO) also signed agreements with the Peace Commission on 24 and 25 May 1984. These agreements were similar to the one negotiated with the M-19.

13. Evidence confirming the M-19's objectives and motives can be found in the communiqué sent to major newspapers and magazines during the takeover, and subsequently published. (see *Semana*, 1985).

It should be noted that there is speculative, though not very authoritative, evidence linking the takeover to drug traffickers who sought to destroy extradition files and directly challenge the Supreme Court. This version was first offered by the Minister of Justice, Enrique Parejo González, in an interview with the national and international press on 10 November 1985 and has been widely repeated since. It is not supported by most analysts who have studied the facts and events surrounding the Palace of Justice incident, however. In fact, it misses much of the central dynamic of Colombian politics at that time (Peña Gomez, 1986).

14. That the military acted immediately without waiting for civilian orders was confirmed publicly by the then Minister of Government, Jaime Castro, in his presentation to the forum, *Procesos de Reconciliación Nacional en América Latina*, organized by the *Instituto de Estudios Liberales* and the *Fundación Naumann*, 7 December 1985 in Bogotá. Dr. Castro stated that this is normal procedure since the military are entrusted with the maintenance of public order.

15. This study focuses exclusively on questions of domestic insurgency. One of the principal differences between the Colombian peace process and the various proposals for Central America is that the Central American agreements not only have national components with policies of amnesty, national dialogue, and political reform, but also international components which cover such areas as international borders, foreign military bases, and arms shipments.

16. Here I believe that the concepts of negotiation with minority armed insurgencies and of democratizing regimes can be linked with the recent literature on democratic transitions: specifically, O'Donnell and Schmitter's idea that "democratization refers to the processes whereby the rules and procedures of citizenship are ... expanded to include persons not previously enjoying such rights and obligations," and Adam Przeworski's idea that "democracy is a form of institutionalization of continual conflicts." The difference, of course, is the extension of these ideas to include conditions of armed insurgency. (O'Donnell and Schmitter, 1986: 8; Przeworski, 1986: 58).

17. For a clear enunciation of Barco's policies on negotiations with the armed opposition, see *Oficina del Consejero Presidencial* (1986).

18. These figures did not include delinquent criminal activity or violence associated with drug trafficking. See *Comisión intercongregacional de justicia y paz*, 1988: 74.

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